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JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

February 2, 2009

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

Dear Mr. Secretary:

Enclosed herewith are copies of S. 358, Ensuring Safe Facilities and Equipment for American Troops Overseas Act, to ensure the safety of members of the United States Armed Forces while using expeditionary facilities, infrastructure, and equipment supporting United States military operations overseas. I am forwarding this legislation to you for your review.

So that we can consider your views when the Committee reviews this legislation, please submit to this Committee the recommendations of your Department with reference to this legislation.

Sincerely,



Carl Levin
Chairman

Enclosures

OSD 01150-09



RON WYDEN
ORSGON

830 DIRKSEN SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-5244
(202) 224-1280 (TDD)

United States Senate

WASHINGTON, DC 20510-3703

February 2, 2009

COMMITTEES:

COMMITTEE ON THE BUDGET
COMMITTEE ON ENERGY AND NATURAL RESOURCES
SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS
SPECIAL COMMITTEE ON AGING
SELECT COMMITTEE ON INTELLIGENCE
COMMITTEE ON FINANCE

Robert M. Gates
Secretary
Department of Defense
1300 Pentagon
Washington, DC 20301-1300

Dear Secretary Gates:

I am writing to express my grave concern over the apparent widespread use of burn pits for waste disposal throughout Iraq and Afghanistan. I have been informed by a constituent that his relative serving in Afghanistan is experiencing health symptoms related to smoke exposure from a burn pit that neighbors his base. The unregulated presence of these sites has endangered the health and well-being of American and allied soldiers as well as civilians, and will undoubtedly leave environmental scars in the areas we currently occupy.

I believe the problems exhibited and widely reported at Balad are indicative of a much larger problem. With approximately 11 million pounds of hazardous waste in Iraq alone, it is easily imaginable that unregulated, unmonitored burn pits may be affecting a large percentage of the service members deployed to Iraq and Afghanistan post-9/11. Air Force Lieutenant Colonel (b)(6) a surgeon previously deployed to Balad, stated that everyone at the base had a memo placed in their medical files in fall 2007 noting they had been exposed to the burn pit's fumes. I'm encouraged by this acknowledgement of health risks associated with burn pits, but believe the Department of Defense must do more.

I fear that little is being done to address the issue on a broad scale. The Military Times recently reported that the burn pit in Balad is the only disposal site to be specifically tested, and the reports from my constituents suggest that this problem is not isolated to one location. Soldiers that will be deployed in these areas in the future, servicemembers that may have separated from the service or others that have returned home may be potentially affected by burn pits and should be provided with proper education, health care, and resources as soon as possible.

I believe that transparency in this issue will help alleviate the concerns of deployed personnel and the American public. Thank you for your consideration of these requests and your concern for the health of the brave men and women that serve our country. I look forward to working with you to resolve this matter in the future.

Sincerely,

Ron Wyden

Ron Wyden
United States Senator

1220 SW 3RD AVE
SUITE 500
PORTLAND, OR 97204
(503) 336-7525

181 WEST 7TH AVE
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707 13TH ST, SE
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SALMON, OR 97131
(503) 599-4555

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OSD 01153-09



Ron Wyden 2022282717

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.

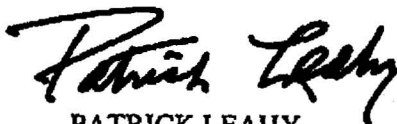
We have received a number of interim responses, including letters that referred our inquiry to the Under Secretary of Defense (Comptroller) and, later, to the Under Secretary for Acquisition, Technology and Logistics. We look forward to a more detailed response on how the Department actually plans to 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
Co-Chair
U.S. Senate National Guard Caucus



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

The Honorable Robert Gates and Admiral Mike Mullen


Page - 2


September 26, 2008


A strong and robustly equipped operational reserve force is what the American people expect and deserve. We look forward to working with you to ensure we resolve this important issue.


Thank you very much for your personal attention to and support for the National Guard and Reserve.

Sincerely,


PATRICK LEAHY
U.S. Senator


CHRISTOPHER S. BOND
U.S. Senator


TOM DAVIS
U.S. Representative


GENE TAYLOR
U.S. Representative

JIM WEBB
VIRGINIA

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

WASHINGTON OFFICE:
WASHINGTON, DC 20510
(202) 274-4024

United States Senate

WASHINGTON, DC 20510-4605

February 3, 2009

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

Dear Secretary Gates:

I am writing with regard to a November 21, 2008, letter to you that I co-signed with 56 other U.S. Senators expressing our concerns over the new TRICARE outpatient prospective payment system (OPPS) rule. I have not received a reply to that correspondence, but in accordance with the Obama administration's new Regulatory Review guidance, I request that you extend the final regulation's effective date by 60 days and reopen it for public comment.

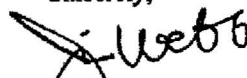
The reliability and validity of the data used by the Department of Defense (DoD) and its economic impact methodology have been challenged by health-care professionals. If a more effective and extended transition is not adopted to implement the new rule, many of our TRICARE beneficiaries in Virginia will experience a significant disruption in services.

In its final rule, the DoD estimated that TRICARE hospital outpatient revenue will decline by \$598 million, or 25 percent, in the first year. This estimate is nearly *seven times* DoD's original estimate of \$81 million as noted in the proposed rule. This discrepancy is not adequately explained in the final rule. Of note, the proposed rule's estimated impact fell below the \$100 million threshold necessary for the rule to be deemed "economically significant." Had the impact exceeded this threshold, a more thorough analysis would have been required under the Congressional Review Act. Clearly, DoD's revised estimate of the decline in hospital outpatient revenue shows that a thorough review is needed before the new rule is implemented.

I recognize that DoD is required by law to make changes in the way TRICARE pays hospitals for the outpatient care they provide to our military and that it must conform to Medicare "to the extent practicable." I strongly believe, however, that these changes should be implemented with a much more effective transition. In 1996, DoD implemented a 15 percent stop-loss transition for physicians to bring TRICARE payments in line with Medicare payments. I encourage DoD to consider an identical transition for network hospitals. Cutting TRICARE hospital outpatient payments abruptly by 25 percent is unreasonable and without precedent.

In light of these deficiencies, I strongly urge you to review the final regulation regarding TRICARE payments for hospital outpatient services and re-open the rule-making process. Thank you for your consideration of my views on this matter.

Sincerely,



Jim Webb
United States Senator

OSD 01221-09



DIANNE FEINSTEIN
CALIFORNIA



SELECT COMMITTEE ON INTELLIGENCE - CHAIRMAN
COMMITTEE ON APPROPRIATIONS
COMMITTEE ON THE JUDICIARY
COMMITTEE ON RULES AND ADMINISTRATION

United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

February 4, 2009

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

Dear Secretary Gates:

Recently, it has come to my attention that there are allegations of Bush Administration political appointees who have been improperly converted to career positions within the Department of Defense. Specifically, that two political positions were converted to career positions within the DOD's Office of Detainee Affairs, and that Bush Administration political appointees within that office assumed those career positions.

Allegations of improper "burrowing" of political appointees to career positions are concerning to me. This is especially disconcerting within the Office of Detainee Affairs due to the nature of the policy recommendations that office provides regarding Guantanamo Bay, Cuba. President Obama has decisively set a new course on detainee policy by issuing the executive order to close the Guantanamo Bay detention facility.

Accordingly, I ask that you immediately review the circumstances behind the conversion of these positions and the hiring of any former Bush Administration appointees as career or temporary officials within the Office of Detainee Affairs. I would like to know whether Bush Administration appointees were converted to career or temporary appointments in that office. If this has occurred, when were these appointments made, and were they done pursuant to a competitive and publicly open hiring process subject to all applicable Office of Personnel Management regulations? Finally, if improper burrowing of political appointees has happened within the Office of Detainee Affairs, how and when will this will be corrected?

I appreciate your attention to this matter, and I look forward to your prompt response.

Sincerely Yours,

Dianne Feinstein
United States Senator

OSD 01223-09



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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

OSD 01226-09



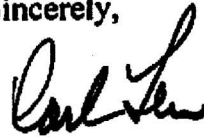
military analysts "reflected accurate information." However, the purpose of the contract, as detailed in the report, was not to determine whether the commentary was "accurate", but rather whether it was favorable - i.e., to determine "how coverage reflects or fails to reflect DoD stated policies or views (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

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JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

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

February 2, 2009

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

Dear Mr. Secretary:


In connection with his responsibilities as a Member of the Senate Committee on Armed Services, Senator Joseph I. Lieberman plans to travel to Saudi Arabia, Egypt and Israel during the period February 14-22, 2009. Senator Lieberman will be accompanied by Vance Serchuk and Christopher Griffin, his personal staffers designated to the Senate Armed Services Committee.

I would appreciate the support and assistance of the Department of Defense in providing such transportation, including the use of foreign carrier and military air transportation, as may be required. It would also be appreciated if the Department of the Army could be designated as the action agency for this travel.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Thank you for your assistance in this matter.

Sincerely,



Carl Levin
Chairman

OSD 01254-09



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United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

February 2, 2009

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

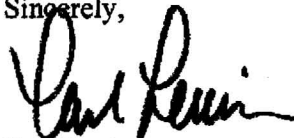
Dear Mr. Secretary:

On January 21, 2009, I wrote regarding the upcoming foreign travel plans to Germany and Bosnia-Herzegovina for Senator Joseph I. Lieberman and his staff during the period February 5-8, 2009. This letter is to request your further assistance. As previously indicated, Senators Joseph I. Lieberman and John McCain will co-lead the American delegation to the annual Munich Security Conference in Munich, Germany.

On behalf of Senator Lieberman, I also request that you authorize travel on military aircraft with CODEL LIEBERMAN individuals not belonging to Congress or its staff, but who are part of the United States' delegation and who would travel at no additional cost to the U.S. Government on a cost-reimbursable basis. A list of these individuals is attached to this letter.

Thank you for your continued assistance in support of this conference.

Sincerely,



Carl Levin
Chairman

Enclosure

OSD 01261-09



CARL LEVIN, MICHIGAN, CHAIRMAN

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United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

February 3, 2009

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

Dear Mr. Secretary:

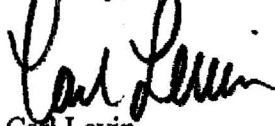
On January 21 and February 2, 2009, I wrote regarding the upcoming foreign travel plans to Germany and Bosnia-Herzegovina for Senator Joseph I. Lieberman and his staff during the period February 5-8, 2009. This letter is to request your further assistance. As previously indicated, Senators Joseph I. Lieberman and John McCain will co-lead the American delegation to the annual Munich Security Conference in Munich, Germany.

On behalf of Senator Lieberman, I also request that you authorize travel on military aircraft with CODEL LIEBERMAN the following 2 individuals who are also part of the United States' delegation and who would travel at no additional cost to the U.S. Government on a cost-reimbursable basis:

Max Boot
Bob Woodward

Thank you for your continued assistance in support of this conference.

Sincerely,



Carl Levin
Chairman

OSD 01262-09



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 |

LA/

OSD 01343-09



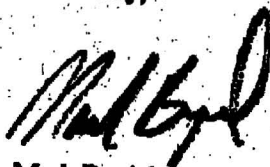
Should the Department of Defense consider any adjustments to this system, we ask that you notify us as soon as possible so that we may discuss the justification with you.

Thank you for your consideration.

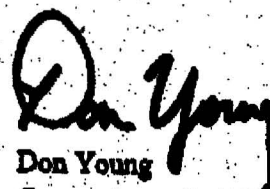
Sincerely,



Lisa Murkowski
United States Senator



Mark Begich
United States Senator



Don Young
Congressman for All Alaska

CARL LEVIN, MICHIGAN, CHAIRMAN

EDWARD M. KENNEDY, MASSACHUSETTS
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JOHN MCCAIN, ARIZONA
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JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

February 5, 2009

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

Dear Mr. Secretary:

This letter is in further regard to my letter of February 2, 2009 concerning the travel plans of Senator Joseph I. Lieberman and his staff members, Vance Serchuck and Christopher Griffin, during the period February 14-22.

Please be advised that Senator Lieberman has added Jordan (from February 18-19) to his itinerary.

I would appreciate your continued support and assistance in connection with this travel.

Sincerely



Carl Levin
Chairman

OSD 01434-09



CARL LEVIN, MICHIGAN, CHAIRMAN

EDWARD M. KENNEDY, MASSACHUSETTS
ROBERT C. BYRD, WEST VIRGINIA
JOSEPH I. LIEBERMAN, CONNECTICUT
JACK REED, RHODE ISLAND
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JOHN MCCAIN, ARIZONA
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RICHARD D. DeBORES, STAFF DIRECTOR
JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

February 10, 2009

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

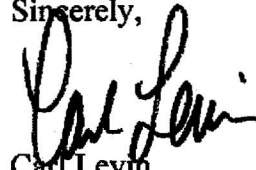
Dear Mr. Secretary:

This letter is in further regard to my letters of February 2, 3 and 5, 2009 concerning the travel plans of Senator Joseph I. Lieberman and his staff members, Vance Serchuck and Christopher Griffin, during the period February 14-22, 2009.

Please be advised that Senator Lieberman will now be returning on February 23 vice February 22. In addition, Mrs. Hadassah Lieberman will now be accompanying the Senator for protocol purposes and at no expense to the U.S. Government. In addition, Senator Lieberman, Mrs. Lieberman and Senator Lieberman's two staff members, Vance Serchuk and Christopher Griffin, will now be traveling from Egypt to Israel via military air because no commercial flights are available.

I would appreciate your continued support and assistance in connection with this travel.

Sincerely,



Carl Levin
Chairman

OSD 01435-09



CARL LEVIN, MICHIGAN, CHAIRMAN

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RICHARD D. DeBOBES, STAFF DIRECTOR
JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

February 4, 2009

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

Dear Mr. Secretary:

This letter is to request assistance for the following Committee on Armed Services staff members to travel via government vehicle to Charlottesville, Virginia from February 19-20, 2009:

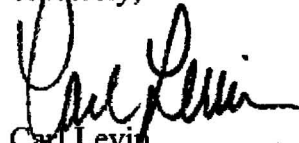
Richard D. DeBoges, Staff Director
Pablo E. Carrillo, Minority Investigative Counsel
Ilona R. Cohen, Counsel
Madelyn R. Creedon, Counsel
Jonathan D. Clark, Counsel
Gabriella Eisen, Counsel
Mark R. Jacobson, Professional Staff Member
Gary Leeling, Counsel
Peter K. Levine, General Counsel
William G.P. Monahan, Counsel
David M. Morris, Minority Counsel
Russell L. Shaffer, Counsel
Richard F. Walsh, Minority Counsel

The purpose of their trip will be to attend the 2009 Congressional Staff Legal Orientation Course at the U.S. Army Judge Advocate Legal Center and School. It is requested that the Department of the Army be assigned as the action agent for this trip.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Your assistance in this matter will be appreciated.

Sincerely,



Carl Levin
Chairman

OSD 01440-09



CARL LEVIN, MICHIGAN, CHAIRMAN

EDWARD M. KENNEDY, MASSACHUSETTS
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RICHARD D. DESOBES, STAFF DIRECTOR
JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

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

February 4, 2009

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

Dear Mr. Secretary:

Enclosed herewith are copies of S. 370, to prohibit the use of funds to transfer detainees of the United States at Naval Station, Guantanamo Bay, Cuba, to any facility in the United States or to construct any facility for such detainees in the United States, and for other purposes. I am forwarding this legislation to you for your review.

So that we can consider your views when the Committee reviews this legislation, please submit to this Committee the recommendations of your Department with reference to this legislation.

Sincerely,



Carl Levin
Chairman

Enclosures

OSD 01441-09



DANIEL K. AKAKA, HAWAII,
CHAIRMAN
JOHN D. ROCKEFELLER IV, WEST VIRGINIA
PATTY MURRAY, WASHINGTON
BERNARD SANDERS, VERMONT
BERRICD BROWN, OHIO
JIM WEBB, VIRGINIA
JON TESTER, MONTANA
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ROLAND W. BURRIS, ILLINOIS
WILLIAM E. BREW, STAFF DIRECTOR

RICHARD M. BURR, NORTH CAROLINA,
RANKING MEMBER
ARLEN SPECTER, PENNSYLVANIA
JOHNNY ISAKSON, GEORGIA
ROGER F. WICKER, MISSISSIPPI
MIKE JOHANNES, NEBRASKA
LINDSEY O. GRAHAM, SOUTH CAROLINA
LUKE WISSEL,
REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON VETERANS' AFFAIRS

WASHINGTON, DC 20510

February 10, 2009

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

Honorable Eric K. Shinseki
Secretary of Veterans Affairs
810 Vermont Ave.
Washington, DC 20420

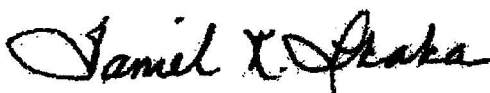
Dear Secretary Gates and Secretary Shinseki,

We are writing to request that you convene the DoD/VA Senior Oversight Committee (SOC), because we are very concerned about the recent reports of increased suicides among active duty servicemembers. Between 1995 and 2007, there have been over 2,200 suicides among active duty servicemembers.

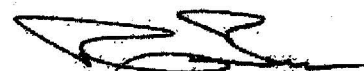
Such loss is unacceptable if there is any measure that can be taken to reduce it. We request that you meet as soon as possible to ensure that both the resources of the Department of Defense and the Department of Veterans Affairs are brought to bear on this problem. The SOC should move immediately to determine whether deficiencies exist in the way potential military personnel are screened, or in the diagnosis or treatment of active duty servicemembers who are suffering from psychological problems.

We believe that convening the SOC to look specifically at suicide prevention is a first and necessary step in a coordinated effort.

Sincerely,



Daniel K. Akaka
Chairman



Richard M. Burr
Ranking Member

OSD 01487-09



COMMITTEE ON INDIAN AFFAIRS

COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS

RANKING MEMBER
SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT,
GOVERNMENT INFORMATION AND
INTERNATIONAL SECURITY

United States Senate

Senator Tom Coburn, MD
Russell Senate Office Building, Room 172
Washington, DC 20510-3604
Phone: 202-224-5754
Fax: 202-224-6008

February 13, 2009

COMMITTEE ON HEALTH, EDUCATION,
LABOR, AND PENSIONS

COMMITTEE ON THE JUDICIARY

RANKING MEMBER
SUBCOMMITTEE ON HUMAN RIGHTS
AND THE LAW

The Honorable Robert Gates
Secretary of Defense
1300 Defense Pentagon
Washington, DC 20310-1300

Secretary Gates,

I am writing to you in regards to the TRICARE Management Activity (TMA) Program Integrity (PI) Office, which is responsible for all anti-fraud activities worldwide for the Defense Health Program. I want to congratulate the agency for identifying over \$50 million in TRICARE funds for recovery in 2006 and 2007.

In order to ensure the most judicious use of anti-fraud and anti-waste funds, I am contacting you with concerns about the biennial conference that the TMA Program Integrity Office holds to educate employees, providers, and contractors on fraud, waste, abuse detection and investigation. According to Federal Business Opportunities solicitation number H94002-09-Q-0006 posted February 3, 2009, the conference will be held in Nashville, Tennessee at the Opryland Hotel from April 28 to May 1, 2009.

Please provide answers to the following questions:

- What is the estimated total cost of this year's fraud, waste, and abuse conference? Please list individual estimates for airfare, hotel, per diem, audio/visual support, and conference space leasing.
- How many government workers and contractors are planning to attend this year's conference?
- What is the budget for the Office of Program Integrity? Does funding for this conference come out of its budget? If not, what budget authority appropriates these funds?
- Has anyone conducted an analysis of alternative methods of conveying this information such as videoteleconferences or site visits by the Office of Program Integrity?
- How much training do TRICARE Management Agency employees receive outside of conferences such as this?
- What is the annual salary of the average investigator at the Office of Program Integrity?



Additionally, please send a copy of the 2003, 2005, and 2007 conference itineraries along with their estimated costs. Thank you for your attention to this request and for your efforts to combat fraud, waste and abuse at the Department of Defense.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom A. Coburn". The signature is fluid and cursive, with the first name "Tom" being particularly prominent.

Tom A. Coburn, M.D.
United States Senator

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JOSEPH W. BOGARD, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

February 13, 2009

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

Re: Domestic Source Restrictions

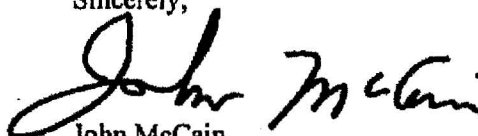
Dear Secretary Gates:

I have advocated for full and open competition in the defense industrial base for Department of Defense development and procurement programs, and maintain that statutory limits on competition produce suboptimal acquisition outcomes for the warfighter and taxpayer. I am aware that the Department has authorities to internally impose restrictions on competition, in the interest of national security.

Please provide me with the Department's general position on statutory domestic source restrictions and briefly detail what authorities the Department has to impose agency-wide domestic source restrictions.

I look forward to your response.

Sincerely,



John McCain
United States Senator

CC: Mr. Gary Powell, Deputy Under Secretary of Defense for Industrial Policy (Acting)

OSD 01553-09



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SUSAN M. COLLINS, MAINE

RICHARD D. DEBOES, STAFF DIRECTOR
JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

February 10, 2009

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

Dear Mr. Secretary:

This letter is to request assistance for two Armed Services Committee Professional Staff Members, Richard W. Fieldhouse and Dana W. White, to travel by commercial aircraft to Dayton, Ohio during the period February 19-20, 2009.

The purpose of their trip will be to visit the National Air and Space Intelligence Center (NASIC) at Wright-Patterson AFB in order to receive intelligence briefings on ballistic missile threats and developments and to discuss related matters with NASIC analysts. It is requested that the Department of the Air Force be assigned as the action agent for this trip.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Your assistance in this matter will be appreciated.

Sincerely,


Carl Levin
Chairman

OSD 01554-09



RUSSELL D. FEINGOLD
WISCONSIN

505 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-6323
(202) 224-1280 (TDD)
rfeingold.senate.gov

United States Senate

WASHINGTON, DC 20510-4904

COMMITTEE ON THE BUDGET
COMMITTEE ON FOREIGN RELATIONS
COMMITTEE ON THE JUDICIARY
SELECT COMMITTEE ON INTELLIGENCE
DEMOCRATIC POLICY COMMITTEE

February 13, 2009

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

Dear Mr. President,

For many years I have been deeply concerned about the ongoing crisis in Somalia and the potential for greater instability in the Horn of Africa, as well as the threat this situation poses to our national security. Over the last three years, I have consistently called on the executive branch to develop a comprehensive interagency strategy toward Somalia. In 2006, I wrote legislation, passed by Congress, requiring the administration to develop such a strategy. However, despite these efforts, the previous administration maintained a disjointed and short-sighted approach toward Somalia that was counterproductive and led to increased anti-Americanism in the region. As a result, the situation in Somalia has deteriorated, undermining our national security goals, including counterterrorism.

I was pleased to hear from Secretary Clinton and Ambassador Rice at their respective confirmation hearings that they understand the strategic importance of Somalia and that your administration is committed to developing a comprehensive strategy to address this crisis. I look forward to working with the State Department in this regard. Just as important, however, is the integration of all our national security resources, including those of the Department of Defense and the Intelligence Community, into one coherent strategy. Unfortunately, while the legislation passed by Congress requires an annual interagency strategy, the reports provided to Congress by the Bush Administration addressed only diplomatic activity.

In response, I sent a classified letter raising numerous questions about interagency coordination and strategy and requesting that these issues be included in classified annexes to the congressionally required report. The Bush Administration responded only by offering disjointed and incomplete briefings. As you seek a new and more effective way forward, I urge you to bring together all elements of the U.S. government in one coherent strategy and to do so in close coordination with Congress. In that respect, I look forward to working with you on the classified, as well as unclassified, elements of a comprehensive strategy toward Somalia and the Horn of Africa.

1800 ASPEN COMMONS
ROOM 100
MIDDLETON, WI 53602
(608) 828-1200
(608) 828-1215 (TDD)

517 EAST WISCONSIN AVENUE
ROOM 408
MILWAUKEE, WI 53202
(414) 776-7282

401 5TH STREET
ROOM 410
WAUSAU, WI 54403
(715) 848-5880

425 STATE STREET
ROOM 225
LA CROSSE, WI 54601
(608) 782-5585

1540 MAIN STREET
GREEN BAY, WI 54302
(920) 485-7506

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OSD 01575-09



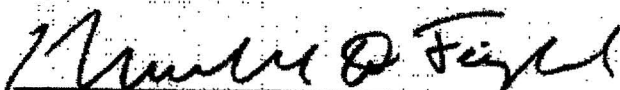
The need to develop and implement a new approach is urgent. The successful election of a new president by the Transitional Federal Government parliament is a major step forward for the Djibouti process and presents a significant opportunity. I believe expanded U.S. support for this process must be a central component of our strategy, and there exists a window during which high-level, sustained U.S. engagement could help Somalia overcome the many challenges to peace and stability.

I met President Sheik Sharif during my visit to the region in December and he expressed his commitment to an inclusive process to unite Somalia. Encouraging and helping him to deliver on that expressed commitment will be crucial if the process is to effectively translate into security on the ground and lead to the development of a functional government and the rule of law. As you well know, past attempts to form a unity government have failed because they were perceived—whether accurately or not—as favoring one clan or political constituency over others.

Finally, if we are to support the Djibouti process and pursue an effective overall strategy, it is essential that we deal directly with our credibility deficit in Somalia. The previous administration's approach has spurred widespread public resentment and mistrust toward the United States, which has led to increased suspicion about U.S. intentions. This mistrust undermines our ability to engage constructively with different parties. During the first months of your administration, I believe you have a unique opportunity to change this perception. To that end, I urge you to consider making a public, unequivocal statement that you intend to make a clear break from past policies toward Somalia. I believe doing so could make a tremendous impression on ordinary Somalis and greatly advance U.S. public diplomacy efforts in the Horn of Africa and across the Muslim world.

I appreciate your consideration of these suggestions and more importantly, your administration's commitment to address the ongoing crisis in Somalia. I look forward to working together to develop and pursue a comprehensive interagency strategy that brings stability to the region and advances U.S. long-term security interests.

Sincerely,



Russell D. Feingold
United States Senator

**CC: The Honorable Hillary Clinton
Secretary of State**

**The Honorable Robert Gates
Secretary of Defense**

**The Honorable Dennis Blair
Director of National Intelligence**

CARL LEVIN, MICHIGAN, CHAIRMAN

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ROGER F. WICKER, MISSISSIPPI
RICHARD BURR, NORTH CAROLINA
DAVID VITTER, LOUISIANA
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RICHARD D. DeBOBES, STAFF DIRECTOR
JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

February 6, 2009

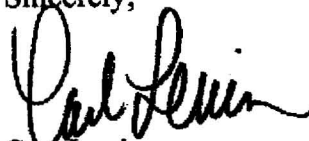
Honorable Robert M. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Mr. Secretary:

Enclosed herewith are copies of S. 390, S. 390, to expand the authority of the Secretary of the Air Force to convey certain relocatable military housing units to Indian tribes located in Idaho and Nevada. I am forwarding this legislation to you for your review.

So that we can consider your views when the Committee reviews this legislation, please submit to this Committee the recommendations of your Department with reference to this legislation.

Sincerely,



Carl Levin

Chairman

Enclosures

OSD 01610-09



CARL LEVIN, MICHIGAN, CHAIRMAN

EDWARD M. KENNEDY, MASSACHUSETTS
ROBERT C. BYRD, WEST VIRGINIA
JOSEPH I. LIEBERMAN, CONNECTICUT
JACK REED, RHODE ISLAND
DANIEL K. AKAKA, HAWAII
BILL NELSON, FLORIDA
E. BENJAMIN NELSON, NEBRASKA
EVAN BAYH, INDIANA
JIM WEBB, VIRGINIA
CLAIRE McCASKILL, MISSOURI
MARK UDALL, COLORADO
KAY R. HAGAN, NORTH CAROLINA
MARK BEGICH, ALASKA
ROLAND W. BURRIS, ILLINOIS

JOHN MCCAIN, ARIZONA
JAMES M. INHOFE, OKLAHOMA
JEFF SESSIONS, ALABAMA
SAXBY CHAMBLISS, GEORGIA
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JOHN THUNE, SOUTH DAKOTA
MEL MARTINEZ, FLORIDA
ROGER F. WICKER, MISSISSIPPI
RICHARD BURR, NORTH CAROLINA
DAVID VITTER, LOUISIANA
SUSAN M. COLLINS, MAINE

RICHARD D. DeBOES, STAFF DIRECTOR
JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

February 13, 2009

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

Dear Mr. Secretary:

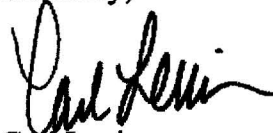
In connection with his responsibilities as a Member of the Senate Committee on Armed Services, Senator Mel Martinez plans to travel to Belgium during the period March 20-22, 2009. Mrs. Kitty Martinez will accompany Senator Martinez for protocol purposes and at no expense to the U.S. Government. Senator Martinez will be accompanied by Tom Weinberg, his personal staffer who has been designated to the Senate Armed Services Committee.

I would appreciate the support and assistance of the Department of Defense in providing such transportation, including the use of foreign carrier and military air transportation, as may be required. It would also be appreciated if the Department of the Air Force could be designated as the action agency for this travel.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Thank you for your assistance in this matter.

Sincerely,



Carl Levin
Chairman

OSD 01652-09



CARL LEVIN, MICHIGAN, CHAIRMAN

EDWARD M. KENNEDY, MASSACHUSETTS
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MEL MARTINEZ, FLORIDA
ROGER F. WICKER, MISSISSIPPI
RICHARD BURR, NORTH CAROLINA
DAVID VITTER, LOUISIANA
SUSAN M. COLLINS, MAINE

RICHARD D. DeBOBES, STAFF DIRECTOR
JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

February 18, 2009

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

Dear Mr. Secretary:

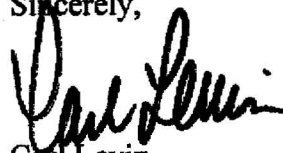
This letter is to request assistance for Dana W. White, Professional Staff Member on the Senate Committee on Armed Services, to travel via commercial aircraft to Kings Bay, Georgia on February 19, 2009.

The purpose of her trip will be to visit Kings Bay in order to tour and receive briefings on the Trident submarine and refurbishing of the DG-5. It is requested that the Department of the Navy be assigned as the action agent for this trip.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Your assistance in this matter will be appreciated.

Sincerely,



Carl Levin
Chairman

OSD 01717-09



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United States Senate

COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

February 13, 2009

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

Dear Mr. Secretary:

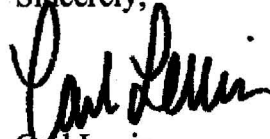
This letter is to request assistance for Arun A. Seraphin, Professional Staff Member on the Senate Committee on Armed Services, to travel via commercial aircraft Michigan on February 19-20, 2009.

The purpose of his trip will be to visit the Army Armaments Research and Engineering Center (ARDEC) in Warren, Michigan to receive briefings on Army armaments research programs. It is requested that the Department of the Army be assigned as the action agent for this trip.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Your assistance in this matter will be appreciated.

Sincerely,



Carl Levin
Chairman

OSD 01795-09



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United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

February 13, 2009

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

Dear Mr. Secretary:

This letter is to request assistance for Arun A. Seraphin and Michael J. Noblet, Professional Staff Members on the Senate Committee on Armed Services, to travel via commercial aircraft Michigan on February 17, 2009.

The purpose of their trip will be to visit the Army Tank-Automotive Research Development and Engineering Center (TARDEC) in Warren, Michigan to receive briefings on Army vehicle and energy research programs. It is requested that the Department of the Army be assigned as the action agent for this trip.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Your assistance in this matter will be appreciated.

Sincerely,



Carl Levin
Chairman

OSD 01797-09



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United States Senate

COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

February 13, 2009

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

Dear Mr. Secretary:

This letter is to request assistance for Arun A. Seraphin, Professional Staff Member on the Senate Committee on Armed Services, to travel via commercial aircraft Michigan during the period February 16-17, 2009.

The purpose of his trip will be to visit the Army Tank-Automotive Research Development and Engineering Center (TARDEC) in Warren, Michigan to receive briefings on Army vehicle and energy research programs. It is requested that the Department of the Army be assigned as the action agent for this trip.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Your assistance in this matter will be appreciated.

Sincerely,


Carl Levin
Chairman

OSD 01798-09



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

February 13, 2009

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

Dear Mr. Secretary:

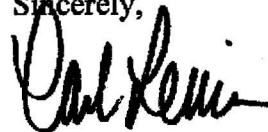
This letter is to request assistance for Lucian L. Niemeyer, Professional Staff Member on the Senate Committee on Armed Services, to travel via commercial aircraft Georgia during the period February 16-20, 2009.

The purpose of his trip will be to visit Forts McPherson, Stewart and Gordon in Georgia to review installation requirements, BRAC implementation efforts, and to receive briefings on local readiness issues. It is requested that the Department of the Army be assigned as the action agent for this trip.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Your assistance in this matter will be appreciated.

Sincerely,



Carl Levin
Chairman

OSD 01800-09



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JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

February 13, 2009

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

Dear Mr. Secretary:

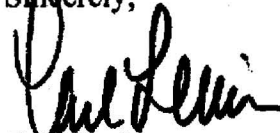
This letter is to request assistance for Arun A. Seraphin, Professional Staff Member on the Senate Committee on Armed Services, to travel via commercial aircraft New Jersey on February 19-20, 2009.

The purpose of his trip will be to visit the Army Armaments Research and Engineering Center (ARDEC) in Picatinny, New Jersey to receive briefings on Army armaments research programs. It is requested that the Department of the Army be assigned as the action agent for this trip.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Your assistance in this matter will be appreciated.

Sincerely,



Carl Levin
Chairman

OSD 01801-09



CARL LEVIN, MICHIGAN, CHAIRMAN

* EDWARD MCKENNEY, MASSACHUSETTS
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United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

February 17, 2009

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

Dear Mr. Secretary:

On February 13, 2009, I wrote the attached letter to you regarding the travel plans of Arun A. Seraphin, Professional Staff Member on the Senate Committee on Armed Services.

Please be advised that the dates of travel have changed to February 18-19, 2009.

Your continued assistance in this matter will be appreciated.

Sincerely,



Carl Levin
Chairman

Enclosure

OSD 01802-09



United States Senate

WASHINGTON, DC 20510

February 23, 2009

The Honorable Robert Gates
Secretary of Defense
1400 Defense Pentagon
Washington, D.C. 20301-1000

Dear Secretary Gates:

We urge you to implement an important program that addresses a critical health need for our nation's military personnel and their families. The Department of Defense (DOD) should conform to the intent of Congress and establish a comprehensive smoking cessation benefit program.

Development and implementation of a comprehensive smoking cessation program was mandated by the National Defense Authorization Act of 2008 (PL-110-417). As our nation works to improve preventive medicine, we must ensure that members of our military and their families are afforded the best care available. As enacted, last year's defense bill stipulates that the DOD establish a smoking cessation program to include counseling, written educational materials about the adverse effects of tobacco use, a toll-free 24 hour "quit" hotline, and access to tobacco replacement therapy and other pharmaceuticals at no cost. The law also required the Department of Defense to submit to the House and Senate Armed Services Committees a plan within 90 days of enactment, and to implement that plan within 180 days. Although the 90-day planning period expired on January 14, 2009, no such implementation plan has been submitted.

Tobacco use is the foremost preventable cause of premature death in America. It causes more than 400,000 deaths in the United States each year and approximately 8.6 million Americans have chronic illnesses related to smoking. The financial cost of tobacco use is tremendous; total public and private health care expenditures caused by smoking amount to \$96.7 billion annually. Furthermore, there is a significant payoff for addressing this health crisis early in people's lives. Quitting by the age of 30 eliminates virtually all risks associated with smoking. Smokers who quit before the age of 50 can cut in half their risk of dying from smoking related illnesses over the ensuing 15 years.

The Department of Defense has operated a successful smoking cessation pilot program in several states since 2006. Unfortunately, the majority of our military personnel and their families, including those who are stationed overseas are currently excluded from these opportunities.

We ask that you exert your personal leadership to swiftly provide a comprehensive smoking cessation program to all military personnel and Tricare participants. This

OSD 01896-09



program should also be fully funded and adequately staffed. DOD can achieve long-term savings through preventive health measures like smoking cessation programs. More important, we can seize the opportunity to improve the quality of life for our service members, who so faithfully serve our nation, and their families.

Thank you for your attention to this important issue. Please consider Peter Tyler (Senator Sanders, 224-5141) as the staff contact.

Sincerely,



BERNARD SANDERS
United States Senator



TOM HARKIN
United States Senator

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.

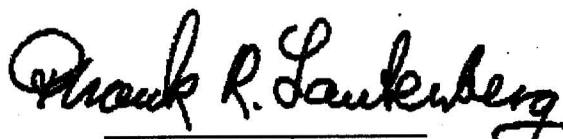
On September 30, 2008, the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 was signed into law (P.L. 110-329). The bill provided that all military personnel that have had their service duty contracts involuntarily extended due to stop loss orders, during Fiscal Year 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


Frank Lautenberg

OSD 01931-09



RUSSELL D. FEINGOLD
WISCONSIN

506 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-5323
(202) 224-1280 (TDD)
feingold.senate.gov

United States Senate

WASHINGTON, DC 20510-4904

COMMITTEE ON THE BUDGET
COMMITTEE ON FOREIGN RELATIONS
COMMITTEE ON THE JUDICIARY
SELECT COMMITTEE ON INTELLIGENCE
DEMOCRATIC POLICY COMMITTEE

FEB 20 2009

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

Dear Secretary Gates,

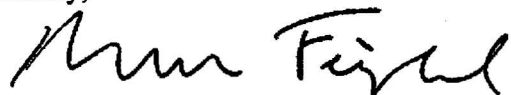
Thank you for your efforts to prevent suicide and to reduce the stigma associated with mental health concerns among those who serve our nation in uniform. I write to express my concern about the record high rate of suicides among soldiers, and to ask that you reconsider the Department's policy of deploying those with mental health concerns, including PTSD, to war zones and to treat these concerns in theater rather than redeploying those struggling with these issues.

I would appreciate it if you could inform me about any plans the Department has to respond to the record high rate of suicides among soldiers. Furthermore, I would like to know how the Department has factored the issue of high rates of mental health concerns, including PTSD, into its deployment plans. As the Department prepares plans to redeploy from Iraq and increase the number of troops in Afghanistan, I urge you to take into consideration the Army and Marine Corps studies which have found that repeat deployments increase the rate of mental health problems among service members.

Mental health professionals who serve in the VA system in the state of Wisconsin have told me of their concern about the repeat deployments of those struggling with PTSD and I continue to hear from service members who do not feel that the advice of their doctors is taken seriously by their commanders. I urge you to consider a more aggressive policy of identifying those with severe mental health concerns who should not be deployed or should be redeployed. Please consider requiring a physician's certification before deploying any service member that deployment will not exacerbate the mental health concerns of any service member who has screened positive for PTSD or any other mental health concern during a post-deployment health screening or similar exam. We cannot bring down the suicide rate if we do not address this underlying issue.

Thank you for your consideration.

Sincerely,



Russell D. Feingold
United States Senator

OSD 01985-09



○ 1600 ASPEN COMMONS
ROOM 100
MIDDLETON, WI 53562
(608) 828-1200
(608) 828-1215 (TDD)

○ 517 EAST WISCONSIN AVENUE
ROOM 408
MILWAUKEE, WI 53202
(414) 278-7282

○ 401 5TH STREET
ROOM 410
WAUSAU, WI 54403
(715) 848-5680

○ 425 STATE STREET
ROOM 225
LA CROSSE, WI 54601
(608) 782-5585

○ 1640 MAIN STREET
GREEN BAY, WI 54302
(920) 485-7508

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United States Senate

COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

February 24, 2009

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

Dear Mr. Secretary:

Recent press reports suggest that the Administration is contemplating a nearly 20-percent reduction in funding for the Missile Defense Agency in Fiscal Year 2010. While I realize the competition for funding among defense programs will be intense, I respectfully caution the Department that it would be imprudent to take any premature action with respect to missile defense before the completion of important policy reviews, such as the Nuclear Posture Review, the Quadrennial Defense Review, and the review of ballistic missile defense policy and strategy mandated by Section 234 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417). To precipitously reduce funding for missile defense by some \$2.0 billion, as reported, would prejudice the outcome of these important reviews.

In the course of making a case for reduced spending on missile defense, some of my colleagues have argued for greater focus on theater missile defense systems, such as Aegis BMD, THAAD, and PAC-3. While I concur with the need to field these capabilities in numbers sufficient to counter the growing threat, I would caution the administration against increased funding for these programs at the expense of the defense of United States territory and population. Section 223 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364), explicitly states that priority should be given to the ground-based midcourse defense (GMD) system in addition to the aforementioned theater missile defense systems.

The GMD program is modest in scope -- only 44 ground-based interceptor missiles fielded in Alaska and California. Nearly sixty percent of the interceptors have been fielded with the remaining under contract. Therefore, I believe it would be extremely unwise not to field the remaining interceptors, so critical to our nation's safety and security, by the 2013 schedule that was approved by the Congress. Moreover, it is the only defensive system we will have in place over the next 10 to 15 years to provide a measure of protection for the American people against long-range threats from North Korea and Iran. There is no back-up system. As such, we must complete the planned fielding, continue to test and improve the system over time, and explore enabling technology that will increase the cost-effectiveness of the GMD system against future, uncertain threats. I strongly believe that any funding reductions that would jeopardize these objectives would be met with strong opposition.

With respect to the defense of our NATO allies, may I also bring to your attention Section 229 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181), which established the "policy of the United States to develop, test, and deploy as soon as technologically feasible, in conjunction with allies and friendly countries whenever possible, an effective defense against the

OSD 01988-09



Page 2
February 24, 2009

[ballistic missile] threat from Iran" to the United States and its NATO allies. On 3 April 2008, the Heads of States and Governments participating in the North Atlantic Council in Bucharest, Romania issued a declaration in support of the deployment of a missile defense capability in Europe. The declaration stated, "We therefore recognise the substantial contribution to the protection of Allies from long-range ballistic missiles to be provided by the planned deployment of European-based United States missile defence assets." As such, I would caution the Administration against making any decisions that might negatively impact the existing missile defense agreements between the United States and its European allies until the matter has been fully vetted and the views of our European allies taken into account.

I believe funding for our missile defense programs enjoys near-consensus in Congress, especially within the defense committees. Over the last two years, for example, the net reduction to the president's request for missile defense programs was approximately 3-percent, which is an indication that we have moved beyond the politics of missile defense. A 20-percent reduction, as reported in the press, however would again politicize missile defense at a time when our missile defense capabilities are coming on line.

In closing, I would note that earlier this month Iran successfully launched a satellite into space. Additionally, we continue to read press reports that North Korea is making preparations for a similar launch this week. Given those actions and the threat they represent, it is disturbing that the Administration would contemplate significant reductions to our missile defense programs at the very time our potential adversaries are demonstrating the ability to reach U.S. territory and that of our allies with ballistic missiles. The American people, I am sure, will draw their own conclusions.

Very truly yours,



Jeff Sessions
Ranking Member
Subcommittee on Strategic Forces
Committee on Armed Services

cc: Honorable Peter R. Orszag, Director, Office of Management and Budget
Honorable John Young, Under Secretary of Defense for Acquisition, Technology, and Logistics
Honorable Michelle Flournoy, Under Secretary of Defense for Policy
General James Cartwright, Vice Chairman, Joint Chiefs of Staff
General Kevin Chilton, Commander, U.S. Strategic Command
Lieutenant General Patrick O'Reilly, Director, Missile Defense Agency

JOHN CORNYN
TEXAS

United States Senate

WASHINGTON, DC 20510-4305

February 4, 2009

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

Dear Secretary Gates:

I write you in support of (b)(6) nomination to receive the Department of Defense Medal for Distinguished Public Service. I recently learned of (b)(6) nomination through Brigadier General (Retired) (b)(6) and I am confident that she is worthy of this award.

(b)(6) has spent more than thirty years supporting the United States Army and Air Force in San Antonio and throughout Texas. During this time she generously volunteered both physically and financially, to Fort Sam Houston, Lackland and Randolph Air Force Bases, Brook Army Medical Center, the U.S. Army All American Bowl, innumerable Wounded Warrior events, and United Service Organizations (USO), as well as countless other military organizations and alliances in the San Antonio area. After reviewing (b)(6) impressive contributions to service members and their families, I believe her work merits this prestigious award.

I encourage you to give (b)(6) nomination every possible consideration. Please do not hesitate to contact Paul Taylor, of my staff, if I may be of further assistance at 202-224-2430.

Sincerely,



JOHN CORNYN
United States Senator

OSD 01991-09



United States Senate

WASHINGTON, DC 20510-2101

February 25, 2009

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

Dear Mr. Secretary:

I'm writing to request your support for the continued development and procurement of the Joint Strike Fighter Alternate engine by including it in your Defense Budget submission for Fiscal Year 2010.

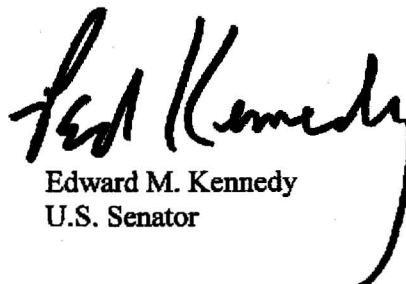
To do so would be in compliance with existing law and in keeping with the clear justification provided by Congress. As you know, Congress has supported the development and procurement of an alternative propulsion system for the Joint Strike Fighter for over a decade. It's my belief that such a competition is essential to obtaining these systems at the lowest possible price, and that this competition will likely lead to increased performance and overall savings throughout the life cycle of the program.

To date, the Alternate Fighter Engine Team has performed admirably, as demonstrated by the "exceptional" award fee ratings it has consistently received. It remains on budget and on schedule, which is a significant accomplishment when compared to other major development programs in the Department.

Much of the development is now complete. Less than 30% of the overall development costs for the engine will remain after this year, and production funding has already been appropriated to enable deliveries to be made in Fiscal Year 2012.

I hope very much that the Department will continue to fund the development and procurement of the Alternative engine for the Joint Strike Fighter in Fiscal Year 2010.

Sincerely,



Edward M. Kennedy
U.S. Senator

OSD 01993-09



CARL LEVIN, MICHIGAN, CHAIRMAN

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SUSAN M. COLLINS, MAINE

RICHARD D. DeBOBES, STAFF DIRECTOR
JOSEPH W. BOWAS, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

February 23, 2009

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

Dear Mr. Secretary:

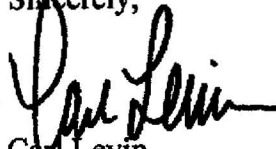
This letter is to request assistance for Arun A. Seraphin and Paul C. Hutton IV, Professional Staff Members on the Senate Committee on Armed Services, to travel via military van to Dahlgren, Virginia on February 27, 2009.

The purpose of their trip will be to visit NAVSEA Dahlgren in order to receive briefings and view demonstrations of Navy applied research activities. It is requested that the Department of the Navy be assigned as the action agent for this trip.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Your assistance in this matter will be appreciated.

Sincerely,



Carl Levin
Chairman

OSD 02033-09



CARL LEVIN, MICHIGAN, CHAIRMAN

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ROBERT C. BYRD, WEST VIRGINIA
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JIM WEBB, VIRGINIA
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KAY R. HAGAN, NORTH CAROLINA
MARK BEGICH, ALASKA
ROLAND W. BURRIS, ILLINOIS

JOHN MCCAIN, ARIZONA
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RICHARD BURR, NORTH CAROLINA
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RICHARD D. DeROBES, STAFF DIRECTOR
JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

February 24, 2009

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

Dear Mr. Secretary:

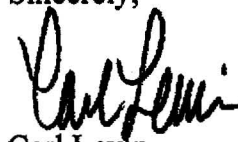
In connection with his responsibilities as a Member of the Senate Committee on Armed Services, Senator James M. Inhofe plans to travel to Germany, Italy, United Arab Emirates, Afghanistan, Djibouti, Ethiopia, Rwanda, Democratic Republic of Congo, Ghana, Liberia and Morocco during the period April 3-11, 2009. Senator Inhofe will be accompanied his wife, Mrs. Kay Inhofe, for protocol purposes and at no expense to the government. Senator Inhofe will also be accompanied by Anthony Lazarski, Mark Powers, and Ryan Thompson, his personal staff members who have been designated to the Committee.

I would appreciate the support and assistance of the Department of Defense in providing such transportation, including the use of foreign carrier and military air transportation, as may be required. It would also be appreciated if the Department of the Air Force could be designated as the action agency for this travel.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Thank you for your assistance in this matter.

Sincerely,



Carl Levin
Chairman

OSD 02045-09



CARL LEVIN, MICHIGAN, CHAIRMAN

EDWARD M. KENNEDY, MASSACHUSETTS
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BILL NELSON, FLORIDA
E. BENJAMIN NELSON, NEBRASKA
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RICHARD D. DeBOBES, STAFF DIRECTOR
JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

February 24, 2009

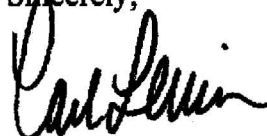
Honorable Robert M. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Mr. Secretary:

Enclosed herewith are copies of S. 454, Weapons Systems Acquisition Reform Act of 2009, to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes. I am forwarding this legislation to you for your review.

So that we can consider your views when the Committee reviews this legislation, please submit to this Committee the recommendations of your Department with reference to this legislation.

Sincerely,



Carl Levin
Chairman

Enclosures

OSD 02046-09



CARL LEVIN, MICHIGAN, CHAIRMAN

EDWARD M. KENNEDY, MASSACHUSETTS
ROBERT C. BYRD, WEST VIRGINIA
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JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

February 25, 2009

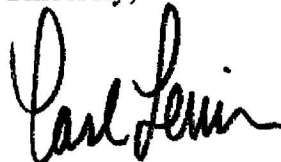
Honorable Robert M. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Mr. Secretary:

Enclosed herewith are copies of S. 459, to improve and enhance substance use disorder programs for members of the Armed Forces, and for other purposes. I am forwarding this legislation to you for your review.

So that we can consider your views when the Committee reviews this legislation, please submit to this Committee the recommendations of your Department with reference to this legislation.

Sincerely,



Carl Levin
Chairman

Enclosures

OSD 02047-09



CARL LEVIN, MICHIGAN, CHAIRMAN

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JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

February 26, 2009

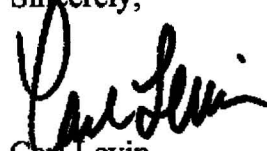
Honorable Robert M. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Mr. Secretary:

Enclosed herewith are copies of S. 476, Care Affordability for Military Families Act, to amend title 10, United States Code, to reduce the minimum distance of travel necessary for reimbursement of covered beneficiaries of the military health care system for travel for specialty health care. I am forwarding this legislation to you for your review.

So that we can consider your views when the Committee reviews this legislation, please submit to this Committee the recommendations of your Department with reference to this legislation.

Sincerely,



Carl Levin
Chairman

Enclosures

OSD 02168-09



MARK BEGICH
ALASKA

SUITE SH-825
HART BUILDING
WASHINGTON, DC 20510
(202) 224-3004

United States Senate

WASHINGTON, DC 20510

February 19, 2009

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

Dear Secretary Gates:

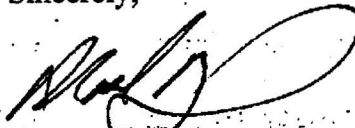
I am very pleased to see the great outcome for the Department of Defense in the American Recovery and Reinvestment Act (ARRA) of 2009.

In total, the Department of Defense has \$12 billion in funding allocated to various programs, with \$2.5 billion specifically allocated to defense-wide programs. I am anxious to see this money moved into the system to begin to stimulate the economy while fulfilling many of the requirements for the Department of Defense.

I would appreciate if you would provide me a prioritized list of projects the Department of Defense plans to fulfill using the \$2.5 billion in defense-wide allocated funding. In particular, I would like to see what impacts this money will have on installations or projects in Alaska.

I look forward to your response while we begin to make a difference in our economy and the future of the Department of Defense.

Sincerely,



Mark Begich
U.S. Senator

OSD 02196-09





BYRON L. DORGAN
CHAIRMAN

February 12, 2009

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

Dear Secretary Gates,

It is my pleasure to invite you to speak to the Senate Democratic Caucus at our annual weekend issues conference, which will be held the weekend of May 1, 2009 in Bedford Springs, Pennsylvania.

This is the one time each year that Senate Democrats meet outside of Washington to brainstorm and strategize on the most pressing challenges facing our nation. Our Caucus is very interested to hear your strategies for addressing the multiple national security challenges facing the United States.

My staff will work with your office to schedule a time for you to speak, either on Friday afternoon, May 1 or Saturday morning, May 2. President Obama has confirmed his attendance at the conference.

I know my colleagues will be thrilled if you are able to join us. Please let me know whether you will be able to attend, or have your staff contact Chuck Cooper at the Democratic Policy Committee at (202) 224-4637.

Sincerely,


Byron L. Dorgan
Chairman

OSD 02198-09



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JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

February 28, 2009

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

Dear Mr. Secretary:

Enclosed herewith are copies of S. 504, to redesignate the Department of the Navy as the Department of the Navy and Marine Corps. I am forwarding this legislation to you for your review.

So that we can consider your views when the Committee reviews this legislation, please submit to this Committee the recommendations of your Department with reference to this legislation.

Sincerely,



Carl Levin
Chairman

Enclosures

OSD 02240-09



CARL LEVIN, MICHIGAN, CHAIRMAN

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DAVID VITTER, LOUISIANA
SUSAN M. COLLINS, MAINE

RICHARD D. DeBOBES, STAFF DIRECTOR
JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

March 2, 2009

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

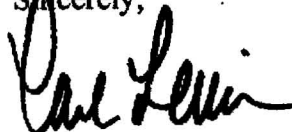
Dear Mr. Secretary:

On February 13, 2009 I wrote the attached letter to you regarding the travel plans of Senator Mel Martinez and his staffer, Tom Weinberg, during the period March 20-22, 2009.

This letter is to advise that Mr. Weinberg will no longer be accompanying Senator Martinez on this trip. Mr. Dan Fisk, Senator Martinez's staffer who has been designated to the Committee on Armed Services, will now be travelling with Senator Martinez.

I would appreciate your continued support and assistance in connection with this travel.

Sincerely,



Carl Levin
Chairman

Enclosures

OSD 02241-09



E. BENJAMIN NELSON
NEBRASKA

720 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-6551
FAX: (202) 228-0012
www.bennelson.senate.gov

United States Senate

March 4, 2009

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

Dear Secretary Gates:

As we face a rapidly deteriorating security situation in Afghanistan and the region, I commend the Administration for shifting our focus to that country and working to develop a strategy to ensure the security of the nation. Unfortunately, a greater commitment in Afghanistan will require further sacrifice from our country and our men and women in uniform. As such, it is our responsibility to ensure that the American people are given a clear objective for the mission in Afghanistan, one which contemplates defense, diplomacy and development.

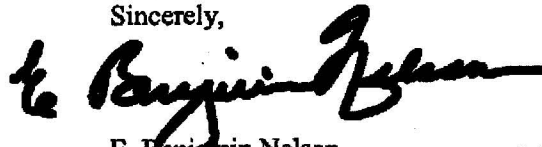
As the deployments of additional troops are ordered to Afghanistan, I urge you not to forget recent history and the difficult lessons learned from the war in Iraq. For too long, our standards to measure success there were vaguely defined.

For just that reason, I had pushed for the establishment of 18 benchmarks for America's mission in Iraq to measure political, economic and military progress. These benchmarks were included in the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, P.L. 110-28. Likewise, I believe our mission in Afghanistan calls for a system which will allow us to objectively gauge our success both militarily and politically. The establishment of a clear objective in Afghanistan and the creation of a metric system to track the progress of all mission-critical elements will demonstrate to the American people what we hope to accomplish in Afghanistan and how we will achieve those goals.

I applaud the commitment to developing a strategic plan in Afghanistan, one which combines military action with a cohesive and strong diplomatic engagement; and I respectfully urge the Administration to develop a series of benchmarks to assess the military and political progress in Afghanistan. I believe we have an obligation to our servicemembers to ensure that their sacrifice is met with a clear objective and a means to measure success.

Thank you for your consideration of this request. I look forward to your response.

Sincerely,



E. Benjamin Nelson
United States Senator

OSD 02298-09



EBN:ajp

440 NORTH 8TH STREET
SUITE 120
LINCOLN, NE 68508
(402) 441-4600
FAX: (402) 476-8753

FIELD REPRESENTATIVE
POST OFFICE BOX 2106
KEARNEY, NE 68848
(308) 293-5818

FIELD REPRESENTATIVE
POST OFFICE BOX 1472
SCOTTSBLUFF, NE 69363
(308) 631-7614

FIELD REPRESENTATIVE
POST OFFICE BOX 791
SOUTH SIOUX CITY, NE 68776
(402) 209-3595

7602 PACIFIC STREET
SUITE 205
OMAHA, NE 68114
(402) 391-3411
FAX: (402) 391-4725

Sen. Benjamin L. Cardin, *Maryland*
Chairman

Rep. Alcee L. Hastings, *Florida*
Co-Chairman



March 4, 2009

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

Dear Mr. Secretary:

I am writing to express the most steadfast support for Dr. Solomon Passy's nomination for Secretary General of the North Atlantic Treaty Organization (NATO). His record of leadership and vision distinguish his nomination.

The challenge of seeking collaboration among nations through international organizations is not new to Dr. Passy. As a former Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE), a member of the OSCE Parliamentary Assembly, and most recently as chairman of the OSCE Parliamentary Assembly Transparency and Accountability Committee, Dr. Passy has a unique understanding of the complexity of seeking consensus among nations with diverse political, economic and social realities. Facilitating cooperation, Dr. Passy played a key role in the OSCE's outreach to Mediterranean states; support to elections in Afghanistan; support to pivotal elections in Ukraine and Georgia; and engendered a renewed commitment to supporting tolerance, education, good governance, and private enterprise by OSCE participating States. As a Commissioner on the Commission on Security and Cooperation in Europe since 1993 and the current Vice President of the OSCE Parliamentary Assembly, I can attest personally to the legacy of Dr. Passy's leadership.

Moreover, Dr. Passy recognizes that security institutions must adapt to amorphous and asymmetrical threats such as counterinsurgency, terrorism, various forms of trafficking, and piracy. He has long recognized that these threats cannot be countered unless the "security needs of the individual citizen" are addressed. This accounted for his strong support for development of democratic institutions and functioning market economies during his tenure as Chairman-in-Office. The challenges that NATO faces today requires the vision of a person who realizes that military strength is but one component of a strategy to provide genuine security. As NATO seeks to leverage resources in a stabilization and reconstruction capacity in states like Afghanistan, Dr. Passy is the ideal choice for Secretary General.

OSD 02300-09



The Honorable Robert M. Gates
March 4, 2009
Page 2 of 2

Dr. Passy's achievements in his home country as a Member of Parliament and Minister of Foreign Affairs cannot be overlooked. He has led efforts to improve military and foreign policy oversight. He has increased military cooperation of South-Eastern Europe through the creation of the South-Eastern European Brigade. Additionally, while simultaneously balancing Bulgaria's and Europe's security interests, he has carefully reached out to nations such as Libya and North Korea. This outreach resulted in the release of Bulgarian Medics detained in Libya in 2001. Most notably, Dr. Passy was influential in Bulgaria's accession to NATO both by actions within the government and by promoting public support outside the government.

Dr. Passy has a unique combination of experience and vision. Dr. Passy's leadership will immediately be felt on issues such as collective procurement of expensive military systems, integration of non-NATO militaries into missions, improving the deployment capabilities of NATO militaries, and the relationship with Russia. This is so because he has spent his diplomatic career bringing once divided people in Europe together to achieve common goals.

Sincerely,



Benjamin L. Cardin, U.S.S
Chairman

Congress of the United States
Washington, DC 20515

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

Dear Mr. Secretary,

Last October the United States Congress passed, and President Bush signed into law, the Code Talkers Recognition Act, Public Law 110-420. Senator Inhofe and I were the lead sponsors of this bill in our respective legislative bodies. The purpose of this act is to award the Congressional Medal of Honor to a select group of Native Americans for their heroic service in World War I or World War II.

Found within the legislation is a directive asking the Defense Department, along with the Treasury Department, to help fully identify all individuals who are deserving of this award.

Section 5, subparagraph (b) states:


The Secretary of Treasury, in consultation with the Secretary of Defense and the tribes, shall:

- (1) Determine the identity, to the maximum extent practicable, of each Native American Tribe that had a member of that tribe serve as a Native American Code Talker, with the exception of the Navajo Tribe.
- (2) Include the name of each Native American tribe identified under subparagraph (a) on a list
- (3) Provide the list, and any updates to the list to the Smithsonian Institution for maintenance

Over the last few months our offices have held meetings with officials from the Department of Defense and the Department of the Treasury in an attempt to move this process forward. After speaking with all the parties involved, it is our understanding that the Office of the Army Historian or some other archival department within the Department of Defense has a tentative list of individuals who would be deemed "Code Talkers" within the definitions of the recently passed legislation.

I am writing to ask you to expedite this identification process so that the United States Congress can move forward in honoring these brave soldiers. I will enclose a copy of the public law pertinent to this request for your review. If you have any questions about our expedited request, feel free to contact Tom Wharton (226-2275/Boren) or Clark Peterson (224-4721/Inhofe).

Sincerely,



James Inhofe
United States Senator

Sincerely,



Dan Boren
Member of the House of Representatives



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

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.

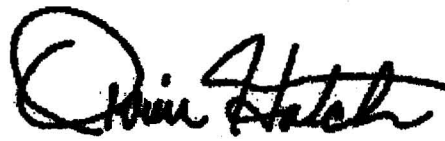
Therefore, we respectfully recommend that the Department resume the competition to select a new aerial refueling tanker as soon as possible. We also request that our respective staffs be briefed, in a timely manner, on the Department's plans.

Thank you for your attention to this matter.

Sincerely,



Kent Conrad
United States Senator



Orrin G. Hatch
United States Senator

OSD 02620-09



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United States Senate

COMMITTEE ON ARMED SERVICES
 WASHINGTON, DC 20510-6060

March 11, 2009

The Honorable William J. Lynn III
 Deputy Secretary of Defense
 The Pentagon
 Washington, D.C.

Dear Mr. Lynn:

Earlier this month, the Armed Services Committee was informed of a proposed reorganization of the office of the Under Secretary of Defense for Policy (USD/P). The proposed reorganization would establish two new Deputy Under Secretaries of Defense (DUSDs), each at a level that appears to be equivalent in authority and control to the existing Assistant Secretaries of Defense (ASDs). While ASD positions are authorized by statute, limited in number, and subject to Senate confirmation, the Department can apparently establish the DUSD positions without statutory authorization, without limitation, and without Senate confirmation.

This proposed reorganization raises broader questions about the number and status of DUSDs in the Department. For example, it appears that there are currently at least ten DUSD positions under the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD/AT&L). Of these ten DUSD positions, two were established by statute and the other eight (including the Principal Deputy Under Secretary of Defense position) appear to have been established unilaterally by the Department. Moreover, the office's organization chart shows multiple layers of DUSDs reporting to each other. For example:

- The DUSD for Industrial Policy reports to the DUSD for Acquisition and Technology (a statutory position), who reports to the Principal DUSD.
- The DUSD for Advanced Systems and Concepts, the DUSD for Laboratories & Basic Sciences, the DUSD for International Technology Security, and the DUSD for Science and Technology all report to the Director of Defense Research and Engineering (a statutory position, but not a DUSD), who reports to the Principal DUSD.

OSD 02632-09

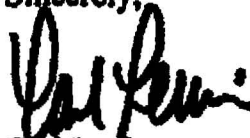


I am concerned that the proliferation of DUSDs at multiple levels of the organization could muddy lines of authority and may not be in the best interests of the Department of Defense. Accordingly, I would appreciate if you would provide me with the following information:

- How many DUSDs are there in the Department of Defense?
- How many DUSDs are statutory positions and how many are not?
- How many DUSDs are Senate-confirmable and how many are not?
- What is the relative rank of a DUSD and an ASD?
- Are all DUSDs of equal rank? If not, how is the rank of a DUSD determined?
- What is the authority for establishing the position of "Principal Deputy Under Secretary of Defense," to whom other DUSDs (and ASDs) report?

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Carl Levin".

Carl Levin
Chairman

Congress of the United States
Washington, DC 20515

March 9, 2009

The Honorable Robert M. Gates
Secretary
Department of Defense
The Pentagon
Washington, DC 20310

Dear Secretary Gates,

The Pennsylvania Delegation is writing to you on a matter of great urgency. We understand that the Air Force plans to begin the redistribution of A-10 aircraft from the 111th Fighter Wing, Pennsylvania Air National Guard, as early as April 2009 and that 11 of the unit's assigned aircraft are scheduled to be moved in the next few months. The remaining 6 A-10s assigned to the 111th are to be moved next year.

We strongly believe that taking A-10s from the 111th Fighter Wing is premature and ill-advised. There is no requirement to move these aircraft at this time. Although the BRAC Commission's Report directed redistribution of the 111th's A-10s, it did not require that it be done on any particular timetable. What's more, the BRAC Commission directed that the Air Force should maintain the end strength of the 111th Fighter Wing, but the loss of the unit's flying mission will result in loss of up to 80 full-time jobs and 140 military positions. Finally, the pending action completely overlooks the BRAC Commission's finding that strongly encouraged the Air Force to keep A-10s at the 111th Fighter Wing.

Taking A-10s from the 111th Fighter Wing is a serious mistake. The original recommendation to redistribute the unit's mission aircraft was based largely on the assumption that the airfield at Willow Grove would not be in operation after the Navy leaves the installation in 2011. However, legislation passed by Congress in 2007 and 2008 provided for the establishment of a joint interagency installation under state jurisdiction and control at Willow Grove. This installation will continue to include an operational airfield to be used by the Pennsylvania National Guard, other military units, other government agencies and associated users to support national defense, homeland security and emergency preparedness missions.

It makes no sense to strip this unit of its aircraft and reduce its capabilities at a time when our Nation and our Commonwealth need them most. There are sufficient A-10 aircraft in the Air Force inventory to keep all 17 mission aircraft at the 111th Fighter Wing. The 111th has the well-trained, combat-experienced aircrews and maintenance/support personnel to continue to operate the A-10s in a cost effective manner. The new joint interagency installation offers the airfield and support facilities for the 111th Fighter Wing to continue flying without major capital investments.



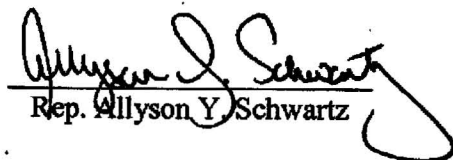
We are asking that you issue an order delaying the start of the movement of A-10s from the 111th Fighter Wing. This action will give the Air Force the opportunity to reassess the capabilities of the Horsham Joint Interagency Installation and to consider alternative future flying missions for this unit. This action will preserve the capabilities of this unit to support military operations and will leverage the tremendous skills and experience of the unit's aircrews and maintainers. Failure to act will further erode the ability of this unit and the Air Force to carry out the close air support and related missions that the men and women of the 111th Fighter Wing have performed with great distinction for many years.

Due to the urgent nature of this situation, the Pennsylvania Delegation respectfully requests that you respond to our concerns within the next two weeks. We thank you for your attention to this matter and look forward to receiving your views. Please do not hesitate to contact us if we can be of any assistance on this or any other matter.

Sincerely,


Senator Arlen Specter


Senator Robert Casey

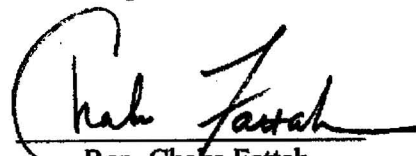

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Rep. Patrick Murphy


Rep. John Murtha


Rep. Jim Gerlach


Rep. Robert Brady


Rep. Chaka Fattah


Rep. Bill Shuster


Rep. Paul Kanjorski



Rep. Charles Dent


Rep. Mike Doyle

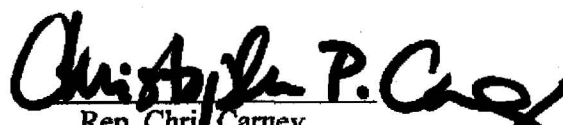

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Rep. Todd Platts


Rep. Glenn Thompson



Rep. Jason Altmire


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JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

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

March 6, 2009

The Honorable William J. Lynn III
Deputy Secretary of Defense
The Pentagon
Washington, D.C.

Dear Mr. Lynn:

Last week, we introduced S. 454, the Weapon Systems Acquisition Reform Act of 2009, in an effort to address some of the problems that have led to massive cost overruns and schedule delays on some of our largest defense acquisition programs. At the White House on Wednesday morning, the President announced his support for the goals of our legislation and designated you to take the lead on the issue for the Department of Defense.

We would appreciate if you would provide us with any comments that the Department may have on the proposed legislation by no later than Friday, March 20, 2009.

We look forward to working with you on this important initiative.

Sincerely,



John McCain
Ranking Member



Carl Levin
Chairman

OSD 02642-09



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United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

March 5, 2009

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

Dear Mr. Secretary:

In connection with his responsibilities as a Member of the Senate Committee on Armed Services, Senator John McCain plans to travel to Belgium during the period March 20-22, 2009. Senator McCain will be accompanied by a staff member of the Senate Armed Services Committee, Richard H. Fontaine, Jr., Deputy Minority Staff Director. He will also be accompanied by Brooke Buchanan, his personal staffer designated to the Senate Armed Services Committee.

I would appreciate the support and assistance of the Department of Defense in providing such transportation, including the use of foreign carrier and military air transportation, as may be required. It would also be appreciated if the Department of the Air Force could be designated as the action agency for this travel.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Thank you for your assistance in this matter.

Sincerely,


Carl Levin
Chairman

OSD 02644-09



E. BENJAMIN NELSON

NO 20-1-001

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WASHINGTON, DC 20510
(202) 224-8551
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www.bennelson.senate.gov

United States Senate

March 11, 2009

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

Dear Secretary Gates:

I understand you have been invited to participate as a keynote speaker in the first annual Deterrence Symposium being held on July 29, 2009, at the U.S. Strategic Command in Omaha, Nebraska (USSTRATCOM). Your presence would be most welcome in addressing the full range of matters with regard to nuclear weapons and deterrence.

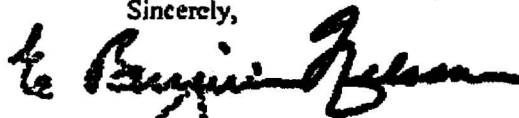
From your previous visits to Offutt Air Force Base, the home of USSTRATCOM, I know you are aware that the base maintains one of the largest military presences in the Midwest. The Command employs more than 2,700 individuals, representing all branches of the armed services, as well as DoD civilians and contractors, who oversee the Command's operationally focused global strategic missions.

I recall that you have also visited the 55th Wing at Offutt. The 55th Wing's missions of providing intelligence and surveillance make it, too, a vital unit in America's national security operations. I believe Offutt's diverse missions and global responsibilities put it on the cutting edge of transformation for the U.S. Air Force.

Finally, there are more than 1.2 million Nebraskans living in the greater Omaha metropolitan area; and these Midwestern families play a vital role in supporting those stationed at Offutt. As I am sure you are aware, military members consistently praise the people and the area for their zealous support of America's servicemembers and their families, as well as the overall U.S. military and its mission.

I respectfully urge you, therefore, to give this request your utmost consideration and allow my fellow Nebraskans to show you a little of our Midwestern hospitality. If there is anything I can do to be of assistance with this request, please do not hesitate to contact me.

Sincerely,



E. Benjamin Nelson
United States Senator

EBN:ajp

OSD 02666-09



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FAX: (402) 476-8753

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KEARNEY, NE 68848
(308) 283-5812

FIELD REPRESENTATIVE
POST OFFICE BOX 1472
SCOTT BLUFF, NE 68963
(308) 631-7614

FIELD REPRESENTATIVE
POST OFFICE BOX 791
SOUTH SIOUX CITY, NE 68778
(402) 208-3595

7802 PACIFIC STREET
SUITE 205
OMAHA, NE 68114
(402) 391-3411
FAX: (402) 391-4728

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

March 6, 2009

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

Dear Mr. Secretary:

Enclosed herewith are copies of S. 535, to amend title 10, United States Code, to repeal requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes. I am forwarding this legislation to you for your review.

So that we can consider your views when the Committee reviews this legislation, please submit to this Committee the recommendations of your Department with reference to this legislation.

Sincerely,



Carl Levin
Chairman

Enclosures

OSD 02713-09



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United States Senate

COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

March 12, 2009

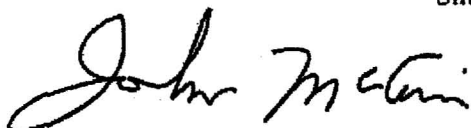
Honorable Robert M. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Gates:

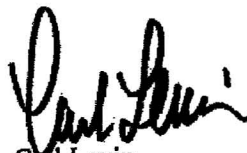
In its enclosed letter of February 12, 2009, the National Institute of Military Justice seeks legislation to expand the applicability of the court-martial sentencing option of Life Without the Possibility of Parole to rehearings involving certain individuals who were sentenced to death by a military court-martial.

We request an expedited review of this proposal by the Joint Service Committee on Military Justice and the Department's views of the merits of this initiative.

Sincerely,



John McCain
Ranking Member



Carl Levin
Chairman

Enclosure

OSD 02734-09



I. INWARD M. KENNEDY, MASSACHUSETTS
 J. ROBERT C. BYRD, WEST VIRGINIA
 JOSEPH I. LIEBERMAN, CONNECTICUT
 JAC. H. T. D. RUDOLF, IRI AND
 DANIEL K. AKAKA, HAWAII
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 SUSAN M. COLLINS, MAINE

COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

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

Sincerely,



John McCain
Ranking Member



Carl Levin
Chairman

CARL LEVIN, MICHIGAN, CHAIRMAN

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United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

March 13, 2009

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

Dear Mr. Secretary:

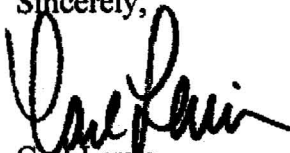
In connection with his responsibilities as a Member of the Senate Committee on Armed Services, Senator Jeff Sessions plans to travel to Israel, Afghanistan, Turkey and Pakistan during the period April 3-11, 2009. He will be accompanied by Sandra E. Luff, his personal staffer who has been designated to the Committee.

I would appreciate the support and assistance of the Department of Defense in providing such transportation, including the use of foreign carrier and military air transportation, as may be required. It would also be appreciated if the Department of the Navy could be designated as the action agency for this travel.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Thank you for your assistance in this matter.

Sincerely,



Carl Levin
Chairman

OSD 02754-09



CARL LEVIN, MICHIGAN, CHAIRMAN

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United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

March 10, 2009

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

Dear Mr. Secretary:

Enclosed herewith are copies of S. 546, Retired Pay Restoration Act of 2009, to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation. I am forwarding this legislation to you for your review.

So that we can consider your views when the Committee reviews this legislation, please submit to this Committee the recommendations of your Department with reference to this legislation.

Sincerely,



Carl Levin
Chairman

Enclosures

OSD 02774-09



CARL LEVIN, MICHIGAN, CHAIRMAN

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DAVID VITTER, LOUISIANA
SUSAN M. COLLINS, MAINE

RICHARD D. DEBORES, STAFF DIRECTOR
JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

March 11, 2009

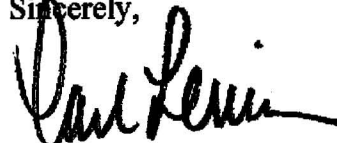
Honorable Robert M. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Mr. Secretary:

Enclosed herewith are copies of S. 549, to provide benefits under the Post-Deployment/Mobilization Respite Absence program for certain periods before the implementation of the program. I am forwarding this legislation to you for your review.

So that we can consider your views when the Committee reviews this legislation, please submit to this Committee the recommendations of your Department with reference to this legislation.

Sincerely,



Carl Levin
Chairman

Enclosures

OSD 02775-09



CARL LEVIN, MICHIGAN, CHAIRMAN

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United States Senate

COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

March 13, 2009

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

Dear Mr. Secretary:

This letter is to request assistance for Michael J. Noblet, Professional Staff Member on the Committee on Armed Services, to travel by commercial aircraft to Norfolk, Virginia during the period March 19-21, 2009.

The purpose of his trip will be to visit the Naval Special Warfare Group 2 at Little Creek, Virginia and the Naval Special Warfare Development Group at Dam Neck, Virginia to receive briefings on their roles and missions. It is requested that the Department of the Navy be assigned as the action agent for this trip.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Your assistance in this matter will be appreciated.

Sincerely,



Carl Levin
Chairman

OSD 02811-09



CARL LEVIN, MICHIGAN, CHAIRMAN

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RICHARD D. DEBOBES, STAFF DIRECTOR
JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

March 13, 2009

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

Dear Mr. Secretary:

In connection with their responsibilities as Professional Staff Members on the staff of the Senate Armed Services Committee, Michael J. Kuiken, Michael J. Noblet and Dana W. White plan to travel to Yemen, Libya, and Burkina Faso during the period April 6-16, 2009. They plan to transit through France and Algeria.

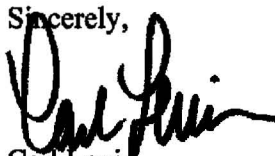
The purpose of their travel will be to receive briefings on Department of Defense and U.S. Government efforts relating to counterterrorism, security assistance, bilateral issues and military-to-military relations.

I would appreciate the support and assistance of the Department of Defense in providing such transportation, including the use of foreign carrier transportation, should it be required. It would also be appreciated if the Department of the Army could be designated as the action agency for this travel.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Thank you for your assistance in this matter.

Sincerely,



Carl Levin
Chairman

OSD 02813-09



CARL LEVIN, MICHIGAN, CHAIRMAN

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RICHARD D. DEBOBES, STAFF DIRECTOR
JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

March 13, 2009

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

Dear Mr. Secretary:

Enclosed herewith are copies of S. 590, The Defense Communities Assistance Act of 2009, to assist local communities with closed and active military bases, and for other purposes. I am forwarding this legislation to you for your review.

So that we can consider your views when the Committee reviews this legislation, please submit to this Committee the recommendations of your Department with reference to this legislation.

Sincerely,



Carl Levin
Chairman

Enclosures

OSD 02972-09



ROBERT P. CASEY, JR.
PENNSYLVANIA

COMMITTEES:
AGRICULTURE, NUTRITION,
AND FORESTRY
FOREIGN RELATIONS
HEALTH, EDUCATION,
LABOR, AND PENSIONS
SPECIAL COMMITTEE ON AGING
JOINT ECONOMIC

United States Senate

WASHINGTON, DC 20510

March 9, 2009

The Honorable William J. Lynn III
Deputy Secretary of Defense
1010 Defense Pentagon
Washington, DC 20301-1010

Dear Deputy Secretary Lynn,

I am writing you in order to memorialize our conversation last week, reiterate the key points, and ensure that we maintain an open dialogue moving forward.

As you know, there have been 19 deaths by electrocution in Iraq since the United States invaded Iraq in 2003; 17 of those were US military personnel and 2 were contractors. The majority of the deaths were ruled initially as accidents or the result of encounters on the battlefield. However, recent developments have prompted both the Army and Navy to reopen investigations into several deaths. These criminal investigations supplement the comprehensive review of all electrocutions undertaken by the Department of Defense Inspector General, which I understand is being wrapped up and will shortly be released.

I was initially contacted in April 2008 by Ms. Cheryl Harris, mother of SSGT Ryan Maseth, who requested that I look into a troubling pattern of electrocution deaths in Iraq. Over the past year, I have spent considerable time looking into these electrocutions and want to ensure that our servicemen and women are not senselessly placed into harm's way and that those senior Army personnel and military contractors who are responsible for these electrocutions are held accountable. Cheryl is a remarkable woman and has inspired me to remain involved on this issue to demand justice and accountability for all of the families.



My involvement in this issue has resulted in numerous meetings, phone conversations, and exchange of correspondence with such individuals as General David Petraeus, Lieutenant General David Huntoon, and Mr. William Utt, the Chief Executive Officer of KBR. General Petraeus informed me that he had established an Electrical Safety Joint Planning Team to oversee the theater-wide assessment of all facilities following a series of electrocutions in Iraq; this team was later designated the Task Force for Safety Actions for Fire and Electricity, or Task Force SAFE. Despite the creation of this task force, we continue to hear accounts of our servicemen and women suffering electrical shocks while taking showers, as recently as a month ago. Accordingly, I have sent a series of letters and sought to arrange a personal meeting with Secretary Gates to urge his direct intervention on this issue. As we discussed, I was disappointed at the length of time it took before he responded to me and assigned you to provide personal attention to this critical safety challenge.

We continue to learn of new troubling developments on this issue. A CNN broadcast last week reported that five electricians who worked in 2005 and 2006 for KBR in Afghanistan witnessed dangerous electrical conditions there, but their warnings to senior management were ignored. As important as accountability for past cases is, we must also ensure that no further electrocutions occur, in both Iraq and Afghanistan.

During our phone conversation, you agreed to provide me updates and milestones as they occur in simultaneous Department of Defense investigations. I appreciate this offer of transparency, but also request to receive a current status report explaining to me where things stand as of today and the timeline you envision for the various DOD investigations to be completed. This status report should also provide a comprehensive overview of the status of efforts, including a schedule of any future repairs or upgrades, in the operating environment to assure that no further U.S. military personnel are harmed by electrocutions. It is my expectation that the final report will contain proposed sanctions and/or penalties against supporting contractors, particularly KBR, if their lack of action or errors contributed in any way to these electrocutions. The same threat of punitive action should apply to our military chain of command if they are held responsible in any way.

Finally, I insist that the Pentagon adopt complete transparency and forthrightness with the families of those fallen by electrocutions. These mothers and fathers, husbands and wives are entitled to receive continuous updates and full inclusion. They deserve nothing less.

I look forward to working with you in coming weeks and months.

Sincerely,

A handwritten signature in black ink, reading "Bob Casey, Jr." in a cursive, slightly stylized script.

Robert P. Casey, Jr.
United States Senator

DANIEL K. INOUE, HAWAII, CHAIRMAN

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United States Senate

COMMITTEE ON APPROPRIATIONS

WASHINGTON, DC 20510-6025

<http://appropriations.senate.gov>

CHARLES J. HOLY, STAFF DIRECTOR
BRUCE EVANS, MINORITY STAFF DIRECTOR

March 9, 2009

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

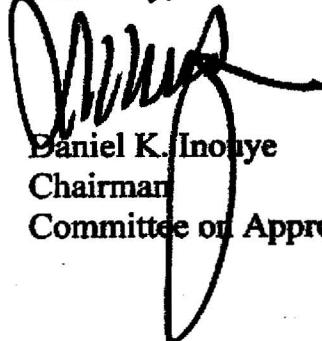
Dear Mr. Secretary:

This letter is to authorize Ms. Betsy Schmid, professional staff member of the Senate Appropriations Committee, to travel for official committee purposes to Rochester, New York, on March 27, 2009. She will visit satellite manufacturing facilities in conjunction with defense and intelligence responsibilities.

Per diem expenses not to exceed the rate established by the General Services Administration or, if applicable, the rate specified for High Cost Geographical Areas, transportation costs, and other travel-related expenses are authorized and shall be paid from appropriations available in accordance with provisions of P. L. 83-207 (31 U.S.C. 1108(g)).

It would be appreciated if officials from the Department of Defense would assist in making whatever arrangements are necessary for travel.

Sincerely,



Daniel K. Inouye
Chairman
Committee on Appropriations

DKI:rss

OSD 02976-09



DANIEL K. INOUE, HAWAII, CHAIRMAN

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United States Senate

COMMITTEE ON APPROPRIATIONS

WASHINGTON, DC 20510-6025

<http://appropriations.senate.gov>

CHARLES J. HOLY, STAFF DIRECTOR
BRUCE EVANS, MINORITY STAFF DIRECTOR

March 10, 2009

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

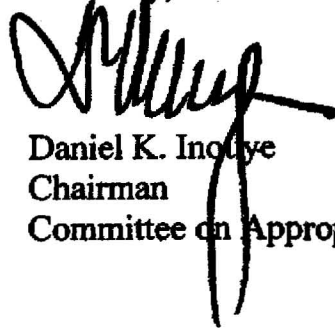
Dear Mr. Secretary:

This letter is to authorize Ms. Betsy Schmid, professional staff member of the Senate Appropriations Committee, to travel for official committee purposes to Huntsville, Alabama, on March 31, 2009. She will visit Missile Defense Agency leadership and tour contractor facilities involved in missile defense programs.

Per diem expenses not to exceed the rate established by the General Services Administration or, if applicable, the rate specified for High Cost Geographical Areas, transportation costs, and other travel-related expenses are authorized and shall be paid from appropriations available in accordance with provisions of P. L. 83-207 (31 U.S.C. 1108(g)).

It would be appreciated if officials from the Department of Defense would assist in making whatever arrangements are necessary for travel.

Sincerely,



Daniel K. Inouye
Chairman
Committee on Appropriations

DKI:rss

OSD 02977-09



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COMMITTEE ON APPROPRIATIONS

WASHINGTON, DC 20510-6025

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CHARLES J. HOUY, STAFF DIRECTOR
BRUCE EVANS, MINORITY STAFF DIRECTOR

March 11, 2009

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

Dear Mr. Secretary:

This letter is to authorize Ms. Kate Kaufer, professional staff member of the Senate Appropriations Committee, to travel for official committee purposes to China Lake and Ft. Irwin, California, and Nellis AFB, Nevada, from April 6-9, 2009. She will review Department of Defense energy conservation programs in preparation for the fiscal year 2010 budget review.

Per diem expenses not to exceed the rate established by the General Services Administration or, if applicable, the rate specified for High Cost Geographical Areas, transportation costs, and other travel-related expenses are authorized and shall be paid from appropriations available in accordance with provisions of P. L. 83-207 (31 U.S.C. 1108(g)).

It would be appreciated if officials from the Department of Defense would assist in making whatever arrangements are necessary for travel.

Sincerely,



Daniel K. Inouye
Chairman
Committee on Appropriations

DKI:rss

OSD 02980-09



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COMMITTEE ON APPROPRIATIONS

WASHINGTON, DC 20510-6025

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CHARLES J. HOUY, STAFF DIRECTOR
BRUCE EVANS, MINORITY STAFF DIRECTOR

March 16, 2009

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

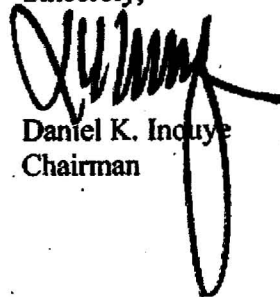
Dear Mr. Secretary:

This letter is to authorize Mr. Charlie Houy, Ms. Betsy Schmid, and Mr. Erik Raven, professional staff members of the Senate Appropriations Committee, to travel to Maui, Kauai, Oahu, Hawaii, and San Francisco, California, from April 5-11, 2009. They will participate in meetings on defense research and development programs and visit military sites to review defense programs and budgets for fiscal year 2010.

Per diem expenses not to exceed the rate established by the General Services Administration or, if applicable, the rate specified for High Cost Geographical Areas, plus transportation, and other travel-related costs are authorized and shall be paid from appropriations available in accordance with provisions of P. L. 83-207 (31 U.S.C. 1108(g)).

It would be appreciated if officials from the Department of Defense would assist in making whatever arrangements are necessary for travel.

Sincerely,



Daniel K. Inouye
Chairman

OSD 02982-09



CARL LEVIN, MICHIGAN, CHAIRMAN

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DAVID VITTER, LOUISIANA
SUSAN M. COLLINS, MAINE

RICHARD D. DeBOES, STAFF DIRECTOR
JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

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

March 19, 2009

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

Dear Mr. Secretary:

In connection with their responsibilities as Professional Staff Members on the staff of the Committee on Armed Services, William K. Sutey, John H. Quirk V, Lucian L. Niemeyer and Paul C. Hutton IV, plan to travel to Afghanistan during the period March 29 – April 4, 2009.

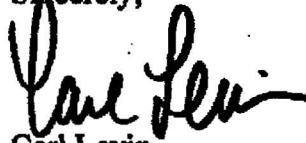
The purpose of their trip is to visit military bases in order to receive information regarding requirements for operations, readiness, installations, logistics and medical care from local commanders.

I would appreciate the support and assistance of the Department of Defense in providing such transportation, including in-theater military air and the use of a foreign carrier, as may be required. It would also be appreciated if the Department of the Army could be designated as the action agency for this travel.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Thank you for your assistance in this matter.

Sincerely,



Carl Levin
Chairman

OSD 03047-09



CARL LEVIN, MICHIGAN, CHAIRMAN

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ROGER F. WICKER, MISSISSIPPI
RICHARD BURR, NORTH CAROLINA
DAVID VITTER, LOUISIANA
SUSAN M. COLLINS, MAINE

RICHARD D. DeBORES, STAFF DIRECTOR
JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

March 18, 2009

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

Dear Mr. Secretary:

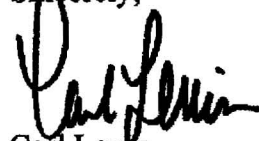
In connection with his responsibilities as a Member of the Senate Committee on Armed Services, Senator John McCain plans to travel to Hong Kong, Vietnam, China and Japan during the period April 3-11, 2009. Senator McCain will be accompanied by a staff member of the Senate Armed Services Committee, Richard H. Fontaine, Jr., Deputy Minority Staff Director. He will also be accompanied by Brooke Buchanan, his personal staffer designated to the Senate Armed Services Committee.

I would appreciate the support and assistance of the Department of Defense in providing such transportation, including the use of foreign carrier and military air transportation, as may be required. It would also be appreciated if the Department of the Navy could be designated as the action agency for this travel.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Thank you for your assistance in this matter.

Sincerely,



Carl Levin
Chairman

OSD 03051-09



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JOSEPH W. BOWAR, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

March 18, 2009

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

Dear Mr. Secretary:

In connection with his responsibilities as a Member of the Senate Committee on Armed Services, Senator Lindsey Graham plans to travel to Hong Kong, Vietnam, China and Japan during the period April 3-11, 2009. Senator Graham will be accompanied Laura Bauld, his personal staffer designated to the Senate Armed Services Committee.

I would appreciate the support and assistance of the Department of Defense in providing such transportation, including the use of foreign carrier and military air transportation, as may be required. It would also be appreciated if the Department of the Navy could be designated as the action agency for this travel.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Thank you for your assistance in this matter.

Sincerely,



Carl Levin
Chairman

OSD 03052-09



United States Senate

March 20, 2009

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

Dear Secretary Gates:

I am writing to request that you immediately reaffirm the moratorium on conversions of Department of Defense (DoD) service contracts set forth in the December 29, 2004 Memorandum. In the Memorandum Under Secretary of Defense Chu stated that "DoD NAFIs shall not enter into contracts or agreements with DoD elements or other Federal Departments, Agencies, or instrumentalities for the provision of goods and services that will result in the loss of jobs created pursuant to the Randolph Sheppard Act, the Javits-Wagner-O'Day Act, or small business programs" until a policy solution can be reached that encourages job creation. Unfortunately, the Memorandum issued on March 7, 2007 by Arthur Meyers, the Director of Services, Air Force Manpower, muddled the issue with imprecise and contradictory language. I believe that it is necessary for you to reaffirm the standing in the Chu Memorandum in order to remove any question as to the standing of the DoD on this matter.

The moratorium is essential to protect the jobs of people with severe disabilities working on DoD service contracts under the AbilityOne Program. In 2007 I toured Adelante Development Center Inc, an AbilityOne program in New Mexico. I was impressed by the staff and their commitment but I was particularly struck by the commitment of the disabled adults who find work through the program. They take great pride in the work they do and are committed to quality in even the most basic tasks. AbilityOne programs provide more than a job, they give all of their clients the opportunity to succeed and to contribute to society. In addition, they provide the families of their clients the peace of mind that comes from knowing that their loved ones are actively engaged in work and well-looked after.

In addition, I am writing to I strongly urge the DoD to coordinate with AbilityOne representatives to develop a policy solution that encourages job creation through both the MWR and the AbilityOne Program. I support the DoD Food Transformation effort where it results in higher quality and efficiency to service members at lower costs. However, given the potential impact this challenge could have on the employment of thousands of people with severe disabilities in the AbilityOne Program, I urge DoD to carefully assess the full impact of the conversions before moving forward and to make appropriate changes to the program.

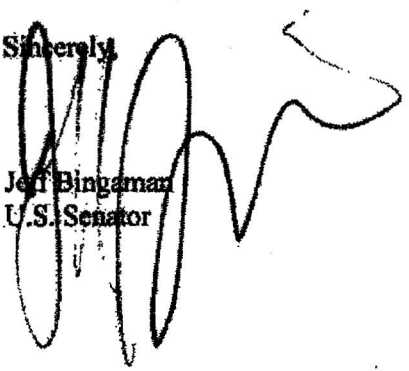
OSD 03064-09



Thank you for your attention to this matter. If you have any questions, and to update me on this issue, please contact Annie Chávez (202)224-3882 in my office.

Sincerely,

Jeff Bingaman
U.S. Senator

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned over the typed name and title.

United States Senate

WASHINGTON, DC 20510

Friday, March 20, 2009

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

Dear Secretary Gates:

We write to you today to express our strong concerns regarding the OMB Circular A-76 Study currently underway to review the operations, maintenance, and custodial duties at West Point. Congress and the President have expressed deep reservations with this process, and we encourage you to defer completing this and any pending studies until the process can be improved or replaced. Regardless, however, of the Defense Department's (DOD) stance on the larger question of A-76 studies, we believe that the serious concerns raised by West Point's union warrant cancellation of this study. With the accuracy of the study in question, it would be far preferable to cancel this study and begin a new one.

The Office of Management and Budget (OMB) established this type of study to ensure that the government does not waste taxpayers' money by paying government employees to perform tasks which could be completed at a lower cost by private contractors. Although we support the goal of saving taxpayer dollars, we are concerned by mounting evidence that the process unfairly disadvantages federal employees and fails to save any money. After studies by the Government Accountability Office, Congress acted in the Fiscal Year 2009 Omnibus Appropriations bill to curtail the A-76 process. President Obama, too, has issued an executive order to stop new A-76 studies. With such serious reservations at the highest levels of government, we believe that the responsible course of action would be to stop any A-76 studies currently under way.

The study underway at West Point has several serious flaws. First, the process compares different price structures, making it impossible to evaluate accurately which is the lower cost. For federal employees, the study estimates the total cost to the Army of performing the work. However, when soliciting bids from private contractors, the Army is asking for "cost plus firm fixed fee" contract. These contracts allow for variable costs, which cannot be accurately compared to the fixed cost used for continuing with federal employees.

Second, the Army changed the requirements for the union halfway through the study. Originally, the Army allowed the union to combine the operations/maintenance and custodial responsibilities into a single bid, which allowed them to achieve economies of

OSD 03080-09

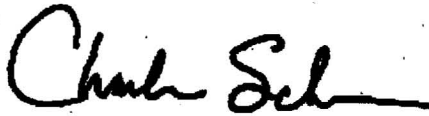


scale. Halfway through the process, Army required the union to separate these two contracts, but did not allow them to begin the process over.

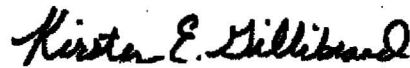
Given the serious concerns related to these studies in general, and this study in particular, we urge you to cancel the study. Millions of taxpayer dollars are at stake, and we cannot afford to risk wasting them by engaging in an inaccurate and unfair process.

We look forward to your reply. If you have any questions, please do not hesitate to contact John Jones, of Senator Schumer's staff, at (202) 224-6542, or Kevin Fink, of Senator Gillibrand's staff, at (202) 224-4451.

Sincerely,



Charles E. Schumer
U.S. Senate



Kirsten E. Gillibrand
U.S. Senate

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:

The Fiscal Year 2009 National Defense Authorization Act authorized full funding for the third DDG-1000 destroyer, while the 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. We urge you to follow through on this commitment by ensuring that the necessary funds for completing the third DDG-1000 are included in the President's budget request.

Last year, the Senate Armed Services Committee and the Senate Appropriations Committee demonstrated strong support for the Department's Fiscal Year 2009 budget request for funding the procurement of the third DDG-1000. Because of this support and your willingness to directly reaffirm the Defense Department's support for the President's DDG-1000 Budget request, the third DDG-1000 was fully authorized in the Fiscal Year 2009 National Defense Authorization Act. Likewise, the Fiscal Year 2009 Defense Appropriations Act supported procurement of the third DDG-1000 by providing \$1.5 billion in split-funding toward the ship's procurement. In addition to providing funding, the conference agreement included explicit direction for the Department not only to proceed with contracting for the third ship, but also to provide the ship's remaining funding in the Fiscal Year 2010 budget.

Any failure to follow through on these commitments would result in a multi-year procurement gap of complex surface combatants. Such a decision would also place at risk the nation's surface combatant shipbuilding industrial base and the jobs and unique skills of thousands of defense-critical U.S. workers.

We look forward to continuing to work closely with you to meet the Navy's requirements for a 313-ship fleet and to preserve a strong and highly skilled industrial base.

Sincerely,



Susan M. Collins
United States Senator



Olympia J. Snowe
United States Senator

OSD 03122-09



United States Senate
WASHINGTON, DC 20510

March 20, 2009

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

Dear Secretary Gates:

It has come to our attention that the Department of Defense (DOD) has undertaken an initiative to transform the manner in which it contracts food and postal services. We are concerned about the implications that this initiative could have on the jobs of people with severe disabilities working on Department of Defense service contracts under the AbilityOne Program.

Specifically, Opportunity Village is a community rehabilitation program in southern Nevada that has been providing job training and employment services for almost 55 years. No other organization in Nevada has worked as hard for people with disabilities for as long as Opportunity Village, and we both have a special place in our hearts for this agency and the people they serve. At Nellis Air Force Base (AFB), Opportunity Village has supported the airmen there for over 35 years. Opportunity Village currently has a "food service attendant" contract and a "postal service center" contract with Nellis AFB, and 43 people with severe disabilities are employed on those contracts. We also know there are literally thousands of people with severe disabilities working for other community rehabilitation programs at other Department of Defense facilities throughout our nation.

In addition, we would like to express our support for the Department of Defense's Food Transformation effort where it results in higher quality and efficiency to service members at lower costs. However, given the current economic crisis and the potential impact this change could have on the employment of dozens of people with disabilities at Nellis AFB and thousands of people with severe disabilities in the AbilityOne Program, we strongly urge the Department of Defense to coordinate with AbilityOne representatives to develop a policy solution that encourages job creation through both the MWR and the AbilityOne Programs. This is a crucial step to incorporate the best thinking to resolve this issue, particularly when jobs for people with severe disabilities are so rare, reflecting an unemployment rate unparalleled in our society.

Thank you for your consideration of this urgent request. If you have any questions, please contact Bob Herbert at (202)224-3542 or Ryan Tully at (202)224-8049 in our offices respectively.

Sincerely,



Harry Reid
United States Senator



John Ensign
United States Senator

OSD 03124-09



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.

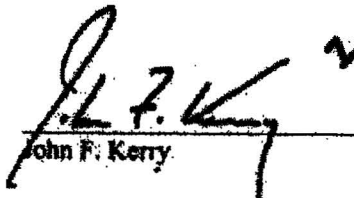
We remain very concerned about the Navy's long-term shipbuilding plan. Despite several months of Congressional and Department of Defense requests for further analysis, the Navy has yet to provide sufficient justification in support of the proposal to truncate the DDG-1000 program and restart DDG-51 production. 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

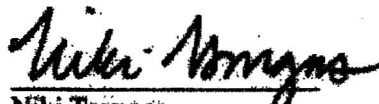

John F. Kerry

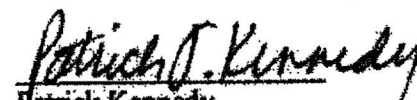

Jack Reed



Sheldon Whitehouse


OSD 03125-09



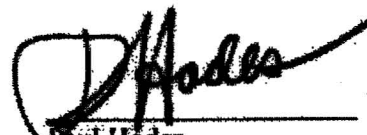

Niki Tsongas
Member of Congress


Patrick Kennedy
Member of Congress

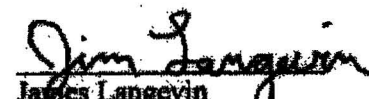

Michael Capuano
Member of Congress

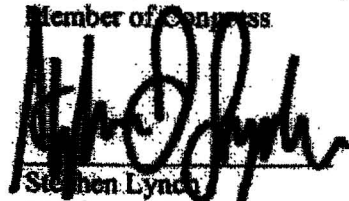

James McGovern
Member of Congress


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

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SUSAN M. COLLINS, MAINE

RICHARD D. DEBOES, STAFF DIRECTOR
JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

March 18, 2009

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

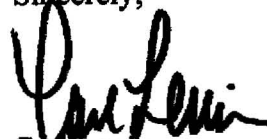
Dear Mr. Secretary:

This letter is in further regard to my letter of March 5, 2009 concerning the travel plans of Senator John McCain and Richard Fontaine and Brooke Buchanan, during the period March 19-22, 2009.

I am writing to advise that Senator McCain has added Luxembourg to his itinerary.

I would appreciate your continued support and assistance in connection with this travel.

Sincerely,



Carl Levin
Chairman

OSD 03128-09



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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

March 16, 2009

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

Dear Mr. Secretary:

I am writing today to request information and documents related to the Defense Department's award of contracts for Congressional earmarks.

For each item listed in compliance with clause 9 of Rule XXI of the Rules of the House of Representatives and Rule XLIV of the Standing Rules of the Senate in the Defense Appropriations Acts for Fiscal Years 2008 and 2009, the Subcommittee requests the following information and documents:

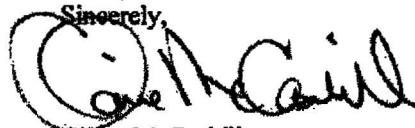
- (1) The number, value, and recipient of any contract or grant awarded;
- (2) Information regarding the type and extent of competition conducted, including the number and identity of competing offerors; and
- (3) Communications related to the award of any contract or grant to the recipient identified by the requesting member of Congress.

I request that you provide this information as soon as possible, but in no case later than **Monday, April 6, 2009**. If you determine that you will be unable to make a complete production by this date, please contact Subcommittee staff to discuss possible modifications to this schedule.

The jurisdiction of the Subcommittee on Contracting Oversight is set forth in Senate Rule XXV clause 1(k); Senate Resolution 445 section 101 (108th Congress); and Senate Resolution 50 (109th Congress). An attachment to this letter provides additional information on how to respond to the Subcommittee's request.

Please contact me or ask your staff to contact Margaret Daum at (202) 224-6154 with any questions regarding this request.

Sincerely,



Claire McCaskill
Chairman
Subcommittee on Contracting Oversight

Enclosure

cc: Susan Collins
Acting Ranking Member

OSD 03174-09



United States Senate

WASHINGTON, DC 20510

March 24, 2009

The Honorable Robert Gates
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.

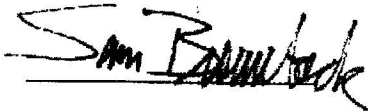
The ABL is performing well and is scheduled to shoot down a boosting ballistic missile by the end of the year. Should the ABL be severely under-funded or canceled, the promise of speed-of-light and extreme precision in the hands of the warfighter will disappear, as will the fragile industrial base that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

OSD 03189-09



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

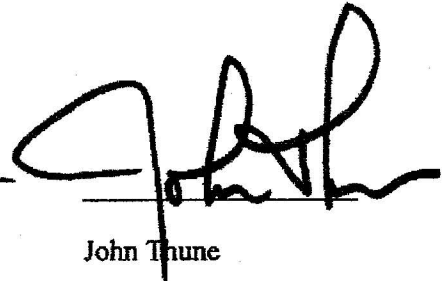
Sincerely,

A handwritten signature in black ink, appearing to read "Sam Brownback", written over a horizontal line.

Sam Brownback

A handwritten signature in black ink, appearing to read "Pat Roberts", written over a horizontal line.

Pat Roberts

A handwritten signature in black ink, appearing to read "John Thune", written over a horizontal line.

John Thune

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ROGER F. WICKER, MISSISSIPPI
RICHARD BURR, NORTH CAROLINA
DAVID VITTER, LOUISIANA
SUSAN M. COLLINS, MAINE

RICHARD D. DeBOBES, STAFF DIRECTOR
JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

March 19, 2009

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

Dear Mr. Secretary:

On March 19, 2009 I wrote to you regarding the travel plans of William K. Sutey, John H. Quirk V, Lucian L. Niemeyer and Paul C. Hutton IV during the period March 29-April 4, 2009.

This letter is to advise that they have added United Arab Emirates to their itinerary.

I would appreciate your continued support and assistance in connection with this travel.

Sincerely,



Carl Levin
Chairman

OSD 03200-09



Carl Levin
Michigan



United States Senate

WASHINGTON, D. C.

March 23, 2009

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

Dear Mr. Secretary:

I understand that former Congressman (b)(6) (b)(6) has expressed an interest in serving on the Defense Policy Board. I remember (b)(6) from his service on the House Armed Services Committee. He was knowledgeable and thoughtful on national security issues, and I think he would make a valuable contribution to the work of the Defense Policy Board.

I am enclosing his resume. Thanks for your consideration.

Sincerely,

Carl Levin

Enclosure

OSD 03225-09



EVAN BAYH

INDIANA

131 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510-1404
(202) 224-5823
<http://bayh.senate.gov>

1850 MARKET TOWER
10 WEST MARKET STREET
INDIANAPOLIS, IN 46204
(317) 654-0750

United States Senate

WASHINGTON, DC 20510-1404

COMMITTEES:
ARMED SERVICES
BANKING, HOUSING, AND URBAN AFFAIRS
SELECT COMMITTEE ON INTELLIGENCE
SMALL BUSINESS
SPECIAL COMMITTEE ON AGING
ENERGY

March 25, 2009

The Honorable William Lynn, III
Deputy Defense Secretary
1010 Defense Pentagon
Washington, DC 20301-1010

Dear Deputy Secretary Lynn:

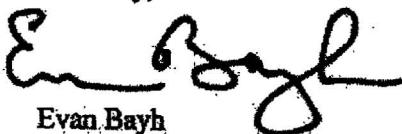
It is my understanding that the Army plans to award a contract for an additional 56,000 SINCGARS radios this spring. Further, I understand that the Office of the Secretary of Defense must certify to the Congress that this competition is open and fair. As such, I respectfully request that you complete work on the certification process in a timely manner in order to meet the Army's needs.

My hope is that this contract not be delayed. The faster this contract is awarded, the more quickly the Army will be able to procure the additional tactical radios it needs while also ensuring that the radios are interoperable with current inventory and will not disrupt the Army's supporting logistics chain. These SINCGARS radio systems support near term operational needs, such as the new brigade combat teams and ground vehicle fleet. I have also been told that no Joint Tactical Radio System (JTRS) solutions are currently available to meet future needs, and alternate solutions may not meet full spectrum environmental requirements consistent with the SINCGARS and JTRS ORDs. Therefore, I do not believe these options are appropriate for our soldiers at this time.

Additionally, awarding this contract without delay will provide a much needed economic boost to the communities who produce these radios, which is an important concern to both the Department and Congress in these challenging times.

Please do not hesitate to contact me if you have any questions or concerns. I appreciate your thoughtful consideration of my request, and thank you for your continued service in your new position.

Sincerely,



Evan Bayh
U.S. Senator

CC: Secretary of the Army Peter Geren

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OSD 03258-09



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United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

March 20, 2009

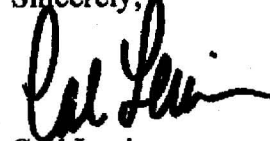
Honorable Robert M. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Mr. Secretary:

Enclosed herewith are copies of S. 644, to amend title 10, United States Code, to include service after September 11, 2001, as service qualifying for the determination of a reduced eligibility age for receipt of non-regular service retired pay. I am forwarding this legislation to you for your review.

So that we can consider your views when the Committee reviews this legislation, please submit to this Committee the recommendations of your Department with reference to this legislation.

Sincerely,



Carl Levin
Chairman

Enclosures

OSD 03268-09



CARL LEVIN, MICHIGAN, CHAIRMAN

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United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

March 20, 2009

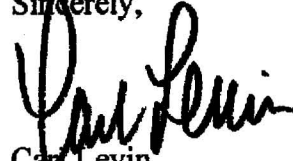
Honorable Robert M. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Mr. Secretary:

Enclosed herewith are copies of S. 645, to amend title 32, United States Code, to modify the Department of Defense share of expenses under the National Guard Youth Challenge Program. I am forwarding this legislation to you for your review.

So that we can consider your views when the Committee reviews this legislation, please submit to this Committee the recommendations of your Department with reference to this legislation.

Sincerely,



Carl Levin
Chairman

Enclosures

OSD 03270-09



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

OSD 03274-09



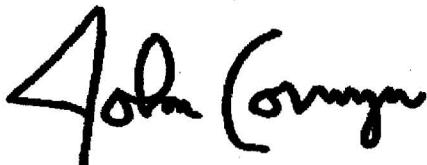
national security in jeopardy tomorrow as we restrict urgently needed capital investments in equipment such as planes, ships, and land vehicles.

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



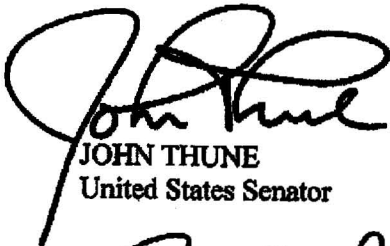
JON KYL
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LISA MURKOWSKI
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United States Senator



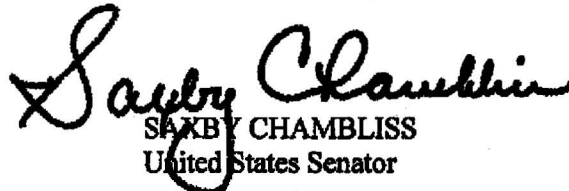
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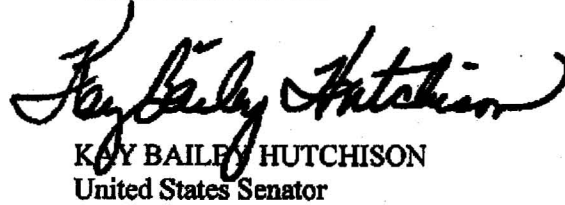
ROBERT F. BENNETT
United States Senator



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United States Senator



JEFF SESSIONS
United States Senator



KAY BAILEY HUTCHISON
United States Senator

United States Senate

WASHINGTON, DC 20510

March 11, 2009

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

Dear Secretary Gates:

We are writing to seek your assistance in obtaining funds appropriated by H.R. 1, the "American Recovery and Reinvestment Act of 2009", to further the research conducted by Bell BioEnergy, Inc. on the use of bioengineered bacteria in the production of biofuels from biomass. Bell BioEnergy, Inc. is fully ready to implement the goals of this Act and produce renewable, domestically-produced, high-quality transportation fuels to enhance America's independence from foreign oil in an environmentally sound manner. Such efforts will result in the creation of a significant number of new and green jobs.

Bell BioEnergy is presently undertaking such research in the form of pilot projects conducted in collaboration with the Department of Defense and the Defense Energy Support Center (DESC) at seven military installations around the nation including Fort Benning, Fort Stewart, Fort Bragg, Fort Lewis, Fort Drum, Fort A.P. Hill, and the DESC facility at San Pedro, CA. Specifically, Bell BioEnergy is requesting \$50 million to complete the research begun through these pilot projects. The objectives of the pilot projects are to:

- 1) Perfect the Bell BioEnergy, Inc. 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 purpose
- 5) Gather the engineering and scientific data necessary to design full scale production facilities

A clear intent of Congress in enacting H.R. 1 is to provide funding for the types of projects that Bell BioEnergy has undertaken. We believe that the successful conversion

OSD 03323-09



of non-food biomass to biofuels would have overwhelmingly positive effects on our economy and energy independence and also help create a cleaner environment.

The \$50 million Bell BioEnergy seeks would be employed to 1) complete construction of the seven pilot projects, 2) perform university level research to determine the most viable bacteria for the production of hydrocarbon fuels from biomass, and 3) construct the first research laboratory dedicated to the segregation and propagation of the bacteria required to produce biofuels from non-food waste biomass. We estimate that each test facility would employ five technicians and that the research laboratory would employ 25-50 scientists and technicians with secondary employment of up to 400 people.

We appreciate your consideration of this proposal, consistent with your standard policies and practices, and look forward to any feedback you may have.

Sincerely,


Saxby Chambliss


Johnny Isakson

[illegible]

JEFF BINGAMAN
NEW MEXICO709 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510-3101
(202) 224-6621
IN NEW MEXICO - 1-800-443-8058
TDD (202) 224-1732
senator_bingaman@bingaman.senate.gov

United States Senate

March 26, 2009

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

Dear Secretary Gates:

I am writing to respectfully request that Department of Defense (DoD) consider modifying the State Drug Interdiction and Counterdrug Activities plans for the National Guard to permit counterdrug personnel to support law enforcement in inspecting certain vehicles at ports of entry. I strongly believe that including vehicle inspection under the counterdrug mission set would enhance our ability to interdict the southbound flow of weapons and bulk cash as well as the northbound flow of narcotics.

As you know, the National Guard currently provides critical support to Customs and Border Protection (CBP) with the operation of remote cameras and sensors, and conducts aerial reconnaissance of the border in an effort to detect illegal drug smuggling operations. The Guard used to also assist CBP with inspection activities at ports of entry. However, in 2003 the so-called "3(d)" inspection mission was removed from the counterdrug mission set based on a finding by then Deputy Secretary Wolfowitz that inspection activities are not "militarily unique." At that time, I expressed deep concerns regarding this change and the fact that it resulted in CBP having to take over the duties of approximately 350 National Guard soldiers who were assisting with the dismantlement of vehicles suspected of carrying contraband.

Reinstating this mission makes sense now more than ever. The Administration has recognized the importance of reducing the flow of weapons and bulk cash being smuggled into Mexico from the United States, and the need to step up efforts to stop drugs from being trafficked into our country. Permitting National Guard counterdrug personnel to perform the 3(d) mission would free up CBP officers to perform other duties and provide soldiers with additional training experience in detection techniques that are utilized by activated troops maintaining security in Iraq and Afghanistan. It is my understanding that if this change is made the National Guard would be able to place about 30 soldiers at ports along the border just in New Mexico to assist with the interdiction of contraband at no cost to CBP.

OSD 03405-09

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(505) 523-8931LAS VEGAS
(505) 454-8824ROSWELL
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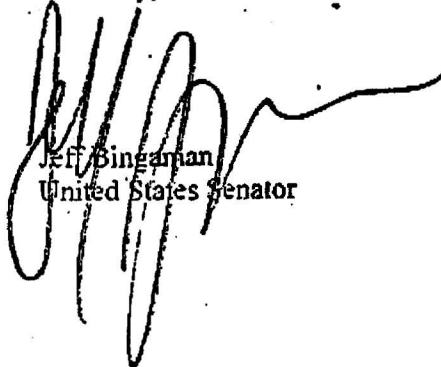
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P. 02

The Honorable Robert M. Gates
Page 2 of 2

I greatly appreciate your prompt attention to this issue, and your assistance in ensuring the continued success of counterdrug operations along the Southwest border.

Sincerely,

A handwritten signature in black ink, appearing to be "JB", written over the printed name and title of the sender.

Jeff Bingaman
United States Senator

JB/ss

cc: The Honorable Janet Napolitano



USS Constitution Museum

20 March 2009

The Honorable Robert M. Gates
Secretary of Defense
1000 Defense Pentagon
Room 3E880
Washington, DC 20301-1000

Dear Mr. Secretary:

On October 22 of this year the USS Constitution Museum will hold its annual Chairman's Dinner at the Fairmont Copley Hotel in Boston. We would be most honored if you would be our keynote speaker.

The evening will follow by one day the 212th anniversary of the Boston launching of USS CONSTITUTION on October 21, 1797, as one of the first six frigates built for the US Navy. Even though the Museum is a non-profit organization, we are for all intents and purposes the Navy's museum for "Old Ironsides."

In addition to celebrating the 212th anniversary of "Old Ironsides" launching, the Museum will present:

- The Samuel Eliot Morison Award to Dr. John Haddendorf, Ernest J. King Professor of Maritime History and Chairman, Maritime History Department at the Naval War College, in recognition of his many contributions to naval history and scholarship. This award is presented annually to individuals who have enhanced the image of USS CONSTITUTION and who reflect Rear Admiral Morison's artful scholarship, patriotic pride and eclectic interest in things maritime.
- The Charles Francis Adams Award to Boston Mayor Thomas Menino. "Old Ironsides" and the Museum have no better friend than Mayor Menino. This award honors the legacy between the Adams' family and the Navy, from President John Adams attending the launching of "Old Ironsides," to Secretary of the Navy Charles Adams dispatching "Old Ironsides" on her national cruise to 76 ports along the Atlantic, Gulf, and Pacific coasts between 1931 and 1934.

I also extend a personal invitation for you to visit the USS Constitution Museum, in conjunction with any visit you may make to USS CONSTITUTION during your time in Boston.

The USS Constitution Museum's staff and I will provide additional information as details of the evening become firm, and we stand by to assist you in any manner. Our point of contact for your staff is Mr. Burt Logan, President of the Museum, who may be reached at (617) 426-1812 x 115.

Very truly yours,

James C. Stokes
Chairman
Board of Trustees

OSD 03517-09



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United States Senate

COMMITTEE ON APPROPRIATIONS

WASHINGTON, DC 20510-6025

<http://appropriations.senate.gov>

March 19, 2009

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

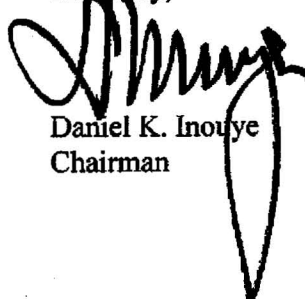
Dear Mr. Secretary:

This letter is to authorize Mr. Erik Raven, majority staff member of the Senate Appropriations Committee, to travel for official committee purposes to Deadhorse, Alaska, and Ice Camp APLIS from March 21-23, 2009. He will participate in ICEX 2009.

Per diem expenses not to exceed the rate established by the General Services Administration or, if applicable, the rate specified for High Cost Geographical Areas, transportation costs, including military air, and other travel-related expenses are authorized and shall be paid from appropriations available in accordance with provisions of P. L. 83-207 (31 U.S.C. 1108(g)).

It would be appreciated if officials from the Department of Defense would assist in making whatever arrangements are necessary for travel.

Sincerely,



Daniel K. Inouye
Chairman

DKI:rss

OSD 03542-09



Congress of the United States

March 18, 2009

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

Dear Mr. Secretary:

Your leadership in recent months has been instrumental in refocusing the Department of Defense on nuclear matters. We share many of the concerns you have expressed regarding the degradation of our nuclear capability and appreciate the Department's immediate implementation of plans to revitalize our strategic nuclear deterrent.

Accordingly, we write to request your leadership on a related and urgent budgetary matter involving the preservation of our nation's land-based Intercontinental Ballistic Missile ("ICBM") solid rocket motor industrial base. In the next few weeks, the Minuteman III Propulsion Replacement Program ("PRP") will cease production and government funds have been allocated to close the program's production facility. However, the Air Force has determined that it is in the national interest to maintain a land-based solid rocket motor production capability. Accordingly, the Air Force is planning to commence an ICBM Solid Rocket Motor Life Extension Program, that will preserve our nation's capability to produce land-based ICBM solid rocket motors. Unfortunately, due to a budgetary perplexity, FY2009 funds will be used to close the land-based solid rocket production facility only to reopen that same facility a few months later using FY2010 monies. The result will create unnecessary layoffs, and cost the taxpayers millions of additional dollars. However, these needless costs and risks to the industrial base can be avoided by sending Congress a reprogramming request that authorizes FY2009 funds to be used to maintain the land-based solid rocket production line instead of closing it. Therefore, we respectfully request your assistance in approving a reprogramming request of FY2009 PRP closeout funds to instead be used to immediately commence an ICBM Solid Rocket Motor Life Extension Program.

Later this month, the Air Force, under the PRP, will receive the last Minuteman III Stage 1 booster segment, and in August, will receive the last Stage 2 and Stage 3 segments. This will conclude the PRP program and for the first time since the beginning of the Cold War, our nation will not produce ICBM solid rocket motors. Therefore, the nation could lose this highly specialized production capability and compromise the long-term dependability of the Minuteman III.

Congress recognized these risks during the FY2008 budget process, and directed both the Office of the Secretary of Defense, and the Air Force, to conduct studies regarding the capability of the

OSD 03554-09



defense industrial base to maintain, modernize, and sustain the Minuteman III system until 2030. This Air Force study validated the requirement to preserve an ICBM industrial base capability, and specifically a low-rate solid rocket motor life extension program production line. Unfortunately, the Secretary of Defense study has still not been delivered to the Congress.

Subsequent congressional directives have been even more specific. Following the release of the FY2009 Air Force Unfunded Requirements List, which included a request for an additional \$31 million to initiate an ICBM Solid Rocket Motor Life Extension, the FY2009 Defense Appropriations Act stated, "*the Air Force is encouraged, at a minimum, to continue a warm line status for Minuteman III propulsion systems and to use funds provided for Fiscal Year 2009 to initiate a Minuteman III motor life extension program.*" This language was further clarified in a letter from Senate Defense Appropriations Subcommittee Chairman Inouye and Ranking Member Cochran to the Air Force Secretary and Chief of Staff, which raised concerns about the ability of the United States to maintain a land-based solid rocket motor industrial base. This letter cited the final FY2009 Appropriations Report language and urged the Air Force to provide funding in FY2009 to maintain a viable land-based solid rocket motor production capability. Subsequently, the Air Force received Program Decision Memorandum (PDM-3) guidance to prepare to transition to this program in FY2010.

However, the delayed submission of the new Administration's FY2010 detailed Defense Budget has caused the Air Force to also defer the transition from the Minuteman III PRP program to an ICBM Solid Rocket Motor Life Extension Program. We have brought this matter to the attention of the Air Force's senior leadership, including: the Assistant Chief of Staff, Strategic Deterrence and Nuclear Integration (AF/A10) and the Director, Space Acquisition, Office of the Under Secretary of the Air Force (SAF/USA). Unfortunately, due to the formalities of the budgetary process, the Air Force has been unable to implement a reprogramming of FY2009 funds and immediately implement an ICBM Solid Rocket Motor Life Extension Program.

As a result of this bureaucratic budgetary conundrum our nation risks losing unique and irreplaceable expertise and skills. Specifically, delaying the implementation of a life extension program until FY 2010 will incur an estimated \$20 million in additional costs. As we are sure you would agree, using funds to close a production facility only to reopen that same facility a few months later is not a responsible use of taxpayer funds.

In addition, the true value of maintaining the limited production of solid rocket motors, is to ensure that our nation has a highly skilled work force that can produce technically demanding land-based ICBM solid rocket motors. Under the current plan, 500 of these workers, who have irreplaceable specialized skills, will be laid off. Even if the Life Extension Program is initiated in FY2010 only approximately 120 workers will be rehired. However, due to the continued

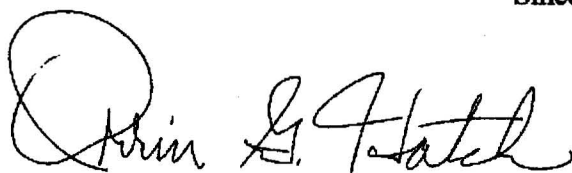
The Honorable Robert Gates
March 18, 2009
Page Three

uncertainty surrounding this program many of these workers may not return, resulting in further additional unwarranted costs. In addition, a long-standing supplier base would be disrupted.

Therefore, we respectfully request your assistance in approving a reprogramming request of FY2009 PRP closeout funds to instead be used to immediately commence an ICBM Solid Rocket Motor Life Extension Program. In addition, we ask that you facilitate a meeting between the Commander, Air Force Materiel Command, General Donald J. Hoffman and us to discuss the execution of your reprogramming request. Finally, we also request a status report on the study that the Congress directed to be completed by the Secretary of Defense.

We stand ready to assist with a related reprogramming request, or with any other avenue of relief that may be available, and look forward to your prompt reply.

Sincerely,



Orrin G. Hatch
United States Senator



Robert F. Bennett
United States Senator



Rob Bishop
Member of Congress

CARL LEVIN, MICHIGAN, CHAIRMAN

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JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

March 24, 2009

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

Dear Mr. Secretary:

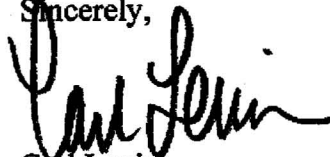
In connection with his responsibilities as a Member of the Senate Committee on Armed Services, Senator Mel Martinez plans to travel to Spain during the period April 12-17, 2009. Senator Martinez will be accompanied by Daniel W. Fisk, his personal staffer who has been designated to the Senate Armed Services Committee.

I would appreciate the support and assistance of the Department of Defense in providing such transportation, including the use of foreign carrier air transportation, as may be required. It would also be appreciated if the Department of the Air Force could be designated as the action agency for this travel.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Thank you for your assistance in this matter.

Sincerely,



Carl Levin
Chairman

OSD 03558-09



CARL LEVIN, MICHIGAN, CHAIRMAN

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SUSAN M. COLLINS, MAINE

RICHARD D. DeBOES, STAFF DIRECTOR
JOSEPH W. BOWEN, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

March 25, 2009

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

Dear Mr. Secretary:

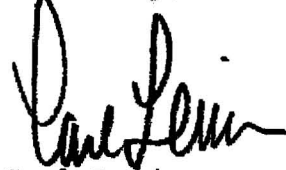
This letter is to request assistance for Ms. Madelyn R. Creedon, Counsel, and Mr. Daniel A. Lerner, Professional Staff Member, on the Senate Armed Services Committee, to travel by commercial transportation to California. Ms. Creedon will be traveling during the period April 5-9, 2009; and Mr. Lerner will be traveling during the period April 6-9, 2009.

The purpose of their trip is to receive briefings on missile defense and defense space programs at Los Angeles Air Force Base, Vandenberg Air Force Base, and Edwards Air Force Base. It is requested that the Department of the Air Force be assigned the action agent for this trip.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Your assistance in this matter will be appreciated.

Sincerely,



Carl Levin
Chairman

OSD 03560-09



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United States Senate

COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

March 25, 2009

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

Dear Mr. Secretary:

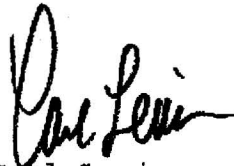
This letter is to request assistance for Ms. Madelyn R. Creedon, Counsel, and Mr. Daniel A. Lerner, Professional Staff Member, on the Senate Armed Services Committee, to travel by commercial transportation to Alabama and Colorado. Ms. Creedon will be traveling during the period April 15-17, 2009; and Mr. Lerner will be traveling during the period April 12-17, 2009.

The purpose of their trip is to receive briefings on missile defense and defense space programs at Redstone Arsenal, Shriever Air Force Base, and Peterson Air Force Base. It is requested that the Department of the Air Force be assigned the action agent for this trip.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Your assistance in this matter will be appreciated.

Sincerely,



Carl Levin
Chairman

OSD 03561-09



CARL LEVIN, MICHIGAN, CHAIRMAN

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United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

March 25, 2009

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

Dear Mr. Secretary:

This letter is to request assistance for Mr. William K. Sutey and Mr. John H. Quirk V, Professional Staff Members on the Senate Armed Services Committee, to travel by commercial transportation to Florida, Virginia, and Louisiana, during the period April 14-17, 2009.

The purpose of their trip is to survey Department of Defense and Department of the Army plans and programs related to current and future security force assistance operations at the United States Special Operations Command, United States Joint Forces Command, Joint Readiness Training Center, and 162d Brigade. It is requested that the Department of the Army be assigned the action agent for this trip.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Your assistance in this matter will be appreciated.

Sincerely,



Carl Levin
Chairman

OSD 03562-09



CARL LEVIN, MICHIGAN, CHAIRMAN

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United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

March 25, 2009

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

Dear Mr. Secretary:

In connection with my responsibilities as Chairman of the Senate Committee on Armed Services, I plan to travel to Poland, Czech Republic, Russia, and Belgium during the period April 12-18, 2009. Senator Susan M. Collins, who is also a Member of the Senate Committee on Armed Services, will travel with me. I will be accompanied by two Senate Committee on Armed Services Staff Members, Richard D. DeBobes, Staff Director and Richard W. Fieldhouse, Professional Staff Member. Senator Collins will be accompanied by Robert Epplin, her personal staffer who has been designated to the Committee on Armed Services.

I would appreciate the support and assistance of the Department of Defense in providing such transportation, including the use of foreign carrier, as may be required. It would also be appreciated if the Department of the Army could be designated as the action agency for this travel.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Thank you for your assistance in this matter.

Sincerely,



Carl Levin
Chairman

OSD 03564-09



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SSCI #2009-1404

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DAVID GRANNIS, STAFF DIRECTOR
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KATHLEEN P. MCQUEL, CHIEF CLERK

March 30, 2009

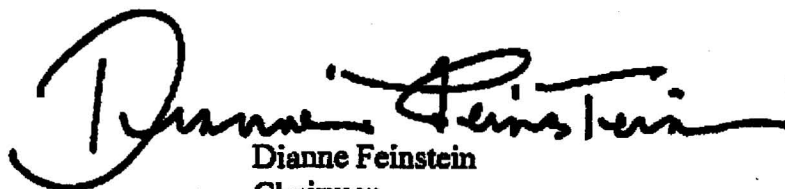
The Honorable Robert M. Gates
Secretary of Defense
Washington, DC 20301


Dear Secretary Gates:

Enclosed please find the "Terms of Reference of the Senate Select Committee on Intelligence Study of the Central Intelligence Agency's Detention and Interrogation Program," which the Committee adopted on March 5, 2009, by a strong bipartisan vote. In the course of the review, we may be submitting requests for documents to departments and agencies in addition to the CIA, including the Department of Defense. Accordingly, we wanted to make sure that you are aware of the scope of our review.

A thorough review of the detention and interrogation program is essential for shaping future detention and interrogation policies. We are aware of the related responsibilities of two of the Special Task Forces that you are now either helping to lead as Co-Chair or Co-Vice Chair: the Special Task Force on Interrogation and Transfer Policies (Executive Order 13491) and the Special Task Force on Detainee Disposition (Executive Order 13493). Our review, and these reviews, share common interests. We look forward to working together with you and others in the Administration on the policies that will guide the CIA's detention and interrogation efforts in the future.

We have marked the Terms of Reference as "Committee Sensitive." Other than as released by the Committee, it is our intention that the Terms of Reference should not be made available to the public and should be used for official government use only.


Dianne Feinstein
Chairman

Sincerely,

Christopher S. Bond
Vice Chairman

Enc.: Terms of Reference, Senate Select Committee on Intelligence Study of the Central Intelligence Agency's Detention and Interrogation Program

OSD 03565-09



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United States Senate

COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

March 26, 2009

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

Dear Mr. Secretary:

On March 24, 2009 I wrote to you regarding the travel plans of Senator Mel Martinez and his staffer, Daniel Fisk, during the period April 12-17, 2009.

This letter is to advise that Senator Martinez's schedule requires him to depart from Orlando, Florida via Miami to Madrid. Similarly, for scheduling reasons, on his return from Madrid, Senator Martinez needs to return to Orlando, Florida. In addition, it is necessary for Mr. Fisk to travel roundtrip from Washington to Madrid via Miami, Florida in order to be able to accompany Senator Martinez on the international portions of this trip.

I would appreciate your continued support and assistance in connection with this travel.

Sincerely,



Carl Levin
Chairman

OSD 03571-09



CARL LEVIN, MICHIGAN, CHAIRMAN

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JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

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

March 26, 2009

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

Dear Mr. Secretary:

Enclosed herewith are copies of S. 711, to require mental health screenings for members of the Armed Forces who are deployed in connection with a contingency operation, and for other purposes. I am forwarding this legislation to you for your review.

So that we can consider your views when the Committee reviews this legislation, please submit to this Committee the recommendations of your Department with reference to this legislation.

Sincerely,



Carl Levin
Chairman

Enclosures

OSD 03573-09



CARL LEVIN, MICHIGAN CHAIRMAN

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RICHARD BURR, NORTH CAROLINA
DAVID VITTER, LOUISIANA
SUSAN M. COLLINS, MAINE

RICHARD D. DEBOBES, STAFF DIRECTOR
JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

March 27, 2009

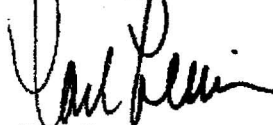
Honorable Robert M. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Mr. Secretary:

Enclosed herewith are copies of S. 731, to amend title 10, United States Code, to provide for continuity of TRICARE Standard coverage for certain members of the Retired Reserve. I am forwarding this legislation to you for your review.

So that we can consider your views when the Committee reviews this legislation, please submit to this Committee the recommendations of your Department with reference to this legislation.

Sincerely,



Carl Levin
Chairman

Enclosures

OSD 03574-09



BENJAMIN L. CARDIN
UNITED STATES SENATOR
MARYLAND

United States Senate
Washington, DC 20510

March 18, 2009

The Honorable Robert L. Wilkie
Assistant Secretary (Legislative Affairs)
Department of Defense
Washington, DC 20301-1300

Dear Mr. Secretary:

I am writing to you to request your consideration to provide my office a Department of Defense Legislative Fellow for calendar year 2010.

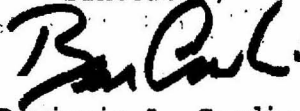
Currently serving as my 2009 Defense Fellow is (b)(6) a Navy Medical Service Corps Officer. He is a most welcomed addition, and his expertise in Navy Medicine and military construction has proven extremely beneficial to my projects team as Maryland's military bases undergo the BRAC transition.

I ask that you give special consideration to providing my office with a Defense Fellow for 2010 who possesses a similar Navy or Army medical background. This would provide my office with an invaluable ability to better understand the intricacies of the medical planning efforts, challenges and noteworthy achievements toward the successful completion of the Walter Reed National Medical Center.

Let me close by offering to you my personal thanks for allowing (b)(6) to join my staff for the 2009 program. He is a most impressive representative of the Department of Defense and proudly exemplifies the professionalism of the men and women serving in our Nation's Armed Forces.

I look forward to working with you to continue this mutually beneficial program. Should you have any questions, please contact me or my Chief of Staff, Mr. Chris Lynch at (202) 224-4524 or chris_lynch@cardin.senate.gov.

Sincerely,



Benjamin L. Cardin
United States Senator

OSD 03576-09



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United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

March 31, 2009

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

Dear Mr. Secretary:

On March 24 and March 26, 2009 I wrote to you regarding the travel plans of Senator Mel Martinez and his staffer, Daniel Fisk, during the period April 12-17, 2009.

This letter is to advise that Daniel Fisk will no longer accompany Senator Martinez. Instead, Senator Martinez will be accompanied by Tom Weinberg, his Chief of Staff and his personal staff member who has been designated to the Committee.

I would appreciate your continued support and assistance in connection with this travel.

Sincerely,



Carl Levin
Chairman

OSD 03631-09



ROBERT E. SYDOR, WEST VIRGINIA
 WILLIAM E. LEAHY, WYOMING
 (TOM HADLEY, MISSOURI)
 BARBARA A. MILLER, MISSOURI
 (PAT WILSON, MISSOURI)
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 MARIE STONE, ARIZONA
 JOE TWITTE, CALIFORNIA

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CONSTANCE S. FORD, ANNAPOLIS,
MD.
MILTON GOODMAN, NEWARK, N.J.
HERMAN G. GRANT, CHICAGO, ILL.
ALAN GREEN, NEW HAVEN, CT.
NORMAN L. GREEN, JR., NEW
YORK, N.Y.
JOHN G. GRIFFIN, JR., NEW
CAN, BRONX, N.Y.
JAMES H. GRIFFIN, NEW
CAN, BRONX, N.Y.
JAMES H. GRIFFIN, NEW
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JAMES H. GRIFFIN, NEW
CAN, BRONX, N.Y.
JAMES H. GRIFFIN, NEW
CAN, BRONX, N.Y.

COMMITTEE ON APPROPRIATIONS

WASHINGTON, DC 20510-6025

<http://www.fox.com>

March 30, 2009

64040J INRY, STAFF DIRECTOR
BUREAU OF THE ARMY, WASHINGTON, D.C.

Dear Secretary Gates:

Additionally, it would be beneficial to have the employee's security clearance certified by the agency of the Office of Senate Security as soon as possible following the assignment.

Sincerely,

Daniel K. Inoué
Chairman

DKL/bbz

OSD 03633-09



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.

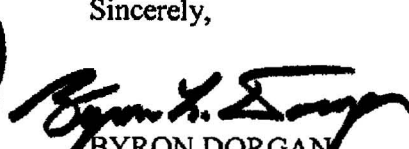
We also want to stress the incredible support the community of Minot offers the Air Force. Strong support by the community will pay dividends for the Air Force by helping to ease issues like the environmental assessment process and base expansion. When combined with our delegation's commitment to assisting 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

OSD 03681-09



* HARRY REID
NEVADA

MAJORITY LEADER

United States Senate

WASHINGTON, DC 20510-7012

March 31, 2009

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

Dear Secretary Gates:

It has come to my attention that a company – SolarReserve – has identified a site near Tonopah, Nevada for a state of the art solar power plant that could produce enough power to serve 100,000 homes. This facility requires a tower similar to a large smoke stack about 600 feet tall. The primary impediment to moving forward on this facility is an imminent objection from the Defense Department.

Of apparent concern to DOD is that the site for the proposed solar power plant is located 25 miles northwest of the Nellis Air Force Range, beyond the town of Tonopah and over the San Antonio Mountains. It is my understanding that the Air Force's concern is related to potential interference with radar and the height of the tower.

SolarReserve began discussions with the Air Force in early 2008. After meeting with the Nellis AFB radar experts, the company has already agreed once to move the solar project from a proposed site 5 miles away from the base to the current site in order to greatly diminish any impact the project might have on military activities. Now, however, the Air Force has extended its objections to the new site.

I appreciate the need for exercising caution in making decisions that could affect military training and testing activities. The Department must ensure that projects do not interfere with its critical activities. At the same time, I am very concerned by the Department's inattention to developing mitigation strategies that provide for the safe development of renewable energy facilities and the complete lack of a standardized, centralized process for reviewing impacts of proposed renewable energy projects near military bases. That is one of the reasons why I spoke with you about this subject in November 2007 and met with former Air Force Secretary Michael Wynne over a year ago. I have also enclosed a letter I sent to Secretary Wynne early last year before he retired, explaining some of my suggestions.

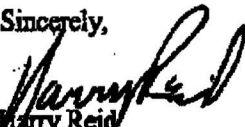
The American Recovery and Reinvestment Act (ARRA) recently signed into law by the President provides companies with incentives for breaking ground on solar power facilities within the next two years. It is important that promising renewable energy projects receive close and expedited attention from Federal agencies that play a role in the permitting of such facilities so that they are able to utilize these incentives to create thousands of jobs and clean power in the near future. Further, I would note that ARRA provides ample funds, should any be needed, for quickly developing or deploying any necessary mitigation strategies.

OSD 03683-09



I urge you to expeditiously review the proposed solar plant near Tonopah, and to begin working to establish a standardized procedure for reviewing renewable energy projects near military operations. If I can be of any help in this process, please do not hesitate to contact me or have your staff contact Bob Herbert (202-228-4578) or Alex McDonough (202-224-1052) of my staff.

Sincerely,



Harry Reid
Senate Majority Leader

Encl.

DANIEL K. INOUE, HAWAII, CHAIRMAN

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United States Senate

COMMITTEE ON APPROPRIATIONS

WASHINGTON, DC 20510-6025

<http://appropriations.senate.gov>

April 3, 2009

CHARLES J. HOUY, STAFF DIRECTOR
BRUCE EVANS, MINORITY STAFF DIRECTOR

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

Dear Secretary Gates:

I am aware that the Department of Defense is analyzing the requirements and future program options for a revised Armed Reconnaissance Helicopter (ARH) based on termination of the former ARH-70A program in October of last year. Given the age of the Vietnam-era OH-58 Kiowa Warrior which a new ARH is being designed to replace, I support moving forward with a replacement program. However, the last two Army efforts to replace the Kiowa Warrior fleet, the RAH-66 Comanche program and the ARH-70A program, resulted in program terminations due to requirements growth, cost overruns and schedule delays after significant taxpayer investment.

After two failed attempts, my greatest concern is that we attempt yet another new costly development program to meet ARH mission requirements. Therefore, I encourage the Department to consider modifying an existing modern platform to provide capabilities which exceed the current OH-58 fleet which is based on 40-50 year technology and is no longer in production.

In order to accomplish this and mitigate program risk, the Department should begin ARH risk reduction efforts in fiscal year 2010 and not wait until fiscal year 2012. A risk reduction effort to build ARH capabilities on an existing and in-service aircraft offers a substantial advantage in terms of cost, risk and schedule versus another attempt at a new development program.

I look forward to working with you to get this much needed capability to the force at the earliest opportunity. With best wishes,

Cordially,



THAD COCHRAN

Vice Chairman

Committee on Appropriations

Subcommittee on Defense

OSD 03741-09



DANIEL K. INOUE, HAWAII, CHAIRMAN

ROBERT C. BYRD, WEST VIRGINIA
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United States Senate

COMMITTEE ON APPROPRIATIONS

WASHINGTON, DC 20510-6025

<http://appropriations.senate.gov>

April 3, 2009

CHARLES J. HOUY, STAFF DIRECTOR
BRUCE EVANS, MINORITY STAFF DIRECTOR

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

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I look forward to working with you to get this much needed capability to the force at the earliest opportunity. With best wishes,

Cordially,



THAD COCHRAN

Vice Chairman

Committee on Appropriations

Subcommittee on Defense

OSD 03741-09



The Honorable Robert M. Gates
April 3, 2009
Page 2 of 2

cc:
Under Secretary of Defense for Acquisition, Technology and Logistics
Secretary of the Army
Chief of Staff of the Army

JOSEPH I. LIEBERMAN, CONNECTICUT, CHAIRMAN

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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

March 27, 2009

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

Dear Secretary Gates:

As Chairman of the Senate Homeland Security and Governmental Affairs Committee, I am writing to request that the Department of Defense sponsor a visit by Committee Staff to U.S. Northern Command Headquarters in April 2009. The purpose of the visit would be to examine NORTHCOM's capabilities for CBRNE consequence management and support to civil authorities, its role in and preparations for border security operations, and preparedness for pandemic influenza, as part of my Committee's homeland security oversight responsibilities.

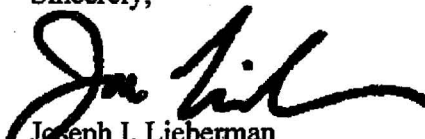
I would very much appreciate if U.S. Northern Command could accommodate such a visit on April 6-8, 2009. It is requested that the Department of the Navy be assigned the action agent for the trip. Committee staff members planning to attend are as follows:

Eric Andersen, Majority Professional Staff Member
Aaron Firoved, Majority Professional Staff Member
Blas Nufiez-Neto, Majority Professional Staff Member
Thomas Richards, Majority Professional Staff Member, OGM Subcommittee

Expenditure of funds for the payment of actual and necessary expenses, and such transportation as may be required, is authorized by 31 U.S.C. 1108 (g).

Thank you in advance for your assistance in coordinating this visit. Please contact Eric Andersen at (202) 224-2627 to coordinate the details of the trip.

Sincerely,


Joseph I. Lieberman
Chairman

OSD 03753-09



04/03/2009 20:23 FAX

002/003

MIKE JOHANNIS
NEBRASKA

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(202) 224-8438 FAX

United States Senate

WASHINGTON, DC 20510

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TRANSPORTATION

VETERANS' AFFAIRS

INDIAN AFFAIRS

April 3, 2009

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

Dear Secretary Gates,

I am deeply disappointed in the way the Air Force has handled the recommendation process for the location of Global Strike Command.

It has come to my attention that a scoring process was employed to evaluate the prospective sites. This process was thoughtfully created and carefully executed during the evaluation. It resulted in Offutt Air Force Base (AFB) being awarded a score of 89 out of 100 points. The nearest competitor received only 81 points. Based on the outcome of this analysis, Offutt AFB is the proper location for Global Strike Command.

I therefore call on you to reject the Air Force's site recommendation, which ignored the Air Force's own evaluation process, and to select the highest scoring site - Offutt AFB - as the new location of Global Strike Command.

I understand that the next step in this process is to conduct environmental assessments on all three of the top scoring sites. You therefore have every opportunity to correct the Air Force's poor judgment in its recommendation without causing any delay in the process.

I look forward to your prompt response, and request a direct conversation or meeting with you at your earliest convenience. I am deeply disappointed in the Air Force's handling of this matter.

Sincerely,



Mike Johanns
United States Senator

cc: Michael Donley, Secretary of the Air Force
Ben Nelson, United States Senator
Lee Terry, United States Congressman

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(308) 832-8032
FAX: (308) 832-8796

OSD 03759-09



United States Senate
WASHINGTON, DC 20510

April 2, 2009

The Honorable William J. Lynn, III
Deputy Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Lynn:

The tragedy of September 11, 2001, is something Americans will never forget. Neither should we ever forget the first heroes who fought and died for us in our global struggle against Islamic extremism. The first American to die in this struggle was John Michael Spann, a CIA operative who was killed while collecting battlefield intelligence near Mazar-i-Sharif at the infamous Qala Jangi fortress. The information surrounding the event at Qala Jangi has been well-documented in the Western media, including a two-and-one-half hour videotape, shot by a Northern Alliance intelligence official, which recorded events in the Qala Jangi fortress up to the moment when the uprising began, as well as a subsequent video of the event filmed by an on-scene foreign news crew that has aired on the Discovery Channel and the History Channel. In these videos, Spann is shown interviewing the first-known American Taliban/al Qaeda terrorist, John Walker Lindh, just moments before Spann's murder. Then-Central Intelligence Agency (CIA) Director George Tenet considered Spann's death monumental enough to publicly disclose his name and CIA affiliation at the time, an unprecedented act for the CIA.

At that time of Spann's death, an American Navy Sea, Air, Land (SEAL) team member embedded in a British Special Boat Squadron team responded to the scene and attempted to rescue Spann. By the time he reached him, however, Spann had passed away. This heroic act by one American risking his life to save another at the earliest stages of our ongoing national struggle deserves broader dissemination among the American people. Recently, a Hollywood film producer, Mr. Brandon Hogan, made known his intention to factually depict the events that took place at the time of Spann's death. Mr. Hogan has been seeking factual information about this incident for the past five years. To date, he has conducted

OSD 03763-09



The Honorable William J. Lynn, III

April 2, 2009

Page Two

multiple interviews with current and former U.S. officials to make certain that the stories of this event are not only accurate, but that the stories of the men who sacrificed their lives are not forgotten.

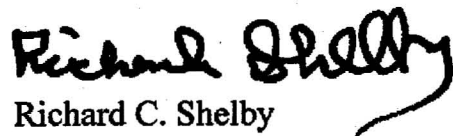
We see no damage to national security in further disclosing more details concerning the events of November 25, 2001, and we ask that you extend Mr. Hogan the opportunity to review documents and video footage of the Qala Jangi event. In addition, we request that information surrounding the events of "Operation Redwing" be made available to Mr. Hogan under the same conditions and circumstances the Department crafted for another Hollywood producer. As you will recall, Operation Redwing was an operation that took place in Afghanistan during June 2005 that ultimately led to the largest loss of life in Navy SEAL history.

We believe it is time to tell the stories of these heroic men involved with these incidents. Your accommodation to Mr. Hogan would assist in honoring the men who have lost their lives in Afghanistan while defending this nation. If you have any questions about our request, please contact Louis Tucker, the Minority Staff Director of the Senate Select Committee on Intelligence. Mr. Tucker can be reached at (202)224-1700.

Sincerely,



Christopher S. Bond
United States Senator



Richard C. Shelby
United States Senator

cc: The Honorable Leon Panetta, Director, Central Intelligence Agency
The Honorable Dennis C. Blair, Director of National Intelligence
The Honorable Robert M. Gates, Secretary of Defense

E. BENJAMIN NELSON
NEBRASKA

720 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510
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FAX: (202) 228-0012
www.bennelson.senate.gov

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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LINCOLN, NE 68508
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(308) 293-5818

FIELD REPRESENTATIVE
POST OFFICE BOX 1472
SCOTTSBLUFF, NE 69363
(308) 631-7614

FIELD REPRESENTATIVE
POST OFFICE BOX 791
SOUTH SIOUX CITY, NE 68776
(402) 209-3595

7602 PACIFIC STREET
SUITE 205
OMAHA, NE 68114
(402) 391-3411
FAX: (402) 391-4726

United States Senate

WASHINGTON, DC 20510-4502

April 3, 2009

The Honorable Robert Gates
Secretary of Defense
Washington, DC 20301

Dear Mr. Secretary:

A recent report by Human Rights Watch (HRW) describes the use of U.S.-manufactured white phosphorus (WP) artillery shells during Operation Cast Lead in Gaza (December 27, 2008 – January 18, 2009). According to HRW's field investigation, all of the WP shells that HRW found in Gaza are from the same lot, manufactured in the United States and marked: THS89D112-003 155MM M825E1. It is my understanding that THS89 is the manufacturer identification code denoting that the shells were produced in April, 1989 by Thiokol Aerospace, which operated the Louisiana Army Ammunition Plant at the time; 112-003 are the interfix and sequence numbers, which denote that several lots of the same ammunition were being produced simultaneously; 155MM stands for the caliber of the artillery shell. M825E1 is the U.S. military designation for an older remanufactured M825 white phosphorous shell that has been brought up to the current M825A1 standard.

Additionally, Reuters news agency photographed Israeli Defense Force (IDF) M109 artillery units near the Gaza strip handling M825A1 projectiles on January 4, 2009 with the lot number PB-91J011-002A, indicating these were produced in the United States at the Pine Bluff Arsenal in September 1991.

There are also reports that WP was air-burst over densely populated urban areas during the military campaign. In order to better understand how American manufactured WP got to the IDF's arsenal and also how U.S. tactics, techniques, and procedures (TTPs) may differ from IDF TTPs, we would appreciate your answers to the following questions:

- Under what mechanism was the white phosphorus from the two lots noted above transferred/sold to Israel?
- Are there any transfer or use restrictions placed upon Israel by the United States?
- Does the U.S. still provide Israel with WP munitions? If so what type? When was the most recent transfer/sale of WP to Israel?
- How much WP has the U.S. sent to Israel in the last 10 years?
- Who produces and where is WP currently produced in the United States?
- Where does the U.S. Army get WP munitions from?



- What are the U.S. Army's TTPs for employment of 155MM WP?
 - o Does the U.S. Army air burst WP? For what reason? What are the restrictions?
 - o Does the U.S. Army allow WP to be fired over urban areas? What if any restrictions are placed on such actions?
 - o Why does the U.S. Army employ WP, beyond the creation of smokescreens?
 - o In what manner does the U.S. Army employ WP?
 - o At what level is the employment of WP authorized?
 - o Does the U.S. Army still use WP as a weapon as it did in the Second Battle of Fallujah in 2004? If so, what restrictions are placed on the use of WP as a weapon?
- What alternatives to WP does the US Army have available to it? Under what conditions would it employ an alternative to WP?

Thank you for your assistance.

Sincerely,



PATRICK LEAHY
United States Senator

CARL LEVIN, MICHIGAN, CHAIRMAN

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ROBERT C. BYRD, WEST VIRGINIA
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SUSAN M. COLLINS, MAINE

RICHARD D. DeBOES, STAFF DIRECTOR
JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

April 1, 2009

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

Dear Mr. Secretary:

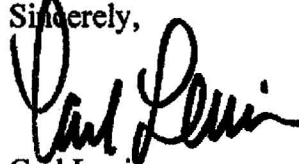
In connection with his responsibilities as a Member of the Senate Committee on Armed Services, Senator Jack Reed plans to travel to Kuwait, United Arab Emirates, Afghanistan, Pakistan, and Iraq during the period April 13-20, 2009. Senator Reed will be accompanied by Ms. Elizabeth King, his personal staffer who has been designated to the Committee.

I would appreciate the support and assistance of the Department of Defense in providing such transportation, including the use of foreign carrier and military air transportation, as may be required. It would also be appreciated if the Department of the Army could be designated as the action agency for this travel.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Thank you for your assistance in this matter.

Sincerely,



Carl Levin
Chairman

OSD 03837-09



STAFFORD BARKER

CARL LEVIN, MICHIGAN, CHAIRMAN

EDWARD M. KENNEDY, MASSACHUSETTS
ROBERT C. BYRD, WEST VIRGINIA
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ROGER F. WICKER, MISSISSIPPI
RICHARD BURR, NORTH CAROLINA
DAVID VITTER, LOUISIANA
SUSAN M. COLLINS, MAINE

RICHARD D. DeBOES, STAFF DIRECTOR
JOSEPH W. BOWEN, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

April 1, 2009

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

Dear Mr. Secretary:

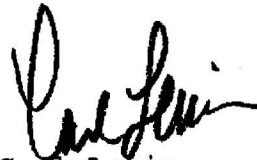
This letter is to request assistance for Mr. Adam J. Barker, Research Assistant, on the Senate Armed Services Committee, to travel by commercial transportation to California and Illinois, during the period April 5-10, 2009.

The purpose of his trip is to visit facilities at Camp Pendleton, Naval Special Warfare Command, MCAS Miramar, and Third Fleet HQ in California; and Navy Recruit Training Command (Battle Station 21) in Illinois to receive briefings on issues pertinent to current operations and needs for the upcoming fiscal year, as well as meetings with officers and enlisted personnel on issues of concern. It is requested that the Department of the Navy be assigned the action agent for this trip.

Expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108(g).

Your assistance in this matter will be appreciated.

Sincerely,



Carl Levin
Chairman

OSD 03838-09



United States Senate

WASHINGTON, DC 20510

March 26, 2009

President Barack Obama
The White House
Washington, DC 20500

Dear Mr. President:

We are writing to urge you to retain adequate funding for the Next Generation Bomber in the Fiscal Year 2010 defense budget. A recent media report suggests that termination of the Next Generation Bomber is being proposed by your administration as the Pentagon finalizes its FY2010 budget request. We believe termination of the Next Generation Bomber would do tremendous damage to our nation's future ability to project power abroad, and runs counter to what senior defense officials in your Administration have stated about the need for a Next Generation Bomber.

As you know, the 2006 Quadrennial Defense Review directed the Air Force to "develop a new land-based, penetrating long range strike capability to be fielded by 2018." The need for this new long range strike capability is urgent because, while our current wars are being fought in undefended airspace, the conflicts of the near-term future will likely feature heavily defended airspace, due in large part to the proliferation of relatively inexpensive, but extremely sophisticated and deadly air defense systems. As General Michael Maples, Director of the Defense Intelligence Agency, noted during a March 10, 2009 Senate Armed Services Committee hearing on worldwide threats, "Russia, quite frankly, is the developer of most of those [advanced air defense] systems and is exporting those systems both to China and to other countries in the world."

Nearly half of our bomber inventory pre-dates the Cuban Missile Crisis. The B-52 is a robust aircraft, but it is no longer survivable in defended airspace. While the B-1 can be upgraded, it still lacks the vital stealth technology that affords a greater level of protection in defended airspace. With only sixteen combat ready B-2 bombers currently available with vital stealth technology to hold targets deep in heavily defended airspace at risk, a decision to terminate the Next Generation Bomber would severely diminish our ability to project power on a global scale in the future. Should you decide to terminate this important program, the consequences to our national security would be grave.

Aside from our view about the urgent need for development of the Next Generation Bomber, senior officials you have selected to lead the Department of Defense have stated the need for a Next Generation Bomber. Secretary of Defense Robert Gates discussed the need for a new bomber as recently as January of this year, in an article for *Foreign Affairs* entitled "A Balanced Strategy," writing that the United States' ability to strike from over the horizon will be at a premium in future conflicts and "will require shifts from short-range to longer-range systems, such as the next-generation bomber." Michele Flournoy, Under Secretary of Defense

OSD 03867-09



for Policy, stated at her nomination hearing on January 15, 2009 that "I think the need for long-range precision strikes that can penetrate the most sophisticated enemy air defenses is absolutely critical."

With an aging bomber fleet that is highly vulnerable to inexpensive yet sophisticated air defense systems rapidly being acquired by potential adversaries of the United States, continued development of the Next Generation Bomber is vital to our nation's future security. As senior defense officials within your Administration have stated, the need for a Next Generation Bomber is absolutely critical. Therefore, we respectfully urge you to continue development of the Next Generation Bomber.

Thank you for your attention to this important matter.

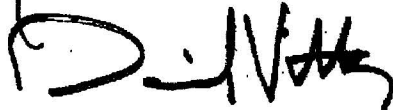
Sincerely,



JOHN THUNE
United States Senator



TIM JOHNSON
United States Senator



DAVID VITTER
United States Senator



MARY LANDRIEU
United States Senator



JOHN CORNYN
United States Senator



KAY BAILEY HUTCHISON
United States Senator

cc: Honorable Peter R. Orszag, Director, Office of Management and Budget
Honorable Robert Gates, Secretary of Defense
Honorable Michele Flournoy, Under Secretary of Defense, Policy

CHRISTOPHER S. BOND

MISSOURI

COMMITTEES:
APPROPRIATIONS
SMALL BUSINESS
ENVIRONMENT AND
PUBLIC WORKS
INTELLIGENCE

United States Senate

WASHINGTON, DC 20510-2503

April 3, 2009

The Honorable Michele Flournoy
Undersecretary of Defense for Policy
Washington, DC 20001

Dear Secretary Flournoy,

What I have heard about the President's initial approach to formulating and executing a comprehensive strategy for Afghanistan and Pakistan is encouraging. This week I spoke at the National Press Club and the United States Institute of Peace, offering my opinions on the regional situation and discussing my thoughts on the President's strategy. I am attaching a copy of my USIP speech for your consideration.

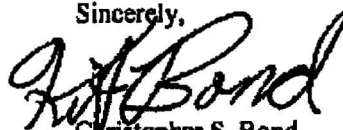
While I still have some reservations about specific details of the strategy that I have not yet seen, I am cautiously optimistic that a well-resourced COIN Strategy, fully synchronized with development and governance assistance, will prevail. I believe that we can defeat al Qaeda and the Taliban, and establish a stable Afghanistan. I also believe that there is still time to turn Pakistan back from the brink of radicalization and internal destruction.

As the Vice Chairman of the Senate Select Committee on Intelligence and as an active member of the Defense Subcommittee and the Foreign Operations Subcommittee of the Senate Appropriations Committee, I expect to play a central role in the Senate in working with you and other policy makers to address and resource appropriately our nation's strategy to succeed in this region.

I am dedicated to working with you, other administration officials, and with my colleagues in the Congress to ensure that we win this war. When we do, our nation will emerge safer, stronger, and better protected from the forces of terrorism. We have no other option than to face this challenge head on.

I look forward to continued dialogue on this matter.

Sincerely,



Christopher S. Bond
United States Senator

Enclosure

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.

OSD 03888-09



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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:

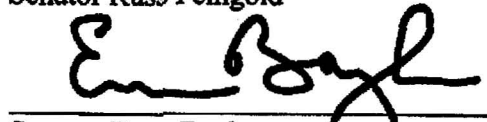
1. VA scientists have begun health studies on veterans of the current conflicts in Iraq and Afghanistan, including requesting assistance from the Department of Defense (DoD) for troop exposure and location data.
2. VA is working with DoD to obtain all relevant exposure data with the goal of establishing 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



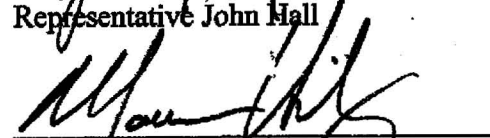
Representative Tim Bishop



Representative Steve Cohen



Representative John Hall



Representative Maurice Hinchey



Representative Carol Shea-Porter

EVAN BAYH
INDIANA

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WASHINGTON, DC 20510-1404
(202) 224-5623
<http://bayh.senate.gov>

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INDIANAPOLIS, IN 46204
(317) 554-0750

United States Senate

WASHINGTON, DC 20510-1404

COMMITTEES:
ARMED SERVICES
BANKING, HOUSING, AND URBAN AFFAIRS
SELECT COMMITTEE ON INTELLIGENCE
SMALL BUSINESS
SPECIAL COMMITTEE ON AGING
ENERGY

March 20, 2009

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

Dear Mr. President:

I write today about a pending regulation regarding the use of specialty metals melted in the United States for defense items. As I understand, this and many other regulations have been put on hold pending a review by your Administration.

I believe that it is important to maintain a strong defense industrial base, and that a domestic supply of strategic materials is vital to our national security. As such, I have supported Congressional efforts to ensure that the Department of Defense (DOD) purchases domestic specialty metals. However, I am aware that there are outstanding questions regarding how the DOD should interpret the Specialty Metals Amendment (10 U.S.C. 2533b).

I have written letters to senior DOD officials in recent months regarding the interpretation of recent statutory changes to the provision, which were enacted in the FY 2008 National Defense Authorization Act. I am not alone in my questions on this issue. The House Armed Services Committee also included language in its Report on the FY 2009 National Defense Authorization Act expressing its concern regarding DOD's preliminary interpretation of the statutory changes with respect to two points: (1) the definition of "commercial-off-the-shelf-items (COTS) for purposes of the Specialty Metals Amendment; and (2) the definition of the term "produced," and whether the proposed definition would change the melting requirement of the law.

The DOD issued a proposed rule in July 2008 that was not in concurrence with what was in the report for the FY 2008 National Defense Authorization Act. The proposed rule allowed components to be COTS items if the component is modified for military applications. However, as I understand, current law requires that a COTS item to be "offered to the Government, without modification, in the same form in which it is sold in the commercial marketplace."

I am also concerned the proposed rule may create a precedent by permitting the use of imported specialty metals – such as armor plate – which are subjected to minimal processing operations following importation. While I remain adamantly in favor of any actions necessary to provide force protection equipment to our military, I ask that your staff consider whether the waivers and exceptions in the existing statutory framework may make this expansion of the definition unnecessary.

OSD 03889-09



Further, as I understand, the DOD's proposed rule was never issued as a final regulation. However, the General Services Administration (GSA) recently incorporated it into a final rule (48 CFR Parts 2, 3, 12, 23, 25, and 52) in an effort by GSA to be consistent with the definition that was provided in draft form by the DOD. In order to fix this problem, I ask that these GSA provisions be part of your regulatory review and subject to revision accordingly.

The proposed DOD rule implementing changes in the Specialty Metals Amendment, and the regulatory changes adopted by the GSA, warrant full consideration. I am concerned how they will impact the ability of domestic specialty metals manufacturers to produce and supply these materials, and how they may create a dependency on offshore sources for these critical materials.

Our military cannot permit supply disruptions in a time of war. I believe that the Specialty Metals Amendment provides the incentive our metals suppliers need to invest in the technologically advanced materials that remain vital to our defense industrial base. We ask that your Administration consider these matters in the course of its regulatory review.

Please do not hesitate to contact me if you or your staff have any questions or concerns. Thank you for your continued service and leadership.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Bayh", with a stylized flourish at the end.

Evan Bayh
United States Senator

cc: Director Peter Orszag
Secretary Robert Gates

EDWARD M. KENNEDY
MASSACHUSETTS

United States Senate

WASHINGTON, DC 20510-2101

February 24, 2009

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

Dear Secretary Gates:

I'm writing to request your support for funding of the Center for Integration of Medicine and Innovative Technology (CIMIT) in the President's Fiscal Year 2010 Department of Defense budget in the amount of \$25 million.

CIMIT, a research consortium in Massachusetts consisting of 12 member institutions, was founded 10 years ago by a medical innovator and Vietnam veteran to improve combat casualty and soldier/civilian care by bringing together clinicians and engineers to encourage more rapid and effective development of innovative medical technology, procedures and processes. The consortium consists of Massachusetts General Hospital, Brigham and Women's Hospital, Partners HealthCare, Massachusetts Institute of Technology, the Charles Stark Draper Laboratory, Beth Israel Deaconess Medical Center, Boston Medical Center, Boston University, Children's Hospital Boston, Newton-Wellesley Hospital, and the VA Boston Healthcare System. The Center itself is located at Harvard Medical School.

CIMIT investigators have developed innovative technologies and new treatments in a timely fashion in major areas of need: Trauma and Casualty Care, Infection Control and Sepsis, Spinal Cord Injury, Enhancing Performance, and Skin and Muscle Innervation. They have established new programs on Traumatic Brain Injury, and Post-Traumatic Stress Disorder, and these programs are led by nationally recognized research clinicians who address these serious and growing challenges.

The consortium has already established links with the Department to translate its innovational research to prototype/testing and commercialization, and the Department has expressed interest in using the CIMIT model to facilitate translational research supported or conducted by its own personnel.

CIMIT has the potential to be a major assistant to the Department in protecting and treating our soldiers, and I hope very much that you will support this funding.

With great respect and my warmest wishes,

Sincerely,


Edward M. Kennedy

OSD 03892-09



SHERROD BROWN
OHIO

COMMITTEES:
AGRICULTURE, NUTRITION,
AND FORESTRY
BANKING, HOUSING,
AND URBAN AFFAIRS
HEALTH, EDUCATION,
LABOR, AND PENSIONS
VETERANS' AFFAIRS

United States Senate

WASHINGTON, DC 20510

April 8, 2009

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

Dear Secretary Gates,

As the Department of Defense evaluates candidates for positions at the Pentagon, I hope you will consider Dr. Mark Wayda, of Columbus, Ohio. I have every confidence that Dr. Wayda would be an invaluable addition to the Administration. Dr. Wayda has an outstanding career with a diverse background in joint operations, legislative relations, public affairs, and political communication.

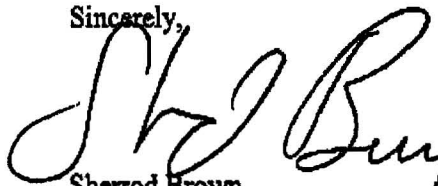
In his current role at the Adjutant General's Department of the Ohio National Guard, Dr. Wayda concurrently manages the Department's Government Relations and Public Affairs programs. In these roles, he has built lasting relationships with political advisors, policymakers, and Defense Department leaders, on the local, state, and federal levels, as well as managed all internal and external communications for the Ohio National Guard. Dr. Wayda has been instrumental in leading one of our nation's largest National Guard forces, and has received the Ohio Distinguished Service Medal, the highest award a civilian may receive.

During Dr. Wayda's time as the Chief of Executive Staff at the State Medical Board of Ohio, he successfully served as a liaison between the Medical Board and outside organizations, oversaw its budget, and supervised multiple departments.

I am confident that Dr. Wayda has the knowledge and experience necessary to succeed at the Department of Defense. He would serve our nation well at the national level as a valuable and trusted professional. Thank you for considering Dr. Wayda.

Thank you for your consideration.

Sincerely,



Sherrod Brown
United States Senator

OSD 03984-09



MARK UDALL
COLORADOSUITE 5D-840E
DIRKSEN BUILDING
WASHINGTON, DC 20510
(202) 224-5941

United States Senate

WASHINGTON, DC 20510

April 9, 2009

The Honorable William Lynn
Deputy Secretary of Defense
U.S. Department of Defense
1010 Defense Pentagon
Washington, D.C. 20301-1010

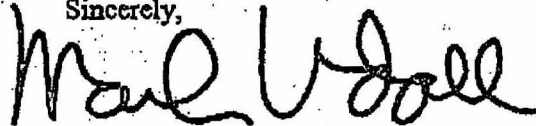
Dear Mr. Lynn:

I am pleased to strongly support the application of (b)(6) (USA Ret.) to serve in the Department of Defense in the capacity of Deputy Assistant Secretary of Defense for Special Operations Capabilities, Prisoners of War/Missing Personnel or Homeland Defense. His experience also makes him an excellent candidate for the position of Assistant Secretary of the Army for Installations and Environment.

(b)(6) brings to the table a proven record of tough but smart leadership that is both principled and pragmatic. In addition to his long and distinguished military career, (b)(6) has extensive experience dealing with public-private sector partnerships and media relations regarding United States military engagements. For example, he has led Colorado's efforts to respond to the effects of the growth at Fort Carson from 2005 to the present. Fort Carson will grow from 12,500 troops in 2005 to 28,200 troops in 2013. (b)(6) has helped prepare the Colorado Springs community and the state for this growth. He also understands how to clearly communicate the overall significance and day-to-day realities of our military engagements to the American people. He served as the military analyst/consultant for several Dateline NBC specials, including one on the war on terror and another on Afghanistan.

I hand-delivered a similar letter to Secretary Gates some weeks ago urging him to give (b)(6) every consideration for one of these positions in the Department. I urge you to do the same. I am proud to support (b)(6) application. If you have any questions, please feel free to contact me at (202) 224-5941.

Sincerely,



Mark Udall
U.S. Senator

Cc: Mr. Don Gips, Director, Office of Presidential Personnel

OSD 03985-09



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DAVID VITTER, LOUISIANA
SUSAN M. COLLINS, MAINE

RICHARD D. DeBOBES, STAFF DIRECTOR
JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

April 7, 2009

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

Dear Secretary Gates:

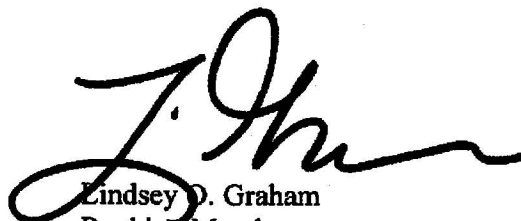
As Chairman and Ranking Member of the Subcommittee on Personnel, we are concerned about suicides by military members.

On March 18, 2009 the Subcommittee held a hearing to examine the recent increase in military suicides and efforts by the services to prevent suicide. On March 25, 2009, the Subcommittee held a hearing on reserve component issues which also included a discussion of suicides of members of the National Guard and Reserve.


We are concerned that the Reserve Components are not consistently reporting suicides by all service members, particularly those who are not in an active duty status. We believe that to accurately understand both the extent of military suicides and the entire population at risk, the Department must require reporting of all suicides within the total force. This data also should be provided to researchers who are assisting the Department in the design of effective prevention strategies.

We request that you review the procedures of each of the reserve components for collecting and reporting suicide data, and institute uniform policies and procedures to ensure that suicides by members of the reserve components are reported as part of the total force of the Department of Defense.

We request that you report to the Subcommittee within 90 days on the results of your review and actions taken to address these concerns.


Lindsey O. Graham
Ranking Member
Subcommittee on Personnel

Sincerely,


E. Benjamin Nelson
Chairman
Subcommittee on Personnel

OSD 03986-09



ROBERT C. BYRD, WEST VIRGINIA, CHAIRMAN

DANIEL K. INOUE, HAWAII
PATRICK J. LEAHY, VERMONT
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BARBARA A. MIKULSKI, MARYLAND
HERB KOHL, WISCONSIN
PATTY MURRAY, WASHINGTON
BYRON L. DORGAN, NORTH DAKOTA
DIANNE FEINSTEIN, CALIFORNIA
RICHARD J. DURBIN, ILLINOIS
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MARY L. LANDRIEU, LOUISIANA
JACK REED, RHODE ISLAND
FRANK R. LAUTENBERG, NEW JERSEY
BEN NELSON, NEBRASKA

THAD COCHRAN, MISSISSIPPI
TED STEVENS, ALASKA
ARLEN SPECTER, PENNSYLVANIA
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RICHARD C. SHELBY, ALABAMA
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LARRY CRAIG, IDAHO
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LAMAR ALEXANDER, TENNESSEE

CHARLES KIEFFER, STAFF DIRECTOR
BRUCE EVANS, MINORITY STAFF DIRECTOR

United States Senate

COMMITTEE ON APPROPRIATIONS

WASHINGTON, DC 20510-6025

<http://appropriations.senate.gov>

March 31, 2009

The Honorable Robert Wilkie
Assistant Secretary of Defense
U.S. Department of Defense
1300 Defense Pentagon
Washington, D.C. 20301-1300

Dear Mr. Wilkie:

I have received the enclosed proposal from officials at Momentive Performance Materials in Sistersville, West Virginia, regarding the company's "Green Silanes" Process Development and Manufacturing project.

I would appreciate your reviewing the enclosed proposal, and providing me with your comments about it.

Thanking you in advance for your assistance, I am

Sincerely yours,

Robert C. Byrd
Robert C. Byrd

RCB:bwb
Enclosure

OSD 04066-09



JACK REED
RHODE ISLAND

COMMITTEES

APPROPRIATIONS

ARMED SERVICES

BANKING, HOUSING, AND URBAN AFFAIRS
HEALTH, EDUCATION, LABOR, AND PENSIONS

United States Senate

WASHINGTON, DC 20510-3903

Washington, DC:

728 Hart Senate Office Building
Washington, DC 20510-3903
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Rhode Island:

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Cranston, RI 02920-3074
(401) 943-3100

One Exchange Terrace, Room 408
Providence, RI 02903-1773
(401) 528-5200

1 (800) 284-4200

TDD Relay Rhode Island
1 (800) 745-5555

<http://reed.senate.gov>

March 20, 2009

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

Dear Secretary Gates:

I write to strongly recommend (b)(6) to serve on the Defense Policy Board.

(b)(6) is a woman of remarkable talent and intellect who possesses extensive subject matter expertise and sound foreign policy judgment.

Currently, (b)(6) is a visiting professor at Tufts University's Fletcher School of Law and Diplomacy where she lectures on international security and nuclear regulation and proliferation matters. Prior to her tenure as visiting professor, (b)(6) taught at the Kennedy School of Government and served as Vice Chair and Senior Consultant of the Conflict Management Group, a non-profit international dispute resolution organization.

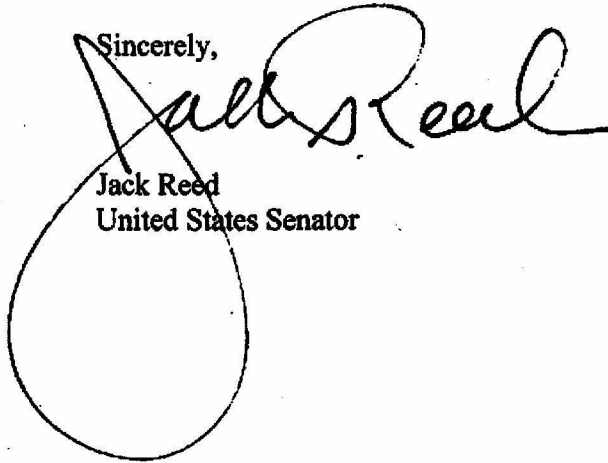
Recognizing her talents and abilities, in 1977, President Carter appointed (b)(6) as Assistant Secretary, and later Under Secretary, of the Air Force. (b)(6) was charged with a wide range of responsibilities, including oversight of weapon systems, implementation of the department budget, and man-power issues. Indeed, (b)(6) was awarded the Distinguished Service Medal for her remarkable service to our nation. She has a strong professional record, and I have attached her resume for your review.

Throughout her career, (b)(6) commitment to academia and public service has remained steadfast. She serves as Chairwoman of the Project on International Institutions and Conflict Management at Harvard Law School. She is a member of the Council on Foreign Relations and has authored numerous publications on defense and national security policy including, most recently, *How American Threat Behavior Threatens National Security*.



I believe (b)(6) is uniquely qualified and would make a strong addition to the Defense Policy Board.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jack Reed". The signature is written in dark ink and is positioned above the printed name and title.

Jack Reed
United States Senator

Enclosure

RUSSELL D. FEINGOLD
WISCONSIN

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(202) 224-1280 (TDD)
feingold.senate.gov

COMMITTEE ON THE BUDGET
COMMITTEE ON FOREIGN RELATIONS
COMMITTEE ON THE JUDICIARY
SELECT COMMITTEE ON INTELLIGENCE
DEMOCRATIC POLICY COMMITTEE

United States Senate

WASHINGTON, DC 20510-4904

April 13, 2009

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

Dear Mr. President,

I am very pleased by the safe rescue of Captain Richard Phillips and the crew of the Maersk Alabama, and applaud your excellent handling of this crisis. I am also pleased by your administration's expressed commitment to bolster the international naval presence and capabilities in the waters off the Horn of Africa to deter attacks, as well to strengthen the international legal framework to bring these pirates to justice. I look forward to working with you, Secretary Clinton and Secretary Gates in this regard.

As you know, piracy off the coast of Somalia is a symptom of the state collapse and instability on land; thus, any military actions we take will only be stopgap measures. In recent Congressional testimony, Director of National Intelligence Blair and Defense Intelligence Agency Director Army Lt. General Michael Maples cited lawlessness and economic problems on land for the rise in piracy at sea. The ultimate solution to the problem of piracy, then, is the establishment of a functional government that can enforce the rule of law. During the rule of the Council of Islamic Courts in 2006, there was a notable decline in piracy that can be attributed, in large part, to the rise of a central authority in southern Somalia. Without replicating the repressive rule of the Courts, we must keep in mind that establishing a central governing structure in Somalia is critical to resolving, not just stopping, the problem of piracy.

In February 2009, I sent you a letter, which I have attached, that outlines the essential need to develop a comprehensive interagency strategy to stabilize Somalia and support effective governance. With the strategic review now underway, I reiterate my belief that expanded U.S. support for the new unity government must be a central component of that strategy. Furthermore, we must seize the opening that lies before us by publicly declaring our commitment to high-level, sustained engagement that could help Somalia overcome the many challenges to peace and stability.

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MIDDLETON, WI 53662
(608) 828-1200
(808) 828-1215 (TDD)

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MILWAUKEE, WI 53202
(414) 276-7282

401 5TH STREET
ROOM 410
WAUSAU, WI 54403
(715) 848-6660

425 STATE STREET
ROOM 225
LA CROSSE, WI 54601
(608) 782-6585

1640 MAIN STREET
GREEN BAY, WI 54302
(920) 465-7508

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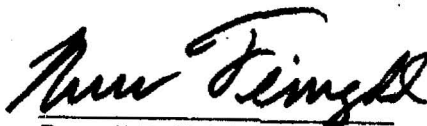


I met with President Sheik Sharif during a trip to the region this past December, just before his election, and met last month with the new government's Foreign Minister here in Washington D.C. In both meetings we discussed the importance of an inclusive process to unite Somalia and the importance of U.S. support to achieve that goal.

Just as you have personally become engaged in the problem of piracy off Somalia's coast, it is essential that you personally engage in U.S. efforts to address its origins on land. As a first step, I urge you to call President Sheik Sharif and indicate a clear commitment to work with his government not only on maritime insecurity issues, but also to help establish security and functional, inclusive governance within the country. This should be coordinated with other levels of engagement and complemented by ongoing discussions with our regional and international partners on a comprehensive plan to support this transitional government and stabilize Somalia.

We have a unique opportunity with the current level of attention to Somalia's waters to focus on developing a strategic approach that incorporates the broader problems facing Somalia. I urge you to seize this opportunity, and stand ready to support and work with you on a comprehensive strategy that can help bring stability to this region. If we do not take this critical step, we will continue to see Somalia's historic instability manifest itself in piracy and growing extremism, both of which pose serious security threats in the region and around the globe.

Sincerely,



Russell D. Feingold
United States Senator

CC: The Honorable Hillary Clinton
Secretary of State

The Honorable Robert Gates
Secretary of Defense

The Honorable Dennis Blair
Director of National Intelligence

LISA MURKOWSKI
ALASKA

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851 EAST WESTPOINT DRIVE, SUITE 307
WASILLA, AK 99654-7146
(907) 376-7686

April 14, 2009

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

Dear Mr. Secretary:

Those who serve in the National Guard are being asked to do more in the service of our Nation than they have ever done before and I applaud your efforts to seamlessly integrate our Guardsmen into the total force. Among those Guardsmen currently serving abroad are the members of the Alaska National Guard's 207th Aviation Regiment, who were deployed to Kosovo in November 2008 for a one year peacekeeping mission.

Service members serving in Kosovo are entitled to participate in the Kosovo R&R leave program. This program provides up to 15 days of R&R leave at government expense. However, I have come to learn that the program guidelines cap airfare reimbursement at the cost to travel from Kosovo to Frankfurt, Germany or Baltimore, Maryland. In recent weeks I have heard from the spouses of members of the 207th Aviation Regiment that this cap is insufficient to cover the cost of travel from Kosovo to the Alaska homes of our deployed Guardsmen. The Guardsmen have been required to cover the difference in cost out of their own pockets. Some of the Guardsmen have served in the Persian Gulf and wonder why their R&R trip to Alaska was fully paid in that instance but only partially paid in this one.

I understand that it is possible for your office to grant a waiver on this cap which would enable the Alaska Guardsmen to travel home for R&R entirely at government expense. I also understand that the chain of command has initiated the process of granting a waiver. I would encourage you to grant the waiver when it comes before you.

One or more Alaska Guardsmen may currently be in transit on their R&R trips. I would hope that the waiver, if granted, would enable these Guardsmen to seek reimbursement for the difference between the capped R&R reimbursement amount when they began their trip and the maximum amount allowable under the waiver, if granted.

HOME PAGE AND WEB MAIL
MURKOWSKI.SENATE.GOV

OSD 04160-09



While it may cost a bit more to return an Alaska Guardsman home for R&R than some of his comrades in arms, the incremental investment is returned in dedication to service and family stability. Thank you for all that you and your team do to protect our Nation's security.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Murkowski", with a stylized flourish at the end.

Lisa Murkowski

United States Senator

JAMES M. INHOFE
OKLAHOMA



United States Senate
WASHINGTON, D.C. 20510

April 5, 2009

Honorable William Lynn
1010 Defense Pentagon
Washington, DC 20310-1010

Dear Mr. Lynn,

I would like to invite you to join the civic leaders of Lawton Oklahoma and the members of the Lawton Fort Sill Chamber of Commerce to the Annual Capitol Hill Breakfast on Thursday, April 30, 2009.

The breakfast will commence at 8:00 am in the Senate Caucus Room (#325), Russell Senate Office Building. We will enjoy a delicious meal, as well as enjoy the company of friends.

Kindly RSVP to Joslyn Wood at 580-354-0021 or e-mail her at jwood@lawtonfortsillchamber.com. We look forward to seeing you at the breakfast.

Sincerely,

James M. Inhofe
United States Senator

OSD 04161-09



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United States Senate

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WASHINGTON, DC 20510-6025

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CHARLES J. HOLLY, STAFF DIRECTOR
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March 27, 2009

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

Dear Secretary Gates:

I recently met with Secretary Schlesinger on the findings of the Task Force you established to examine the management of the Department's nuclear weapons and to continue an on-going dialogue I have with him on security issues in the Asia-Pacific region.

He brought to my attention the fact that the United States participates in formal meetings on nuclear posture with NATO member countries through the Nuclear Planning Group; however, there is nothing equivalent to the NATO model in the Pacific region. As you know, the U.S. nuclear presence provides a credible deterrent to a large nuclear build-up in that part of the world. I am aware the government of Japan, in particular, is worried that the U.S. will make a unilateral decision to downgrade or withdraw its nuclear capabilities from the Pacific.

It is my understanding that the Japanese government would like to establish a more formal relationship with the United States to discuss nuclear matters and gain assurance that the U.S. nuclear umbrella remains strong in the region. I believe it may be worthwhile to consider a similar arrangement to NATO's Nuclear Planning Group for our allies in the Pacific such as Australia, Japan, and Korea. I would appreciate your thoughts and insights on this important matter.

Sincerely,



Daniel K. Inoué
Chairman

OSD 04259-09



United States Senate

WASHINGTON, DC 20510

April 21, 2009

The Honorable Robert M. Gates
Secretary
U.S. Department of Defense
The Pentagon, Room 3E718
Washington, D.C. 20301-1000

Dear Secretary Gates:

We are writing to request that you include \$25 million in funding for the Gulf War Illness Research Program (GWIRP) of the Congressionally Directed Medical Research Programs (CDMRP) of the US Army Medical Research and Materiel Command in the Department of Defense's complete budget submission expected in the weeks ahead.

This request follows the November release of the Congressionally-mandated Research Advisory Committee (RAC) on Gulf War Illnesses 454-page report, which concludes that "[t]he extensive body of scientific research now available consistently indicates that Gulf War illness is real, that it is the result of neurotoxic exposures during Gulf War deployment, and that few veterans have recovered or substantially improved with time."¹ At least 175,000 veterans, one in four of those who deployed, are affected. The Committee called for a "renewed federal research commitment ... to identify effective treatments ... to achieve the critical objectives of improving the health of Gulf War veterans and preventing similar problems in future deployments."²

As you may know, over the last four years, Congress has provided \$23 million for the CDMRP to fund peer-reviewed and merit-based research into treatments for this complex multi-symptom disorder (including widespread pain, cognitive impairment, and persistent fatigue, in conjunction with other abnormalities) known as Gulf War Illnesses. This research is not only important to Gulf War veterans, but to current and future force health protection; not to mention public health generally. Unfortunately, exposures to toxins, chemical weapons, and other hazardous substances are a permanent reality for our service members. We need to make sure we have the effective defensive measures and treatments in place for service members that are exposed. Since no substantial treatments

¹ U.S. Department of Veterans Affairs, Research Advisory Committee on Gulf War Veterans' Illnesses, *Gulf War Illness and the Health of Gulf War Veterans: Scientific Findings and Recommendations* by Binns et al. (Washington, D.C., November 2008), p.17.

² *Ibid.*, p.2.

OSD 04425-09



Page Two
The Honorable Robert M. Gates

are currently available for Gulf War veterans 18 years after the end of the war, clearly, our work is not yet complete.

After years of the government wasting significant resources on studies focused on trying to explain why these veterans of the first Gulf War were not sick, the research funded and managed by CDMRP is focusing on exactly what is most important: treatments. In Fiscal Year 2006 CDMRP received 80 pre-proposals for research, 31 full research submissions and awarded 9 research grants. In Fiscal Year 2008 CDMRP received 113 pre-proposals, 48 full submissions, and awarded 12. In Fiscal Year 2009 it is expected that this growing trend of scientific interest in conducting this research will continue. However, with the current level of resources allotted to the research, the effort to find treatments is expanding in a far too incremental fashion. Funding at the \$25 million level will provide the program with approximately \$13 million for pilot studies to identify effective treatments and diagnostic tests, \$8 million for clinical trials of treatments identified as effective in previous pilot studies, and \$4 million for a center of excellence to identify promising candidates for treatments and diagnostic tests.

As the Research Advisory Committee report indicates, the DoD CDMRP research program complements the Gulf War illness research program at the Department of Veterans Affairs. The VA program is focused on understanding biological mechanisms underlying Gulf War illness, which can ultimately lead to the development of treatments to address these mechanisms. However, the CDMRP program is focused on pilot studies of promising treatments already approved for other conditions, so it offers the possibility of early answers. The CDMRP program is also open to all researchers world-wide on a peer-reviewed competitive basis, while VA programs limit the universe of eligible researchers.

The Department of Defense historically funded two-thirds of GWI research, reflecting the need to prevent similar problems in future deployments, but funding for new Gulf War illnesses research was eliminated from the DoD budget after the onset of the current wars. Clearly we can all agree that both DoD and VA have a moral responsibility and vested interest in providing funding to advance research into treatments.

With our request of \$25 million for the CDMRP Gulf War Illness Research Program we are taking the first step to implement the RAC report's recommendation that "the Administration request and Congress appropriate a minimum of \$40 million annually to the Department of Defense for the Gulf War Illness Research Program managed by DOD's Office of Congressionally Directed Medical Research Programs."³ With its independent, merit-based, and peer-reviewed process we are confident that these

³ Ibid. p.309.

Page Three
The Honorable Robert M. Gates

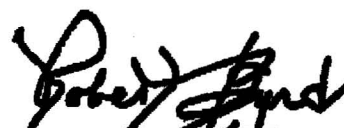
resources are and will continue to be used in the best interest of our service members and veterans.

Finally, we note that President Obama was a strong supporter of the CDMRP's Gulf War Illness Research Program during his time in the Senate.

We look forward to working with you to ensure that \$25 million in funding for CDMRP's Gulf War Illness Research Program is contained in the final FY10 DoD budget submission.

Sincerely,


BERNARD SANDERS
United States Senator


ROBERT C. BYRD
United States Senator


RUSSELL D. FEINGOLD
United States Senator


JOHN D. ROCKEFELLER IV
United States Senator


SHERROD BROWN
United States Senator

cc: The Honorable Eric K. Shinseki, Secretary of Veterans Affairs
The Honorable, Peter R. Orzag, Director of the Office of Management and Budget

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.

OSD 04622-09



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

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RICHARD D. DUBOIS, STAFF DIRECTOR
JOSEPH W. BOWAB, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

April 28, 2008

The Honorable Robert M. Gates
Secretary of Defense
The Pentagon
Washington, D.C. 20301-1155

Dear Secretary Gates,

I am profoundly disturbed by yesterday's low-altitude flight of Air Force One and F-16 fighters over lower Manhattan. From press reports, I understand that Air Force One's flight mission here, carried out by the Department of Defense, was to fly that aircraft—a Boeing 747, equipped with state-of-the-art command, control and communications equipment—at about 1,500 feet above lower Manhattan to provide a "photo opportunity" for the jet.

Against the backdrop of September 11, the disruption and foreseeable injury to persons and property arising from any ensuing panic and confusion caused (or that could have been caused) by the supposed mission is absolutely unacceptable. In that context, the recent apology of White House Military Office (WHMO) Director and his assumption of responsibility rings hollow. The supposed mission represents a fundamentally unsound exercise in military judgment and may have constituted an inappropriate use of Department of Defense resources.

In furtherance of the Committee's oversight of Department of Defense resources and operations, I respectfully ask that you provide the following information:

- 1) A description of exactly what the mission of the flyover was and who ultimately approved that mission.
- 2) An estimate of the total cost associated with planning and executing that mission.

Please provide this information by Monday, May 4, 2009. If you have any questions, please contact Joe Bowab, at (202) 224-4928.

Sincerely,

John McCain
John McCain

OSD 04682-09



KENT CONRAD
NORTH DAKOTA

website: <http://conrad.senate.gov>

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BUDGET, CHAIRMAN
AGRICULTURE, NUTRITION, AND FORESTRY
FINANCE
INDIAN AFFAIRS

United States Senate

April 16, 2009

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657 2ND AVENUE NORTH, ROOM 306
FARGO, ND 58102-4727
(701) 232-8030

102 NORTH 4TH STREET, SUITE 104
GRAND FORKS, ND 58203-3738
(701) 775-9601

100 1ST STREET, S.W., ROOM 106
MINOT, ND 58701-3846
(701) 852-0703

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

Dear Secretary Gates:

I wanted to commend you for your strong support for aggressively expanding the development and use of unmanned aircraft systems (UAS) so that our military can reap the benefits of their unique capabilities.

As you continue to push this issue, integrating UAS training and other operations into the national airspace system is a key challenge that will need to be resolved. The need for UAS-capable airspace is only going to increase as our nation draws down forces in Iraq, because redeploying UAS units will have to conduct training here at home in the national airspace system. North Dakota, with some of the most unconstrained airspace in the nation, offers an ideal location to test the concepts and rules that will be needed to make this integration successful, and I am pleased that your Department and the Air Force have been working to take advantage of this potential resource.

Interagency cooperation and action are keys to developing and implementing a solution which is agreeable to all concerned parties – FAA, DOD, DHS, civilian airspace users, and others. Mr. Hank Krakowski, FAA Air Traffic Organization Chief Operating Officer, pledged on February 16 in Grand Forks to adopt a very aggressive timeline for fully integrating UAS operations in North Dakota into the national airspace, ultimately aiming to resolve this issue by the summer of 2010. The Red River Operations Working Group was created as a result of the meeting, and all indications at this time are that the group is making great strides toward achieving his vision. Colonel Ed Chupein, Air Force chief of airspace and ranges, is to be commended for his co-leadership of this interagency group and the group's successes to date.

Resolving this challenge is critical, and I thank you for your Department's continued support in this important national and homeland security matter.

Sincerely,



KENT CONRAD
United States Senate

OSD 04865-09



United States Senate

Senator Tom Coburn, MD
Russell Senate Office Building, Room 172
Washington, DC 20510-3604
Phone: 202-224-5754
Fax: 202-224-6008

April 22, 2009

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

Dear Secretary Gates,

As part of the Fiscal Year 2010 budget resolution, the Senate unanimously adopted an amendment on April 2 prohibiting the payment of bonus awards to contractors whose projects went over budget or failed to meet basic performance requirements. While bonuses and award fees may have merit when they provide incentives to complete projects ahead of schedule and under budget, it is concerning that billions of dollars in bonuses have been paid out to contractors who have failed to meet the very basic requirements of contracts or have suffered major cost over runs.

In addition to the 2010 Senate budget resolution, Congress enacted legislation in the National Defense Authorization Act of 2009 to require that the Department of Defense amend its regulations to "ensure that no award fee may be paid for contractor performance that is judged to be below satisfactory performance or performance that does not meet the basic requirements of the contract."

The National Defense Authorization Act of 2007 also required the Department to issue guidance and implementation instructions to this effect. In a report to Congress from October 2008 in response to this legislation, the Office of the Undersecretary of Defense for Acquisition, Technology, and Logistics stated that none of the contract awards they examined "were subject to the provisions of Section 814 of Public Law 109-364."

I am extremely interested to see if the changes implemented have had an effect on properly linking award fees to acquisition outcomes at the Department of Defense. Could you please provide the following information about this issuance of bonuses and award fees to contractors by the Department of Defense.

1. What is your assessment of various mechanisms that could be used to ensure an independent evaluation of contractor performance for the purpose of making determinations applicable to the judging and payment of award fees?
2. How are bonuses and award fees for contractors determined? For example, is there a review board or are the criteria for such awards explicitly outlined in contracts?



3. How many bonuses and award fees did the Department grant to contractors each year for calendar year 2008? What was the total dollar amount of such bonuses and award fees in 2008?
4. In 2008 were bonuses and award fees been paid to contractors whose programs or projects reported cost overruns or exceeded their budget? If so, how many and what was the total cost? Please provide the names of any such contractors.
5. In 2008 were bonuses and award fees been paid to contractors whose programs or projects did not meet the basic requirements of the contract? If so, how many and what was the total cost? Please provide the names of any such contractors.
6. In 2008 were bonuses and award fees been paid to contractors judged to have below satisfactory performance? If so, how many and what was the total cost per year? Please provide the names of any such contractors.
7. In 2008 were bonuses and award fees been paid to contractors that were recently cited for regulatory violations? If so, how many and what was the total cost per year? Please provide the names of any such contractors.

I would appreciate a response no later than June 22, 2009.

Thank you for your assistance. Please do not hesitate to contact me or Jeremy Hayes of my staff if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Coburn", with a stylized flourish at the end.

Tom A. Coburn, M.D.
U.S. Senator

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,



OSD 04870-09



United States Senate

WASHINGTON, DC 20510

April 24, 2009

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

Dear Secretary Gates,

As the Department of Defense evaluates candidates to fill key positions, (b)(6) of Dayton, Ohio, would be an invaluable addition to the senior leadership at Defense Advanced Research Projects Agency (DARPA).

DARPA's goal of maintaining military technological superiority by sponsoring revolutionary, high-yield research will face unprecedented challenges in the near future. Technology is rapidly expanding and spreading around the globe while our nation's defense budget capacity will remain under enormous pressure. DARPA leadership will require proven management, budgetary, and scientific success. The agency will also need individuals who can work with all interested parties inside and outside of DARPA in shaping its future.

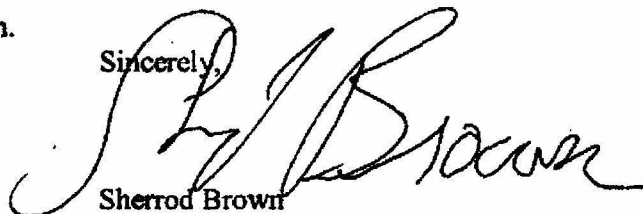
(b)(6) exemplary career has been dedicated to developing novel innovations using infrared sensors and electro-optics. (b)(6) is the former Chief Scientist for the Sensors Directorate, Air Force Research Laboratory. He has led many substantial DARPA efforts including the Medusa project, which is now a DARPA program at the Air Force Research Laboratory.

As a highly decorated scientist with real world management success, (b)(6) has been recognized on numerous occasions for his exceptional work. He received the Institute of Electrical and Electronics Engineers' WRG Baker Award for his work in electron devices. The Air Force Secretary recognized (b)(6) in 2006 for his dynamic and visionary leadership in developing sensor and countermeasure technology by presenting him with the Meritorious Presidential Rank Award.

As the Defense Department seeks to bolster its intelligence, surveillance, and reconnaissance as a national priority, I have no doubt that (b)(6) knowledge and experience would help ensure DARPA continues to play an integral role in that effort.

Thank you for your consideration.

Sincerely,



Sherrod Brown
United States Senator

OSD 04873-09



United States Senate

April 28, 2009

The Honorable Robert M. Gates
Secretary
The U.S. Department of Defense
The Pentagon
Washington, D.C. 20301-1155

Dear Mr. Secretary:

I am writing you concerning the February 6, 2009 memorandum from the United States Army Test and Evaluation Command to the Chief, Legislative Liaison, Office of the Secretary of the Army, concerning the initial results from the cost-benefit study requested by the Defense Test Resource Management Center, TRMC, as part of the FY2008 provisional certification of the U.S. Army Test and Evaluation Budget.

In this document there are significant shortfalls over the FYDP in maintaining adequate investment capability in the joint test ranges managed by Army, which are classified as Major Range Test Base Facilities, or MRTBF. Public Law 107-314, section 231, requires that -

"(2)(A) The Director of the Center shall review each proposed budget transmitted under paragraph (1) and shall, not later than January 31 of the year preceding the fiscal year for which such budgets are proposed, submit to the Secretary of Defense a report containing the comments of the Director with respect to all such proposed budgets, together with the certification of the Director as to whether such proposed budgets are adequate.

"(B) The Director shall also submit, together with such report and such certification, an additional certification as to whether such proposed budgets provide balanced support for such strategic plan."

I believe that the initial results of the cost - benefit study will lead to a decertification by the Director of the TRMC with respect to sustaining the Army's MRTBFs. In particular, finding 7 of the report indicates that -

"The current FY10 funded program in 0605601A will not allow us to execute 23% of the projected workload, putting all major systems at risk. Additionally, 34% of the FY10 annual facilities and operations sustainment requirements are unaffordable, meaning critical annual maintenance efforts to operate and sustain critical test capabilities will not be done."

OSD 04885-09



More importantly, the enclosures to the cost-benefit study indicate serious underlying deficiencies in core sustainment, for instance Program Element 0606502A/D628 shows that in FY10 and FY11, the unfunded requirement for equipment sustainment is 62%. The report notes that -

"The cumulative effect of this practice is aging test instrumentation infrastructure, wherein over 50% of the existing equipment has exceeded it's projected useful life, creating a "bow wave" of investment requirements that continues into the POM years."

The revised cover of transmittal states -

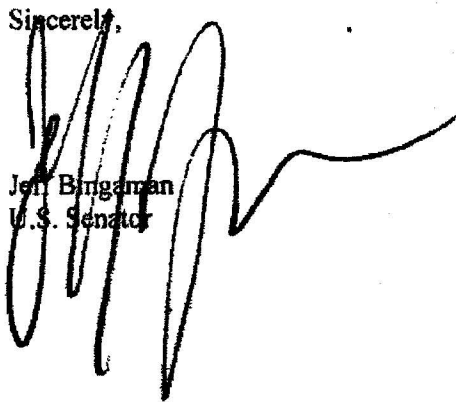
"The Army acknowledges the potential for reduced test support of non-major programs and other developmental test but will manage risk to acquisition efforts."

As you are aware, the Army's MRTBFs are ranges which they sustain for the Department of Defense as a whole. The creation of the TRMC in P.L. 107-314 was to ensure that the sustainment of this joint capability was maintained through annual budget certification. The statement in the revised cover memo does not reflect the joint nature of the MRTBFs or even how the Army will correct the underlying deficiencies noted in the enclosure of detailed data.

I ask that you work to address these deficiencies as required under P.L. 107-314 so that the joint ranges managed by the Army can meet the important developmental testing challenges to ensure that the war fighter has the best fielded equipment possible.

My point of contact for this matter is Dr. Jonathan S. Epstein. I look forward to your response.

Sincerely,


Jeff Bingaman
U.S. Senator

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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6260

May 1, 2009

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

Dear Mr. Secretary:

As part of the Subcommittee's ongoing oversight of Defense Department contracting, I am writing regarding the Army's continued use of KBR's monopoly LOGCAP contract. I am concerned and need to understand why the Army is not moving quickly enough to transition to the new set of LOGCAP contracts, which were awarded nearly two years ago to reduce costs and improve contract oversight through competition among multiple contractors. The Army's continued reliance on KBR's monopoly contract is particularly disturbing in light of new information obtained by the Subcommittee regarding the Department's failure to recover overcharges and excess profits on KBR subcontracts.

Background

The third Logistics Civil Augmentation Program contract (LOGCAP III) was awarded to KBR, then a subsidiary of Halliburton, in 2001. The previous LOGCAP contracts were awarded to KBR in 1992 and DynCorp in 1997.

Under LOGCAP III, KBR has been the sole provider of meals, laundry, housing and other support services to the troops in Iraq and around the world. As of February 2009, the value of KBR's work under the LOGCAP III contract was \$31.3 billion.¹

Problems with the LOGCAP III contract have been described in detail by company whistleblowers, government auditors, and congressional investigators. These problems include a lack of meaningful competition; the failure to heed government auditors' recommendations to withhold payments; and KBR's failure to adequately oversee subcontractors.

In 2006, the Army announced its intention to award a new set of contracts for LOGCAP execution through full and open competition. Instead of a single contractor receiving all the work, three contractors would compete to perform task orders. An additional "planning and

¹ Army Sustainment Command, *LOGCAP Financial Management Update* (Feb. 13, 2009).

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The Honorable Robert M. Gates
May 1, 2009
Page 2

support" contract would be awarded to another firm, which would help the Army oversee the three execution contractors.

In June 2007, the Army awarded the LOGCAP IV execution contracts to KBR, Fluor, and DynCorp. Serco, Inc. received the separate planning and support contract. Two unsuccessful offerors subsequently challenged the award, and in October 2007, GAO sustained their protests.² In April 2008, the Army announced that the contracts had again been awarded to KBR, Fluor, and DynCorp.

Failure to Award Competitive Contracts under LOGCAP IV

On April 19, 2007, the Senate Armed Services Committee, of which I am a member, held a hearing on the Defense Department's management of costs under the LOGCAP contract. At the hearing, Members of the Armed Services Committee asked about the Department's planned response to the reported waste, fraud, abuse, and mismanagement under LOGCAP III. Major General Jerome Johnson, Commanding General of the Army Sustainment Command, told the Committee that LOGCAP IV would eliminate many of the structural problems associated with LOGCAP III.³ According to Gen. Johnson:

LOGCAP III grew so rapidly that it nearly exceeded a single contractor's capacity. To minimize this risk, LOGCAP IV will use multiple contractors. This will increase government contract oversight and reduce program risk, while reducing costs through competitive, continuous task order competition.⁴

At the hearing, Senator Levin asked why the Army had waited so long to split the LOGCAP contract among multiple contractors. Claude M. Bolton, Assistant Secretary of the Army for Acquisition, Technology, and Logistics, responded: "I don't have a good answer for you."⁵

The Armed Services Committee later referenced this exchange in recommending the enactment of section 843 of the National Defense Authorization Act for Fiscal Year 2008, which established enhanced competition requirements for indefinite Delivery Indefinite Quantity contracts in excess of \$100 million.⁶ According to the Committee, the provision would ensure that future LOGCAP-type contracts would provide for the competition of task and delivery

² See Government Accountability Office, *Matter of Contingency Management Group, LLC; IAP Worldwide Services, Inc.* (Oct. 5, 2007).

³ Senate Armed Services Committee, *Hearings on Department of Defense's Management of Costs Under the Logistics Civil Augmentation Program (LOGCAP) Contract in Iraq*, 110th Cong. (April 19, 2007).

⁴ *Id.*

⁵ *Id.*

⁶ S. Report 110-077.

The Honorable Robert M. Gates
May 1, 2009
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orders unless there was "a compelling reason not to do so."⁷ A similar provision was previously included in S. 680, which was prepared by the Homeland Security and Governmental Affairs Committee to ensure that there are more than one contract holders that are eligible to compete for task and delivery orders.

Despite the benefits to the taxpayer, the support of the Army Sustainment Command, and the plain language and stated intent of the law, the Army has failed to transition the support of its mission in Iraq from LOGCAP III to LOGCAP IV. As of February 2009, the latest date for which the Subcommittee has received information, the Army has not awarded a single task order for work in Iraq under LOGCAP IV.⁸

The Army has also been slow to transition work in Kuwait and Afghanistan to LOGCAP IV. Only \$172 million has been funded under LOGCAP IV in the last year, of which \$4 million was awarded for planning and support services. Implementation of LOGCAP IV task orders has also been delayed by protests. All three task orders for work in Kuwait, which were competed and awarded under LOGCAP IV to Fluor and DynCorp, were subsequently protested by KBR. One protest was resolved against KBR; the other two protests continue. While the protests are underway, KBR continues to perform this work under LOGCAP III.⁹

New Information Regarding Waste, Fraud, and Abuse Under LOGCAP III

Documents obtained by the Subcommittee on Contracting Oversight raise concerns about whether the Department has taken adequate steps to identify and recover overcharges and excessive profits paid under contracts associated with KBR employees known or suspected to have committed fraud. These documents indicate that the Defense Department has failed to recover more than \$100 million paid out under these fraudulent LOGCAP subcontracts.

Since the beginning of the war in Iraq, multiple KBR officials have been indicted or convicted of corruption-related charges involving LOGCAP subcontracts. These include Stephen Seasmans, who was convicted of fraud relating to a subcontract with a Kuwaiti cleaning company; Jeff Mazon, who was indicted for fraud for a subcontract awarded to La Nouvelle; (b)(6) who admitted to accepting \$110,000 in kickbacks from an Iraqi subcontractor; (b)(6) who was fired by KBR after awarding a gravel delivery contract to a vendor whose price was five times higher than that of a competitor; and (b)(6) who admitted to accepting kickbacks from First Kuwaiti General Trading & Contracting Company in exchange

⁷ *Id.*

⁸ Army Sustainment Command, *LOGCAP Financial Management Update* (Feb. 13, 2009).

⁹ *Id.*

The Honorable Robert M. Gates
May 1, 2009
Page 4

for the award of subcontracts.¹⁰ These men were responsible for awarding or administering at least \$306 million in LOGCAP subcontracts.¹¹

Although the Defense Department knew or should have known about the fraudulent activities of Mr. Seamans, Mr. Mazon, (b)(6) and (b)(6) since 2003, when the relevant indictments and convictions became public, the Defense Contract Audit Agency (DCAA) failed to take adequate steps to review the other contracts these men had awarded or administered. In fact, DCAA waited until February 2007 to send a preliminary letter to KBR asking for information on the other contracts that had been administered by Mr. Seamans, Mr. Mazon, (b)(6) and (b)(6).¹²

DCAA also failed to perform timely audits of these high-risk subcontracts. DCAA told KBR that it was "confident" that KBR had "proactively" examined the subcontracts administered by the four men. DCAA did request the results of any reviews undertaken by the KBR, but indicated that it would not perform its own audits of these contracts if it KBR had performed adequate investigations.¹³ According to DCAA:

If KBRSI's reviews satisfy our audit needs, we will rely on its work and subsequently curtail our own examination of these subcontracts. However, if we find KBRSI has not performed any reviews or disclosed cost impacts on Government contracts (where appropriate), this will be considered in our overall opinion on KBRSI's accounting control environment and purchasing system internal controls.¹⁴

Four months later, in June 2007, DCAA reported that KBR had failed to account for millions of dollars in excess profits on contracts awarded by Mr. Seamans. According to DCAA, the subcontractor, Tamimi Global Performance, had potentially realized excess profits of \$49.8 million, or 76%, as a result of Mr. Seamans' fraudulent activities.¹⁵ KBR had proposed to return to the government only \$525,202 – a small

¹⁰ See Indictment, *United States v. Mazon* (Mar. 16, 2005); *Former KBR Worker Admits to Fraud in Iraq*, Washington Post (Aug. 23, 2005); *Former Kuwait Manager Indicted for Million Dollar Payoff*, CorpWatch (Mar. 25, 2005); *Ex-KBR Worker Pleads Guilty to Bribes*, MarketWatch (Mar. 24, 2006); Letter from Chairman Henry Waxman, House Committee on Oversight and Government Reform, to Secretary of State Condoleezza Rice (Oct. 9, 2007).

¹¹ Defense Contract Audit Agency, *DCAA Sampled High Risk Subcontracts on KBR LOGCAP III Contract* (undated).

¹² Letter from Defense Contract Audit Agency to Todd Bishop, Kellogg Brown & Root Services, Inc. (Feb. 28, 2007).

¹³ *Id.*

¹⁴ *Id.*

¹⁵ Defense Contract Audit Agency, *Memorandum: Reasonableness of KBRSI Settlement Offer on Tamimi Subcontract Nos. GU49-KU-S00001 and GU68-KU-S000018* (June 7, 2007).

The Honorable Robert M. Gates
May 1, 2009
Page 5

fraction of that amount.¹⁶ DCAA recommended that the Army "vigorously pursue recovery" of these excessive profits.¹⁷ The Subcommittee is not aware of actions taken by the Army to recover these excess profits.

DCAA has also recommended that the Army recover millions of dollars in costs associated with the subcontracts awarded to First Kuwaiti by Mr. Martin. In March 2006, DCAA disapproved \$51.3 million in costs relating to First Kuwaiti's subcontracts for the delivery of trailer living containers.¹⁸ In January 2007, the Defense Contract Management Agency (DCMA) determined that \$25.6 million of the \$51.3 million in costs were allowable. DCAA then reduced the disapproved costs to \$25.7 million.¹⁹ In May 2008 – eight months after the public disclosure of Mr. Martin's guilty plea – DCMA reversed its earlier determination and disallowed the remaining \$25.6 million.²⁰ The Subcommittee is not aware of actions taken by the Army to recover the \$51.3 million in costs from KBR.

Finally, the Department has failed to ensure that these individuals and companies will not receive more government contracts. According to the Excluded Parties List System, the database that contains information regarding individuals and companies who have been suspended or debarred, (b)(6) La Nouvelle, and First Kuwaiti are still eligible to receive federal funds in the future.

Conclusion

Based on the information the Subcommittee has received, I do not understand why the Army continues to rely on the LOGCAP III contract. I also do not understand why the Army, DCAA, and DCMA have not done more to recover these costs. Finally, I do not understand why the Defense Department has failed to take steps to deter all of the individuals and companies involved in defrauding the government and the taxpayer.

Please notify me as to whether you intend to take immediate steps to increase competition, oversight, and accountability under the LOGCAP contracts. I also request that you provide a briefing for Subcommittee staff on these topics by Friday, June 12.

The jurisdiction of the Subcommittee on Contracting Oversight is set forth in Senate Rule XXV clause 1(k); Senate Resolution 445 section 101 (108th Congress); and Senate Resolution 73 (111th Congress). An attachment to this letter provides additional information on how to respond to the Subcommittee's request.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ Defense Contract Audit Agency, *Living Container Cost Issues Time Line* (undated).

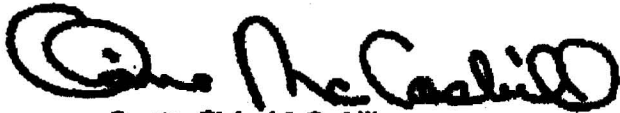
¹⁹ *Id.*

²⁰ *Id.*; Letter from Defense Contract Management Agency to Todd Bishop, Kellogg Brown & Root (May 19, 2008).

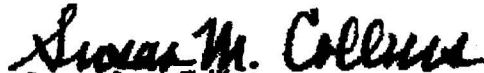
The Honorable Robert M. Gates
May 1, 2009
Page 6

Please contact Margaret Daun with the Subcommittee staff at (202) 224-8316 with any questions and to schedule the requested briefing.

Sincerely,



Senator Claire McCaskill
Chairman
Subcommittee on Contracting Oversight



Senator Susan Collins
Acting Ranking Member
Subcommittee on Contracting Oversight

Enclosure

United States Senate

WASHINGTON, DC 20510

May 4, 2009

The Honorable Robert M. Gates
Secretary of Defense
Department of Defense
The Pentagon, Room 3E880
Washington, D.C. 20301

Dear Secretary Gates:

We are writing to you concerning the House and Senate versions of the Free Flow of Information Act of 2009 (H.R. 985/S. 448), both of which are scheduled for consideration at the Senate Judiciary Committee's executive business meeting on Thursday, May 7.

As you may remember, you were actively involved in the Senate's debate on media shield legislation during the 110th Congress, having provided Congress with the Defense Department's views on the matter in letters dated March 31, 2008 and September 9, 2008.

In the letter dated March 31, 2008, you expressed "strong opposition" to the committee-reported version of the Senate's media shield bill (S. 2035)—the same language placed on the Committee's agenda for consideration this week. In that letter, you suggested that "this bill will undermine our ability to protect national security information and intelligence sources and methods and could seriously impede investigations of unauthorized disclosure." You also stated that "[d]isclosures of classified information about military operations directly threaten the lives of military members and the success of current and future military operations. Such disclosures also threaten the lives and safety of American citizens and the welfare of the Nation."

On September 9, 2008, you sent a second letter to Congress concerning substitute language put forth by Senator Specter before consideration of S. 2035 on the Senate floor. In that letter, you stated that "the Department remains opposed to the amended legislation," which you suggested "will still adversely affect our ability to protect national security." You further stated that "[t]he amended legislation will undermine the investigation and deterrence of unauthorized leaks of national security information to the media, gravely damaging the Department's ability to protect national security."

Given your record of "strong opposition" to media shield legislation, we would respectfully request that you provide members of the Committee with an update of the Defense Department's views on H.R. 985 and S. 448 before Thursday's executive business meeting. We would also request that, should Senator Specter or any other member of the Committee put forth a substitute amendment to either bill, you provide the Committee with your thoughts on those amendments prior to their scheduled consideration.

We would appreciate your prompt attention to this matter.

OSD 04966-09



Sincerely,

Jon Kip

Jeff Bond

Ben Clark

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RICHARD S. DESOBRES, STAFF DIRECTOR
JOSEPH W. BOWEN, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

April 28, 2009

The President
The White House
Washington, DC 20500

Dear Mr. President:

We are writing to you to report on our recent trip to Russia, Poland, and the Czech Republic, where we met with senior government officials, parliamentarians, and representatives of NGOs, as well as the U.S. country teams. The focus of our trip was missile defense against the potential threat from Iran, and the U.S. and allied relationship with Russia. In each country, we found a high degree of optimism about an improved and more productive relationship with the United States, in part because of your trip to Europe and meetings with the leaders of those countries.

We believe there may be an opportunity for missile defense to serve as a uniting rather than a divisive issue, as it is now. As one of our Russian interlocutors put it, "a joint missile defense system could be an engine to pull U.S. - Russian relations out of the ditch."

A number of factors lead us to this conclusion. First of all, the Russians do not want a nuclear-armed Iran or an Iran with the missile ability to deliver a nuclear warhead. As President Medvedev reportedly told you in London, the Russians have come to realize that Iran's programs are more advanced than they previously thought. We were told by a number of Russians that a nuclear-armed Iran would be a greater threat to Russia than to the United States. Russia appears to be interested in exploring the possibility of cooperating with the United States on a missile defense system, including by sharing information from its radar installation at Gabala in Azerbaijan and the radar it is constructing in Armavir in southern Russia. However, the Russians maintain their view that the proposed "third site" missile defense deployment in Poland and the Czech Republic is aimed at Russia, rather than Iran. We were also told that Russia is probably more concerned with the deployment of an X-band radar in the Czech Republic than 10 interceptors in Poland, because the radar would look deeply into Russian territory.

The Poles want to be treated as full partners by the United States and NATO, as they deserve to be after 10 years as a member of the Alliance. They point to the lack of a U.S. or NATO military installation of any kind on their territory. They agreed to the proposed deployment of interceptor missiles as a fulfillment of their commitment and obligation to be a good partner to the United States and a contributor to European air defense. They are very concerned that the United States will reach a deal with Russia without real consultations with them in advance. Poland's main goal is not so much the establishment of a missile defense facility as part of the "third site," as it is the deployment of a Patriot battery on their soil. They prefer, of course, that the battery be operational – not just a training battery – and they want it to be "NATO-ized," (a term we heard repeatedly in both Warsaw and Prague). The Poles understand the need for our new Administration to review the "third site" issue and would prefer that any decision be made by the end of the year. The Poles would very much welcome the presence of U.S. troops on the ground in Poland in any form.

The Czechs are currently in the process of transitioning to a caretaker government, and the two main political parties agree that the "third site" issue should be held in abeyance. They prefer that a decision by your Administration come after their elections in October. Unlike the Poles, they are wary of American or any other foreign troops on their territory (although a small number of U.S. technicians and perhaps Russian Embassy civilian observers might be acceptable). Finally, it appears that, if the Czechs elect a social democratic government (which is very possible), they would not be unhappy if the radar were not on their soil.



Taking into consideration these and other factors, we believe that Russia might be willing to participate in a European missile defense system, with information from their radar sites being part of the system. From their perspective, the missile defense system would not be directed specifically at an Iranian threat – it would be a general defense. For us, of course, it would be directed at the Iranian threat militarily. The political message would be greater probably than the military impact because Iran would see Russia and the United States working together. That cooperation would send a powerful signal to Iran that the course they are on is unifying the United States, Russia, Europe and the world against their nuclear program and bringing together the United States and Russia in a way that is unprecedented. Such a move might have an impact on Iran's decision on whether to seek a nuclear weapon capability.

Delaying a decision on the "third site" until late this year would give the United States the chance, after careful consultation with allies, to sit down with the Russians and seriously discuss a missile defense system that could unify us and make a powerful statement to Iran. As part of an overall resolution, Poland could host a Patriot battery (perhaps a training battery). The decision relative to a radar in the Czech Republic will be affected more than anything else by the outcome of the October elections there.

In the meantime, we have an adequate missile defense capability (Patriot PAC-3, Aegis ships with Standard Missile-3 interceptors, and the upcoming THAAD system) against the current Iranian threat. The Aegis system is being upgraded so that it would keep up with a future Iranian threat -- potentially even if Iran obtains a long-range ICBM. So all these enhanced systems, including a possible land-based version of the Standard Missile-3, would be able to protect Europe from a potential future Iranian missile threat. Furthermore, if Iran does obtain a long-range ICBM in the future capable of reaching the United States, the missile defense system deployed in Alaska could, if it becomes operationally effective, also address that potential threat.

In summary, with proper consultations with our NATO allies, the prospect of a European missile defense system, which involves the Russians and is not threatening to them, and which could have a major positive impact on Iranian behavior, would seem to be within reach if negotiated very carefully. We would be happy to discuss this matter with you and will be in touch with your staff relative to that possibility.

Sincerely,

Susan Collins

Bill Nelson



Carl Levin

United States Senate

April 28, 2009

The Honorable Robert M. Gates
Secretary
The U.S. Department of Defense
The Pentagon
Washington, D.C. 20301-1155

Dear Mr. Secretary:

I am writing with respect to a \$10,000,000 congressionally directed project in Public Law 110-329, "The Consolidated Security, Disaster Assistance, and Continuing Appropriations Act of 2009". This directed project is found on page 546 of explanatory statement (attached), which is incorporated into the statutory bill text under section 8006 and listed as "New Mexico State University Institute for Defense and Public Policy".

As stated in the bill's explanatory statement, this project is

1. A directed Congressional appropriations for the New Mexico State University National Security program; and
2. it provides sufficient Congressional intent that this earmark be provided to New Mexico State University.

I would very much appreciate if you could expedite the awarding of these funds to New Mexico State University, the bill became law in October of 2008 and it has now been delayed over 5 months.

My point of contact for this matter is Dr. Jonathan S. Epstein. I look forward to your response.

Sincerely,


Jeff Bingaman
U.S. Senator

OSD 05022-09



United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

May 5, 2009

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

Dear Mr. Secretary:

The Senate Committee on Commerce, Science and Transportation is investigating allegations that New Era Technology, Inc. (NETECH), a small business in Florida, fraudulently obtained contracts totaling nearly \$3 million from the National Aeronautics and Space Administration (NASA). In the course of its investigation, the Committee has learned that the Department of Defense also awarded at least four contracts to NETECH. I am writing to request your assistance as my Committee investigates this alleged fraud against the federal government.

According to NETECH's website, the company "was established in 1988 as a research and development company specializing in high technology engineering research, design, and simulation, data communications and management, and graphical user interfaces and simulation."¹ NETECH's founder and senior scientist is (b)(6) a professor of Nuclear and Radiological Engineering and director of the Innovative Nuclear Space Power and Propulsion Institute, at the University of Florida. His wife, Sousan Anghaie, is the president of NETECH and their two sons, (b)(6) and (b)(6) have received payments from the company.

Since 1999, NETECH has received eight contracts through NASA's Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs. The SBIR and STTR programs, "seek to increase opportunities for small businesses to participate in government research & development, to improve overall United States competitiveness, and to

¹ New Era Technology, Inc., Home Page, (online at www.confman.com) (accessed April 8, 2009).

OSD 05087-09



The Honorable Robert Gates

May 5, 2009

Page 2 of 3

increase national employment. The STTR program has the additional intent of developing collaboration between small businesses and non-profit research institutions.”²

On February 19, 2009, the U.S. Attorney of the Northern District of Florida filed an “In Rem” complaint against various pieces of property owned by (b)(6) and (b)(6) including a BMW automobile, a condominium in Ft. Lauderdale, Florida, and a Scottrade stock trading account.³ In an attached affidavit, the government alleged that this property was purchased with funds the Anghaies fraudulently diverted from payments they received through NASA’s SBIR and STTR programs. According to the affidavit, this alleged scheme to defraud the government went on for at least eight years and involved multiple contract awards.

I am very concerned about these allegations. On March 6, 2009, I wrote to the Acting Administrator of NASA requesting information and documents concerning all contracts and grants NASA had awarded to NETECH. To date, NASA has produced more than 1,500 pages of documents in response to this request. In reviewing these documents, the Committee has learned that, in addition to eight SBIR and STTR contracts, NETECH received four research grants from NASA totaling \$400,000. The Committee has also learned that NETECH was awarded contracts by other federal agencies, including at least one contract with the Department of the Navy (contract # N61339-95-C-0099) and three contracts with the Department of the Air Force (contract #s F49620-03-C-0029, F49620-01-C-0046, and FA9550-06-C-0099).

I am concerned that this new evidence suggests that the alleged NETECH fraud may have been more extensive than was originally believed. I am also concerned that the evidence the Committee has reviewed so far suggests that federal grant funds devoted to basic scientific research may be vulnerable to fraud.

In order to further investigate the extent of NETECH’s business with federal government agencies, I request that you provide the following information to the Committee:

1. A list of all grants, contracts, and other awards the Department of Defense (DOD), or any of its agencies or departments, has made to New Era Technology Inc., the Innovative Nuclear Space Power and Propulsion Institute at the University of Florida, (b)(6), (b)(6), (b)(6), or (b)(6). This list should include grants, contracts, or other awards DOD has made to any corporate entity controlled or operated by any of the four persons named above. The list should include the date, the value, and a short description of each grant, contract, or award. The list should also include the office, program, or person within DOD who authorized the

² National Aeronautical and Space Administration, *SBIR and STTR Participation Guide* (April 9, 2009) (online at www.sbir.gsfc.nasa.gov/SBIR/partintro.htm).

³ Verified Complaint for Forfeiture in Rem, *U.S. v. Real Property Located at 501 South Moody Ave., Unit 117, Tampa, FL* (Feb. 19, 2009) N.D. Fla. (No. 1:09 cv 41-MP/AK).

The Honorable Robert Gates

May 5, 2009

Page 3 of 3

making of each contract, grant, or award, and should include unique identifying numbers, such as Data Universal Numbering System (DUNS) numbers, contract numbers, and grant numbers, that will assist the Committee in precisely identifying each grant, contract, or award; and

2. Copies of all documents related to the grants, contracts, and awards listed in response to question (1) above, including but not limited to, all requests for proposal, applications, proposals, evaluations, correspondence, contracts and subsequent modifications, grant announcements, interim reports, final reports, external reviews, and e-mails and other communications related to each contract, grant or award.

Please provide these documents to the Committee by June 1, 2009.

The Committee is conducting this investigation under the authority of Senate Rules XXV and XXVI. Enclosed with this letter is a document providing additional information about how to respond to this document request. If you have any questions about this request, please contact John Williams or Jeffrey Zubricki of the Committee staff at 202-224-1300.

Sincerely,



John D. Rockefeller IV
Chairman

Enclosure

Cc: Kay Bailey Hutchison
Ranking Member

United States Senate

WASHINGTON, DC 20510

May 5, 2009

The Honorable Robert Gates
Secretary
The Department of Defense
1000 Defense Pentagon
Washington, DC 20310-1000

Dear Secretary Gates:

One of the greatest responsibilities entrusted to the Congress is to ensure the security of the American people by providing for a strong national defense. With that responsibility in mind, we question the analytical basis for the decision by the Department of Defense to terminate the procurement of the F-22 Raptor and C-17 Globemaster III. Accordingly, to ensure the military equipment requirements of the nation are identified through a complete and cogent process, we respectfully request you recommend to the President that production of the F-22 and the C-17 continue until the final publication of the next Mobility Capability Study and the 2010 Quadrennial Defense Review.

As you well know, in order to maximize the probability of success in military operations the development and execution of strategies must be comprehensive and well thought out. However, recent history has shown major threats to our national security can arise suddenly and in unexpected regions of the world. Saddam Hussein's invasion of Kuwait and the events of September 11, 2001 prove this hypothesis. In addition, the difficulty in determining when and where a threat may arise is also compounded by the uncertainty as to what tactics and strategies our enemies may employ. Accordingly, we fully support and encourage your initiative to re-establish counterinsurgency warfare as a fundamental and widespread capability in our nation's Armed Forces.

However, just as our nation made a strategic error in permitting our ability to successfully prosecute counterinsurgency campaigns to wither and atrophy after the Vietnam War, we must not make a similar mistake and undermine two of the unique foundations of our nation's military strength: hegemony of the air and our unprecedented airlift capability. As you correctly stated this January, "our military must be prepared for a 'full spectrum' of operations, including the type of combat we're facing in Iraq and Afghanistan as well as large scale threats that we face from places like North Korea and Iran." Therefore, we are concerned the termination of production of the F-22 does not appear to be supported by any analytical study commissioned by the Department of Defense or the Air Force. In addition, though the decision to end production of the C-17 was supported by the 2005 Mobility Capability Study, this Study was criticized by the Government Accountability Office for underestimating our nation's future airlift requirements. We are also unaware of any risk assessment that has been performed

OSD 05148-09



The Honorable Robert Gates
May 5, 2009
Page Two

based on the Combatant Commanders' requirements as to the decision to cease procurement of the F-22 and C-17.

Regarding the F-22, unclassified extracts of the Air Force's Sustaining Air Dominance Study state "180 F-22s was not enough" and the Department of Defense's TACAIR Optimization Study concluded the procurement of additional Raptors "was the best option." On April 16th, these conclusions were reinforced by the comments made by General Norton A. Schwartz *after* the F-22 procurement termination was announced. General Schwartz stated that "243 [Raptors] is the military requirement." This appears to conflict with earlier views expressed by the Department of Defense.

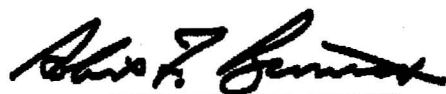
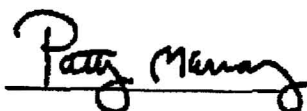
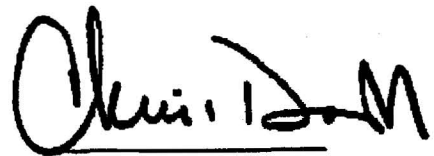
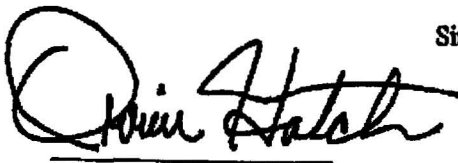
We have similar trepidations regarding the cessation of production of the C-17. In early 2002, even before the true scope and requirements of the Global War on Terrorism became known, the then commander of U.S. Transportation Command argued for the procurement of 222 Globemaster III's. Today, as the bulk of our deployed forces will be sent to the land-locked nation of Afghanistan, we are mindful of the critical need for airlift to supply our forces and our allies' operations in that nation. This point is emphasized by the recent Taliban attacks on our supply routes through the Kyber Pass region and NATO supply depots in Peshawar. Therefore, we are puzzled as to why C-17 production would be ended even though a new Mobility Capability Study was scheduled to be published next month.

Just as our recent military history points to the need to maintain a "full spectrum" military force to confront a myriad of very different threats, we are also mindful of a point recently made by Michael Korda in his book on the Battle of Britain. He observed that even though the two British Prime Ministers before Winston Churchill adopted a policy of appeasement, they also committed their government to develop and procure the three pieces of equipment: the Spitfire fighter, Hurricane fighter and radar, which were to ensure that nation's survival during the Battle of Britain.

Accordingly, we respectfully request you recommend to the President that production of the F-22 Raptor and the C-17 Globemaster III continue until the final publication of the next Mobility Capabilities Study and the 2010 Quadrennial Defense Review can be reviewed and studied.

Thank you for your consideration in this matter.

Sincerely,



The Honorable Robert Gates
May 5, 2009
Page Three

Kay Bailey Hutchison

Olympia Snowe

Maria Cantwell

John Cornyn

David Vitter

John Mc Clellan

Susan Collins

Sally Chaudhry

Demetrius

Richard W. Berman

FRANK R. LAUTENBERG

NEW JERSEY

COMMITTEES:

APPROPRIATIONS

COMMERCE, SCIENCE, AND
TRANSPORTATION

ENVIRONMENT AND
PUBLIC WORKS

United States Senate

WASHINGTON, DC 20510

May 6, 2009

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

Dear Secretary Gates:

I am writing to respectfully urge you to reevaluate the Department of Defense's policy on the availability of Plan B, a form of Emergency Contraception (EC), in military facilities in the U.S. and abroad, including combat zones. The current Department of Defense policy does not require all military treatment facilities to carry this form of EC, and I am concerned that servicewomen may be unable to access this time-sensitive, emergency medication.

Plan B is a safe, effective, and FDA-approved form of emergency contraception that helps prevent unintended pregnancy. If taken within 72 hours after intercourse, it can lower the risk of pregnancy by up to 89 percent. Although Plan B is available to women 18 and older at many pharmacies in the U.S., a majority of servicewomen rely exclusively on military facilities for their health care needs. This is especially true for those serving overseas who may not have access to an alternative facility.

Furthermore, a recent Department of Defense report found that more than 2,900 sexual assaults were reported in the military in Fiscal Year 2008. Access to Plan B is especially important for women who have survived a sexual assault, for whom an unintended pregnancy can contribute to the emotional and psychological effects victims may experience. This demonstrates the urgency of ensuring that all servicewomen have the option to utilize emergency contraception.

For these reasons, I respectfully urge you to reevaluate the Department of Defense's policy concerning Plan B to ensure that it is available to servicewomen at all military treatment facilities both here and abroad. I am also requesting specific information on which U.S. military treatment facilities do not currently carry this form of EC.

Thank you for your time and attention to this important matter.

Sincerely,

Frank R. Lautenberg

OSD 05158-09



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.

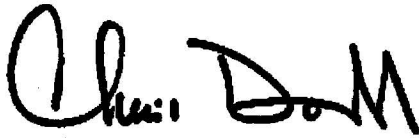
This is a pivotal year for our Air National Guard. To this end, we look forward to the Department's strong support for the allocation of permanent flying missions to our states as part of the upcoming submission of the 2010 defense budget.

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.

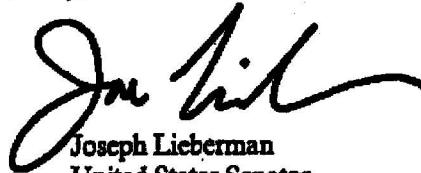
OSD 05298-09



Sincerely,



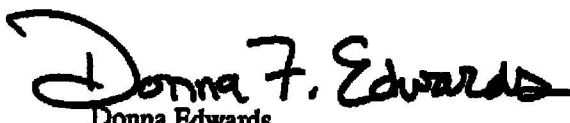
Christopher Dodd
United States Senator

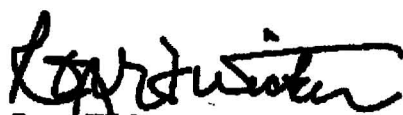


Joseph Lieberman
United States Senator


John Larson
United States Representative
Joseph Courtney
United States Representative

Barbara Mikulski
United States Senator

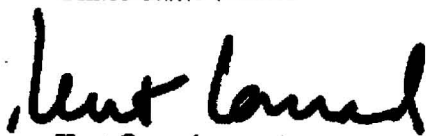

Benjamin Cardin
United States Senator
Steny Hoyer
United States Representative
Roscoe Bartlett
United States Representative
Elijah Cummings
United States Representative
Dutch Ruppersberger
United States Representative
Donna Edwards
United States Representative
Frank Kratovil
United States Representative
Carl Levin
United States Senator
Debbie Stabenow
United States Senator
Mark Schauer
United States Representative



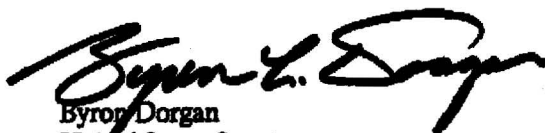
Roger Wicker
United States Senator



Gregg Harper
United States Representative



Kent Conrad
United States Senator



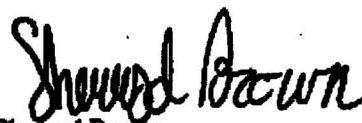
Byron Dorgan
United States Senator



Earl Pomeroy
United States Representative



George Voinovich
United States Senator



Sherrod Brown
United States Senator



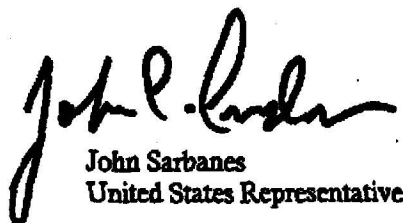
Marcy Kaptur
United States Representative



Tim Ryan
United States Representative



Jim Jordan
United States Representative



John Sarbanes
United States Representative

[REDACTED]

To briefly summarize, the original audit, which was withdrawn, and the follow-up peer review both appear to indicate that there are unresolved issues regarding the security of F-35 technology - particularly with respect to the Defense Security Service. These issues were simply not adequately documented in the original report. Despite the disputed assertions made by DOD OIG auditors with respect to BEA Systems, I am worried that there are continuing problems with the Defense Security Service and its role in safeguarding our nation's top secret or sensitive weapons design information and making sure that kind of information doesn't fall into the wrong hands.

A Wall Street Journal (WSJ) article on April 20, 2009, entitled "Computer Spies Breach Fighter-Jet Project," reinforces my concerns. The WSJ piece states: "Six current and former officials familiar with the matter confirmed that the fighter program [F-35 Joint Strike Fighter] had been repeatedly broken into..... Computer systems involved with the program appear to have been infiltrated at least as far back as 2007, according to people familiar with the matter. Evidence of penetrations continued to be discovered at least into 2008." Other recent news reports clearly indicate that potential F-35 technology security breaches are a continuing issue today.

If this technology has indeed been compromised as reported, this information could help potential adversaries to defend against or to defeat one of our most advanced and expensive weapons systems, undermining significant investments of ingenuity, manpower, and money by the United States and nearly a dozen allies. Business or trade secrets and proprietary information could also be needlessly compromised through foreign contractual arrangements.

For these reasons, I would like to urge you to consider initiating an external assessment of the scope and potential impact of the alleged compromise of F-35 technology. This assessment should examine the effectiveness of Defense Security Service's oversight of such matters as well as enhanced safeguards to effectively counter and block future such intrusions.

Your careful consideration of this matter would be appreciated.

Sincerely,


Charles E. Grassley
Ranking Member

Copy to: Acting IG Heddell

PAT ROBERTS
KANSAS

109 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510 1606
202 224 4774

<http://roberts.senate.gov>

United States Senate

WASHINGTON, DC 20510-1605

May 6, 2009

COMMITTEES:
AGRICULTURE

FINANCE

HEALTH, EDUCATION,
LABOR, AND PENSIONS

ETHICS

RULES

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

Dear Secretary Gates:

Kansas Governor Mark Parkinson and Members of the Governor's Military Council (GMC), representing the major military installations and activities in the state of Kansas, will be in Washington June 11-12, 2009. I am requesting the Department's assistance in securing senior Defense, Military Service and Guard Bureau officials to meet with the Kansas group, as well as to secure the use of a conference room at the Pentagon for meetings on the morning of Friday, June 12, 2009. Should your schedule permit, I would also be grateful if you would meet with the governor and the GMC during their Pentagon visit.

The purpose of their trip is to meet with federal officials to discuss defense funding, policy, force structure and mission-related issues at military installations in the state of Kansas. In addition to the governor, Mr. Robin Spurrier (Chief of Staff of the Air Force's Civic Leaders Group Alumnus), as well as Messrs. John Montgomery and Mark Edwards (both are Civilian Aides to the Secretary of the Army) will be among the Council's participants during the GMC trip to Washington. Staff members of the Kansas Congressional Delegation will also accompany the group to the Pentagon.

The group will consist of approximately 15-20 members, including the Kansas Delegation staff members. Names of the attendees will be provided to your staff as we near the June 12th visit date. The issues concerning this group relate to the various initiatives that affect the Kansas bases (including US Army Grow the Force initiatives, options for Military Education streamlining and consolidation, overseas contingency operations, USAF's Future Tanker program, as well as Guard and Reserve Component equipment and infrastructure modernization).

The group would like to arrive at the Pentagon at 8:00 a.m. on Friday, June 12, 2009, for badging and entrance to the building. I would greatly appreciate the assistance of your staff in reserving a conference room from 8:30 a.m. to 11:30 a.m., as well as arranging for discussions with senior officials on a range of topics.

As a guide for your staff's preparations, I have included a list of individuals (or their designees if the requested person is not available) with whom the GMC has asked to meet in addition to you; along with potential topics for discussion.

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May 6, 2009
Page 2

On behalf of the Governor's Military Council, I would respectfully request that they have the opportunity to discuss these issues with the following individuals (or appropriate senior level alternates):

- Honorable Wayne Army, Deputy Under Secretary of Defense, Installations & Environment
 - Joint Land Use Studies
 - State interest in DOD Alternative Energy initiatives to create Net-Zero Energy installations in Kansas
- Honorable Michael Donley or General Norton Schwartz (US Air Force)
 - Out year budget tradeoffs (personnel & infrastructure vs. modernization)
 - Options for increased quantities of the C-130J in the Program of Record
 - McConnell AFB's role in Future Tanker program & UAS refueling developments
 - Expansion of Air Guard C4ISR ops at McConnell AFB
- General George W. Casey, Jr. (US Army)
 - Maneuver space at Fort Riley & other Maneuver posts
 - BAH calculation metrics to include both rental and purchase units
 - GMC support for Leadership Training and Professional Military Education at Fort Leavenworth
- Lieutenant General McKinley, Chief of the National Guard Bureau
 - Certification and planning for use of Great Plains Joint Regional Training Center as a site for Joint/Total Force training
 - Quadrennial Defense Review anticipated impacts on the National Guard (nationally and in Kansas)
 - Current and future role of Forbes Military Airfield in Homeland Defense, Civil Response Center of Excellence and Counter-insurgency operations
- Joint Forces Command (J-8, Joint National Training Center Program Office)
 - Great Plains Joint Regional Training Center opportunities for Joint/Total Force training curriculum
 - Range utilization by Active & Reserve Component units as well as funding for infrastructure/equipment requirements and training operations.
- Mr. Patrick O'Brian, Director of the Office of Economic Adjustment
 - BRAC funding, or other Federal funding sources for growth communities
 - Joint Land Use Studies

Ms. Libby Quint of my staff will serve as the point of contact in my office (202-224-4774) to coordinate with your staff on the details of this request. I greatly appreciate your support and would be grateful if your staff would communicate with my office as soon as possible regarding this matter.

With every best wish,

Sincerely,

Pat Roberts

United States Senate

COMMITTEE ON SMALL BUSINESS & ENTREPRENEURSHIP
WASHINGTON, DC 20510-6350

May 7, 2009

VIA FACSIMILE & FIRST-CLASS MAIL

Dr. Robert M. Gates
Secretary of Defense
U.S. Department of Defense
1400 Defense Pentagon
Washington, DC 20301-1400

RE: Department of Defense's Implementation of the American Recovery and Reinvestment Act

Dear Secretary Gates:

I am writing in reference to the American Recovery and Reinvestment Act of 2009 (ARRA) and the Department of Defense's efforts to quickly utilize and obligate ARRA funds to best meet the DOD's goals and those of the recovery effort. As the Chair of the U.S. Senate Committee on Small Business and Entrepreneurship, I would specifically like to highlight an option available to the DOD to use research and development funds from ARRA to directly fund projects derived from the Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs as they enter "Phase III." In addition to bringing attention to this important option, I have several questions regarding ARRA funds that I would like to submit for a response.

Small businesses have long been the engine of U.S. economic growth, generating 60 to 80 percent of net new jobs annually over the last decade. The SBIR and STTR programs allow small R&D firms – America's innovation lifeline – to create high-quality jobs and cutting-edge products. Consequently, we believe the SBIR and STTR programs are fundamental to our nation's economic recovery.

As you may know, currently 2.8 percent of the total extramural R&D budget at DOD, including funds from ARRA, must be allocated for competitive grants to small businesses through Phase I and II of the SBIR and STTR programs. An additional option to fund SBIR and STTR Phase III contracts does not come out of the SBIR/STTR allocation. Rather, the funds would come out of the larger R&D budget, the other 97 percent, and include work that derives from, extends, or logically concludes efforts performed under prior SBIR funding agreements.

There are a number of advantages to using this SBIR/STTR Phase III mechanism to help distribute the ARRA funds and further technology to reach our nation's energy goals. SBIR/STTR Phase III contracts can be awarded quickly, fairly, and transparently, in keeping with the spirit and the letter of the ARRA. Furthermore, the competition for SBIR/STTR Phase I and Phase II awards satisfies all statutory competition requirements.

OSD 05383-09



Therefore, a department that wishes to fund a SBIR/STTR Phase III project is not required to conduct another competition, or process a Justification and Approval (J&A) pursuant to FAR 6.302-5, in order to satisfy those statutory provisions. For these reasons, I encourage you to take advantage of it as often as possible in distributing the ARRA funds.

I would also like to respectfully request an accounting of how much of the R&D money DOD received from ARRA has been classified as extramural R&D. In addition, I would like to request information about how the DOD is implementing the SBIR and STTR programs under ARRA.

If you have any questions, please do not hesitate to contact me or have your staff contact Thad Inge at the Committee. I would appreciate a response to these questions by May 22, 2009. The response may be faxed to (202) 224-5619.

With warmest regards, I am

Sincerely,

A handwritten signature in cursive script that reads "Mary Landrieu". The signature is written in dark ink and is positioned above the printed name and title.

Mary L. Landrieu
Chair

MLL:twi

United States Senate

WASHINGTON, DC 20510

May 7, 2009

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

Dear Secretary Gates:

We are writing to request that you review the Department of Defense's continued application of congressionally authorized exceptions to the Berry Amendment relating to the procurement of para-aramid fibers and yarns, as well the procurement of fire-resistant rayon fiber, from foreign sources. The materials are used in the manufacture of body armor and fire-resistant uniforms, respectively.

The Berry Amendment requires the Department of Defense (DOD) to give preference in procurements to domestically produced, manufactured, or home-grown products—notably food, clothing, fabrics, and specialty metals. We believe that exceptions to this amendment allowing DOD purchases of para-aramid fibers and yarns, as well the procurement of fire-resistant rayon fiber, from foreign sources are no longer warranted owing to the availability of suitable materials in today's U.S. marketplace. The recent use of these exceptions is having an adverse impact on U.S. manufacturers and has undercut our policy of maintaining a strong and viable defense industrial base.

In 1998, partially due to limited domestic competition and a reliance on sole-source contracts, a statutory exception was created to the Berry Amendment to allow for purchases of para-aramid fibers and yarns from foreign sources. The statutory exception is only applicable when the Department makes a determination that procurement of para-aramid fibers and yarns from domestic sources will result in sole-source contracts or subcontracts. As a result of the exemption, the Department's purchases of para-aramid fibers and yarns have become increasingly dependent on foreign suppliers over the last decade. The marketplace has changed significantly in the last decade, however, and a variety of suitable materials now exist domestically.

Similarly, in 2008 a statutory exception was created for fire-resistant rayon fiber for the production of uniforms. This exception allowed the Department to procure fire-resistant rayon fiber for uniforms from foreign suppliers if a determination was made that either fire-resistant rayon fiber was not available domestically, or procuring such fiber domestically would result in sole-source contracts.

OSD 05413-09



In the short period during which this provision has been in effect, foreign suppliers have dramatically increased their market share. Currently, 90 percent of the fielded Flame Resistant Army Combat Uniforms are constructed of imported fiber. While environmental and other concerns have caused domestic sources to forego production of fire-resistant rayon fiber for uniforms, there are a variety of other fire-resistant fibers in today's domestic marketplace—some of which have out-performed rayon in evaluations for Army uniforms. As a result, the "rayon" exception is not relevant and should not apply to future procurements.

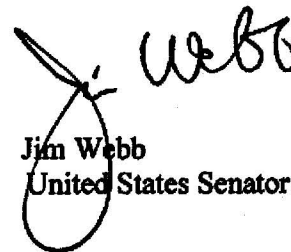
Congress has given the Secretary of Defense discretion to determine whether either exception should be used. However, current law mandates an annual review by the Secretary of Defense. We believe that a departmental review will clearly document why these exceptions to the Berry amendment should no longer be applied for defense-related procurements. It is our strongly held view that the para-aramid fibers and yarns exception is no longer valid, and that the fire-resistant rayon fiber exception is no longer useful. For the reasons noted above, we urge you not to apply either Berry amendment exception to future procurements involving these items.

We look forward to working with you to advance a more balanced policy that both promotes competition and preserves our ability to maintain and grow our domestic defense capabilities. Thank you for your consideration of this request.

Sincerely,



Lindsey Graham
United States Senator



Jim Webb
United States Senator

United States Senate

WASHINGTON, DC 20510-4502

May 5, 2009

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

Dear Secretary Gates:

I deeply appreciate your attention to ensuring that our troops on the ground in Iraq and Afghanistan have adequate protection, whether from small arms ambushes or roadside bomb attacks. There is no more important priority than the safety of our deployed personnel, and I would very much like to work with you on a vital initiative in this realm: the speedy development and fielding of the MRAP All Terrain Vehicle (MRAP ATV).

As you know, Afghanistan is a particularly difficult environment for large armored vehicles like the MRAP, because of that country's mountainous terrain and lack of paved roads. There is a strong need for a smaller, off-road armored vehicle that provides the same level of protection as an MRAP. The addition of U.S. forces in Afghanistan to help provide security and create an environment more conducive for political reconciliation makes the need for a smaller, well-armored vehicle that much greater. The 86th Infantry Brigade Combat Team (Mountain) from the Vermont National Guard will arrive in Afghanistan early next year, and it would be helpful if this unit and all U.S. forces were to begin receiving the MRAP ATV as soon as possible.

The Department of Defense has an aggressive development schedule with a production decision in late June of this year. I would like to work with you to ensure this acquisition program remains on track. I would also like to work with the Department to find ways to accelerate the production program to ensuring that all units who may need this equipment in the Afghanistan theater have these assets as soon as possible.

I look forward to discussing this crucial program with you in the very near future. Thank you again for your intelligent, energetic, and far-reaching leadership of the Department of Defense.

Sincerely,



PATRICK LEAHY
United States Senator



ORRIN G. HATCH
UTAH

JACE JOHNSON
CHIEF OF STAFF

104 Hart Senate Office Building

TELEPHONE: (202) 224-5251
TDD (202) 224-2849
FAX: (202) 224-6331

Website: <http://www.senate.gov/~hatch>

United States Senate

WASHINGTON, DC 20510-4402

COMMITTEES:

FINANCE

JUDICIARY

HEALTH, EDUCATION,
LABOR, AND PENSIONS

INTELLIGENCE

JOINT COMMITTEE
ON TAXATION

February 26, 2009

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

Dear Deputy Secretary Lynn:

Congratulations on your confirmation!

I appreciate the time you took out of your confirmation schedule to meet with me and look forward to working with you on the challenging issues that face our nation. In addition, I have taken the liberty of attaching a copy of my remarks supporting your confirmation. However, I would like to take this opportunity to reiterate and expand upon the points that I made during our meeting and ask additional questions as to the Administration's position on a number of pressing issues.

The F-22 Raptor

As you know, one of the major decisions that soon will confront the Administration is whether to continue the production of the F-22. The strong bi-partisan support for the F-22 is merited by the unique and exceptional capabilities of this aircraft. This aircraft will ensure our nation's air dominance for the next forty years as well as guaranteeing our ability to defeat one of the major threats of the future: the advanced anti-access air defense system. It is my profound hope that the Department will allocate funding to procure a sufficient number of F-22s to equip each Air Expeditionary Force with a full strength squadron of Raptors.

Therefore, will the President authorize the continued production of the F-22 and what number of aircraft does the Department hope to procure?

Our Depot Maintenance System

Our nation's depot maintenance system has made remarkable progress over the last few years. From Fiscal Year 2004 to Fiscal Year 2008, our Air Force Depots maintained a 96 percent on time or ahead of schedule delivery rate. For example, at Hill Air Force Base's Ogden Air Logistics Center, the A-10 Precision Engagement Program has reduced labor costs by 38 percent and the time allocated to repair F-16 wings has been reduced by 49 percent.

OSD 05517-09



The foundation for these depot maintenance achievements are the laws 10 USC §2460 and 10 USC §2464, commonly known, respectfully, as 50/50 and Core. As you know, these laws state that 50 percent of all depot maintenance must be performed by government workers at a government-owned facility. Core requires that the Department to maintain a core organic depot maintenance capability.

Therefore, will the Department continue to support the 50/50 and Core laws as currently written and interpreted?

Maintaining Our Strategic Deterrent Industrial Base

For a generation, the Minuteman Intercontinental Ballistic Missile ("ICBM") has served as the backbone of the nation's strategic deterrent force. Unfortunately, under the current plan of record, our nation, for the first time in over 40 years, will cease production of land-based ICBMs. Clearly, this raises fears as to the ability of the United States to maintain a land-based solid rocket motor industrial base.

The Congress has sought a legislative remedy to this issue. A Senate amendment, that I wrote, authorizing the Air Force to create a solid rocket motor life extension program was cleared by the majority and minority of the Senate Armed Services Committee for inclusion in the Fiscal Year 2009 National Defense Authorization Act's "manager's package."

Unfortunately, due to the lack of a unanimous consent agreement on a procedural issue, the entire "manager's package" was not included in the bill before final passage. However, the defense appropriations conferees did include report language in its legislation that stated "...the Air Force is encouraged, at a minimum, to continue a warm line status for Minuteman III propulsion systems and to use funds provided for Fiscal Year 2009 to initiate a Minuteman III motor life extension program." In addition, Chairman Inouye and Vice Chairman Cochran of the Senate Defense Appropriations Subcommittee wrote to the Air Force on September 26, 2008 urging "the Air Force to provide funding in order to maintain a land-based solid rocket motor industrial base." Accordingly, I have been informed, that the Air Force is constructing a proposal to procure additional solid rocket motors this fiscal year and six sets of motors a year for the next five years.

Does the Department support a plan for maintaining our land-based ICBM solid rocket industrial base? If not, how does the Department intend to sustain this vital national capability? With the existing production lines beginning to close in March, will the Department provide Fiscal Year 2009 funding to maintain our solid rocket motor industrial production capability?

The Tanker Recapitalization

Three years ago, during a trip to each of our nation's three Air Force Depots, I was extremely concerned to find that our KC-135s were literally falling apart due to extensive metal fatigue and corrosion. In particular, I will always remember, during one of the stops at Tinker Air Force Base, how one of the workers was able to peel apart, like tissue paper, critical aluminum KC-135 parts. Accordingly, I founded, with Senator Kent Conrad, the Senate Tanker Caucus. The Caucus is a bipartisan organization whose purpose is to assist the Department and

Air Force in its role of efficiently procuring whichever aircraft best meets the requirements of our National Military Strategy. Obviously, the failure of recent efforts to procure a new tanker has been disconcerting to members of the Caucus, especially as the KC-135 is rapidly approaching its 50th year in service.

What are your plans to restart the tanker procurement competition and what is your timeline for fielding a 21st century tanker?

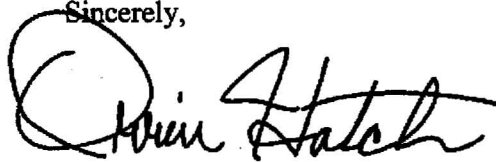
Missile Defense

With the proliferation of ballistic missile technology and the testing of these systems by Iran and North Korea, the need to protect our nation and our allies from a ballistic missile attack has never been greater. Accordingly, I strongly supported the operational deployment of our current limited missile defense system.

Do you support the current plans to expand the capabilities and size of our missile defense system? What are your thoughts concerning the Ground Based Mid-Course Interceptor and the Kinetic Energy Interceptor concept?

Thank you for your attention to these matters and I look forward to reading your response to my questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Orrin Hatch", with a large circular flourish on the left side.

Orrin G. Hatch
United States Senator

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COMMITTEE ON APPROPRIATIONS

WASHINGTON, DC 20510-6025

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CHARLES J. HOUY, STAFF DIRECTOR
BRUCE EVANS, MINORITY STAFF DIRECTOR

May 14, 2009

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

Dear Secretary Gates:

We know that you share our concern that the Air Force tanker fleet is aging and needs to be replaced. Given the current challenges associated with awarding this contract, we plan to carefully review all options to begin replacing the tanker fleet expeditiously.

The competing contractors have provided their cost estimates associated with a dual award of 360-plus aircraft. We do not have equivalent estimates from the Department of Defense. As you can understand, it is critical that we have the best DOD cost information available during the Defense Subcommittee examination of the program in the fiscal year 2010 budget request.

Therefore, within 45-days, we request that you provide the Committee with a Cost Analysis Improvement Group estimate of the life cycle costs associated with the development, procurement, and operation and sustainment of a dual source acquisition of 360 tankers (a combined purchase of KC-X and KC-Y aircraft) with annual competitive awards.

We thank you in advance for your cooperation on this matter and look forward to working together with you as we continue our review.

Sincerely,



Thad Cochran
Vice Chairman



Daniel K. Inouye
Chairman

OSD 05532-09



JOHN F. KERRY, MASSACHUSETTS (Chairman)

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BARBARA BOXER, CALIFORNIA
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DAVID M. KEAN, STAFF DIRECTOR
KENNETH A. MYERS, JR., REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

May 7, 2009

Mr. Christian P. Marrone
Assistant Secretary of Defense
For Legislative Affairs (Acting)
The Pentagon
Washington DC

Dear Mr. Marrone:

On April 23, 2009, I introduced S. 873, the Nunn-Lugar Cooperative Threat Reduction Improvement Act of 2009. It has been referred to the Committee on Armed Services.

The proliferation of weapons of mass destruction remains the number one national security threat facing the United States and the international community. The Nunn-Lugar Program has become the primary tool through which the United States works to safely destroy nuclear, chemical, and biological warfare capacity. Through Nunn-Lugar, the United States has eliminated more nuclear weapons than the combined arsenals of the United Kingdom, France, and China. I am delighted that President Obama made the Nunn-Lugar Program such a high profile issue during his campaign. In 2005, then-Senator Obama and I traveled to Russia to see the Nunn-Lugar Program in action. We visited the Russian nuclear warhead storage facility at Saratov and the mobile missile dismantlement facility near Perm. This experience gives him a unique vantage point to take important steps to revitalize and expand the program.

In 2008 the National Defense Authorization Act requested that the National Academy of Sciences compile a report on ways to strengthen and expand the Nunn-Lugar Program. The report argues persuasively that the program should be expanded geographically, updated in form and function and supported as an active tool of foreign policy. Nunn-Lugar must become less cumbersome and bureaucratic and more agile, flexible, and responsive to ensure timely contributions across a larger number of countries.

Most of the recommendations do not require legislation but rather simple management improvements. My bill, S. 873, focuses on two recommendations that require Congressional authorization: (1) the provision of limited "notwithstanding authority" to give flexibility for future engagements in unexpected locations and (2) creation of a Cooperative Threat Reduction Partnership Account to permit the Secretary to accept funds from any person, foreign government, or international organization to accomplish nonproliferation and disarmament goals. In addition the bill urges that the program engage the Unified Combatant Commands to ensure full coordination and effective program implementation.

The Nunn-Lugar Program has made critically important contributions to U.S. national security through the elimination of strategic weapons systems and platforms arrayed against us.

OSD 05567-09

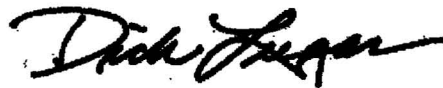


Even as the threat changes, I am confident that it can continue to serve U.S. interests with the right leadership and direction. My goal is to provide the program with the tools it needs to continue to be successful.

I ask that the Pentagon review the policy aspects and implications of the legislation and share its views on the impact of my legislation on the Department's non-proliferation and counter-WMD policy priorities. I have attached a copy of the legislation and the statement of introduction that I delivered on April 23.

Thank you for your assistance and I look forward to your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Dick Lugar", with a stylized flourish at the end.

Richard G. Lugar
Ranking Member

RGL/kmk

Congress of the United States

Washington, DC 20515

May 7, 2009

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

Dear Secretary Gates:

We are writing you in regard to your April 10, 2009, announcement that the decision to establish a second nuclear aircraft carrier homeport at Naval Station Mayport, Florida, would be further reviewed within the 2010 Quadrennial Defense Review (QDR).

Just four months ago, the Department of the Navy concluded an exhaustive two and a half year study weighing the strategic, operational and environmental consequences of upgrading Naval Station Mayport to homeport a nuclear carrier. This study concluded that indeed Naval Station Mayport should homeport a nuclear carrier, and the upgrades must be done since consolidating ALL nuclear carrier homeporting and maintenance in one East Coast location greatly hampers the Navy's strategic options.

Prior to 2007, the Navy had operational flexibility on the East Coast with carriers stationed both at Naval Station Norfolk and Naval Station Mayport. However the Navy lost this flexibility with the decommissioning of the last East Coast conventional carrier in 2007. In order to reduce risk to the Atlantic Fleet carrier force and restore the proper balance to the Navy, Naval Station Mayport must be upgraded to homeport nuclear aircraft carriers. On the West Coast, nuclear carriers and maintenance facilities are spread among three homeports. In fact, in a December 2008 letter to Senator Jim Webb, you reinforced the concept of strategic dispersal stating, "Having a single CVN homeport has not been considered acceptable on the west coast and should not be considered acceptable on the east coast."

The facts are simple -- the Norfolk area is the only east coast port in which nuclear aircraft carriers are repaired, built and housed. If tragedy, man-made or nature-related....intentional or accidental, rendered Norfolk out of reach the Navy would be forced to journey around the tip of South America to reach another nuclear aircraft carrier maintenance facility in San Diego, CA. While some would like to believe this is an acceptable back-up plan, common sense demands otherwise.

Time and time again, aircraft carriers have proven to be key to the execution of our national security strategy. We believe as access to overseas land bases continues to decrease, the Navy's aircraft carriers will be more and more important. The Navy has alternate homeporting and maintenance options for all ships on the East Coast except aircraft carriers, its most valuable assets. The total costs for permanently homeporting a nuclear aircraft carrier at Mayport is less than 1% of the cost of the nuclear carrier fleet. While the cost is not inconsequential, when weighed against the possible risks to our carrier fleet, upgrading Mayport to homeport nuclear

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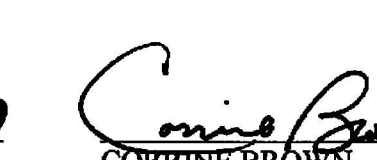



carrier is a sound national security expense. The Department MUST make this investment in Naval Station Mayport to provide flexibility to the Combatant Commanders and protection to some of the nation's most valuable assets.




We expect the QDR will reaffirm your decision and honor the considered professional military judgments and recommendations of senior DOD and Navy leadership who all recommend establishment of a nuclear homeport and maintenance facility at Naval Station Mayport. A second such port on the East Coast not only protects our military personnel and naval assets, but also strengthens our national security and the defense of all Americans. In addition, the Navy prides itself in its meticulous approach to nuclear power and to not have an additional nuclear maintenance facility on the East Coast departs from that approach. These points alone make the establishment of a second East Coast nuclear homeport essential for our national security and our sailors' quality of life.


Sincerely,

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|  BILL NELSON United States Senator |  MEL MARTINEZ United States Senator |  ANDER CRENSHAW Member of Congress |
|---|--|--|

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|  BILL YOUNG Member of Congress |  CORRINE BROWN Member of Congress |  JEFF MILLER Member of Congress |
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|  ALLEN BOYD Member of Congress |  JOHN MICA Member of Congress |  CLIFF STEARNS Member of Congress |
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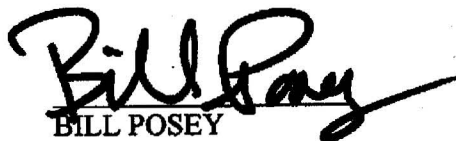

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Member of Congress



GUS BILIRAKIS
Member of Congress


KATHY CASTOR
Member of Congress


ADAM PUTNAM
Member of Congress



VERN BUCHANAN
Member of Congress


BILL POSEY
Member of Congress


ILEANA ROS-LEHTINEN
Member of Congress

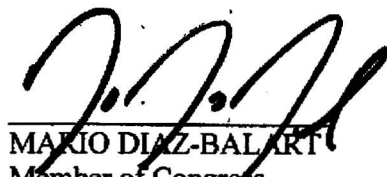

ROBERT WEXLER
Member of Congress

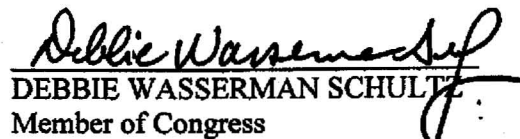

LINCOLN DIAZ-BALART
Member of Congress



RON KLEIN
Member of Congress


ALCEE HASTINGS
Member of Congress


SUZANNE KOSMAS
Member of Congress


MARIO DIAZ-BALART
Member of Congress


DEBBIE WASSERMAN SCHULTZ
Member of Congress


ALAN GRAYSON
Member of Congress

cc: The Honorable B.J. Penn, Acting Secretary of the Navy
Admiral Gary Roughead, Chief of Naval Operations

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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

May 12, 2009

The Honorable Peter R. Orszag
Director
Office of Management and Budget
1650 Pennsylvania Avenue, NW
Washington, DC 20503

Dear Director Orszag:

We write to make you aware of security clearance reform efforts undertaken to date and to urge you to continue those efforts.

As you may be aware, we have long been interested in reforming the security clearance process because the Government Accountability Office (GAO) has documented problems with the Department of Defense's (DoD) personnel security clearance program since the 1990s, going so far as to declare the program a systemic weakness affecting DoD and other federal agencies in 2002. GAO added the DoD personnel security clearance program to its high-risk list in 2005, and the program remains on that list today.

Because of these and other issues, Congress has worked for many years on a bi-partisan basis to address security clearance issues across the federal government. For example, in 2003 Congress transferred DoD's personnel security investigative function to the Office of Personnel Management (OPM) as part of the *FY2004 National Defense Authorization Act* in an effort to improve the security clearance investigation process. Additionally, in 2004 Congress called for substantial changes to the security clearance process in the *Intelligence Reform and Terrorism Prevention Act* (IRTPA). Among other things, IRTPA required the President to select a single agency or office to oversee the security clearance process across the federal government, implement uniform policies regarding the security clearance process, ensure reciprocal recognition of security clearances among agencies, evaluate the use of technology to expedite security clearance processes, and develop a plan to reduce the length of the security clearance process.

In 2005, President Bush issued Executive Order 13381 in furtherance of IRTPA requirements. That order designated the Office of Management and Budget (OMB) as the executive branch agency responsible for setting policy for the security clearance process and required annual reports on implementation of IRTPA and the Executive Order.

OSD 05660-09



Letter to Director Orszag
May 12, 2009
Page 2

Additionally, in 2008 President Bush issued a "Memorandum for the Heads of Executive Departments and Agencies and the Assistant to the President for National Security Affairs regarding Security Clearances" in furtherance of IRTPA. That memorandum directed OMB, the Department of Defense, OPM, the Director of National Intelligence, and the Office of the Assistant to the President for National Security Affairs (collectively, the Joint Reform Team) to produce a comprehensive security clearance reform proposal by April 30, 2008. Such a proposal was produced and recommended a new Executive Order to ensure fitness reciprocity and reinvestigation; a modified Standard Form 86 application to seek more relevant information and support continuous evaluation of cleared individuals; a new strategy to ensure that standard and criminal record checks are conducted to mitigate gaps in automated searches; a new strategy to improve the accessibility of federal investigative records; standardized training and certification for security professionals; a single-search automated interface for verification of existing investigations, eligibility, and access to classified information; an automated process to validate investigations requested, investigations conducted and costs billed by investigative services; and the deployment of electronic fingerprint stations. The Joint Reform Team also recommended that an Executive Order be issued to establish a new governance structure to coordinate hiring and clearing processes.

As a result of these recommendations, in 2008 President Bush issued Executive Order 13467, which names OPM as the executive agent responsible for overseeing investigations and adjudications for employment suitability and the Director of National Intelligence as the executive agent responsible for overseeing investigations and adjudications for security clearances. Executive Order 13467 also established the Suitability and Security Clearance Performance Accountability Council (PAC), responsible to the President for achieving reform goals, measuring agency performance, holding agencies accountable, and establishing information technology requirements.

We firmly believe that each of the above-referenced Executive Orders and actions were undertaken in furtherance of statutory requirements and are important and valuable efforts to reform the security clearance process across the federal government as mandated by IRTPA. Additionally, we believe these efforts are necessary steps towards removing the DoD personnel security clearance program from GAO's high-risk list. Therefore, we strongly urge you to continue and build upon these efforts, including by approving the modification of Standard Form 86 that was delivered to OMB on December 31, 2008. We would appreciate an update from you on what OMB has done in furtherance of IRTPA to reform the security clearance process since January 20, 2009.

Additionally, our Homeland Security and Governmental Affairs Subcommittee has held five hearings on security clearance reform efforts, with the most recent hearing occurring on May 22, 2008. We plan to hold a sixth hearing on this subject this summer, and we sincerely hope that OMB will be willing to participate in that hearing as it has in years past.

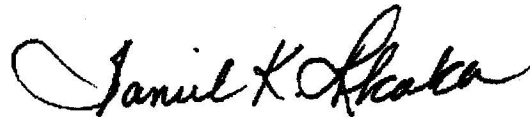
Letter to Director Orszag
May 12, 2009
Page 3

Thank you for your attention to this matter. We look forward to working with you on this and other important issues.

Sincerely,



George V. Voinovich
Ranking Member
Subcommittee on Oversight of
Government Management, the
Federal Workforce, and the
District of Columbia



Daniel K. Akaka
Chairman
Subcommittee on Oversight of
Government Management, the
the Federal Workforce, and the
District of Columbia

cc: The Honorable Robert M. Gates
Secretary
Department of Defense
1300 Defense Pentagon
Washington, DC 20301-1300

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

The Honorable John Berry
Director
Office of Personnel Management
1900 E Street NW
Washington, DC 20415

United States Senate

WASHINGTON, DC 20510

May 20, 2009

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

Dear Secretary Gates:

We are writing to relay our concerns about the lack of coordinated support for families of deployed National Guard and Reserve servicemembers and the Department of Defense's efforts to implement the National Guard Yellow Ribbon Reintegration Program.

Deployment causes substantial stress and anxiety for families. One-third of the respondents to a recent National Military Family Association survey reported problems with both the availability of community support and the lack of information available to them about the Department's services and benefits. A recent Defense Department report to Congress acknowledged these problems and noted that they are particularly acute for geographically isolated families of deployed National Guard and Reserve servicemembers.

A recent RAND study found similar problems--lack of efficient delivery of information about available services, shortage of staff, and poorly coordinated programs. RAND recommended concrete steps at all stages of the deployment cycle to address these problems.

The National Guard Yellow Ribbon Reintegration Program (YRRP) was created in the 2008 National Defense Authorization Act to address these problems like these. But the YRRP Advisory Board of the Department's Office for Reintegration Programs did not hold its first meeting until March 31, 2009, and progress on this front seems slow at best.

We know you share our view that the YRRP is an important initiative. Going forward, the Department can meet the important goals of the YRRP by implementing program elements that:

(1) Integrate, consolidate and proactively provide family-support information to families during all phases of the deployment cycle: pre-deployment, deployment, demobilization, and post-deployment reconstitution.

(2) Ensure that geographically isolated families receive location-specific information about the services available to them and information about the presence of other military families from the same and different services in their area. To do this, the Department might consider the feasibility of creating a cross-service database of families living in a particular locale, which would be available to these geographically isolated families.

(3) Focus at least as much effort on delivery of resources as volume of resources. Deliver tailored information to families at various "milestone" times during the deployment cycle.

OSD 05680-09



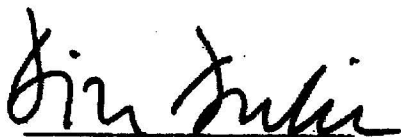
(4) Provide quality family-support services when the servicemember is cross-leveled into a unit that is based far from their family and their home station.

(5) Provide sufficient staffing for the "family readiness" organizations of the Military Services to ensure a more forward-leaning effort to provide family-support information to families during the entire deployment cycle.

(6) Consider the Findings and Recommendations of the referenced RAND study (*Deployment Experiences of Guard and Reserve Families: Implications for Support and Retention, 2008*), or equivalent sources, that focus on information and resource delivery problems.

After eight years of continuing conflict in Iraq and Afghanistan, we all agree on the need for a robust family-support program worthy of the sacrifices made by deploying servicemembers and their families.

Thank you for your attention and dedication to this effort to date. Please let us know if there are any legal obstacles or resource constraints that prevent full implementation of the Yellow Ribbon Reintegration Program. We look forward to working with you.



Richard J. Durbin
United States Senator

Sincerely,



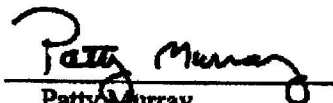
Christopher S. Bond
United States Senator



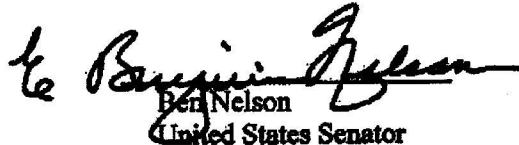
Barbara A. Mikulski
United States Senator



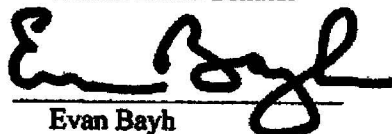
Jon Tester
United States Senator



Patty Murray
United States Senator



Ben Nelson
United States Senator



Evan Bayh
United States Senator

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LISA MURKOWSKI, ALASKA

United States Senate

COMMITTEE ON APPROPRIATIONS
WASHINGTON, DC 20510-6025
<http://appropriations.senate.gov>

CHARLES J. HOUY, STAFF DIRECTOR
BRUCE EVANS, MINORITY STAFF DIRECTOR

May 22, 2009

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

Dear Mr. Secretary:

As you are aware, the Government of Japan has been interested in purchasing F-22 aircraft for several years. At the request of the Committees on Appropriations, the Air Force has examined what it would cost to design and manufacture an export version of the F-22.

Using the information which was provided by the Air Force, I prepared the attached letter to the Japanese ambassador. I believe the Government of Japan is likely to be interested in purchasing the aircraft even at the relatively high price which has been estimated. I wanted you to know of my actions in this matter and therefore, am forwarding the letter for your review.

Sincerely,



Daniel K. Inouye
Chairman
Committee on Appropriations
Subcommittee on Defense

OSD 05793-09



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

OSD 06069-09



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.

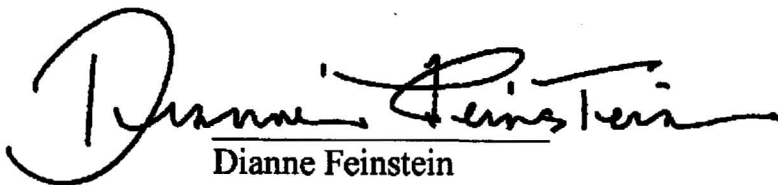
- **Site Specific Evaluations:** The military has produced extremely useful maps of California, Arizona and Nevada that designate areas in which the military effectively opposes wind energy development (red), areas where the DOD might have some concerns (yellow), and areas where DOD has no military concerns (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 foot 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.

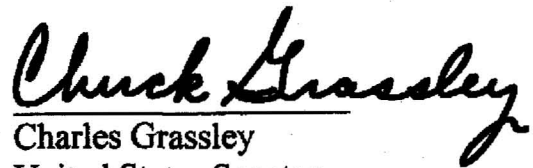
As you know, both global warming and our reliance on foreign sources of energy present economic and national security challenges to our country. Your Department rightfully focuses on its primary mission of protecting our national security, but we believe DOD could also play a more productive role. We 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



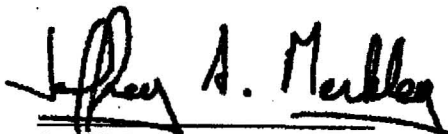
Richard J. Durbin
United States Senator



Tom Harkin
United States Senator



Max Baucus
United States Senator



Jeff Merkley
United States Senator

KIRSTEN E. GILLIBRAND
NEW YORK
SENATOR

RUSSELL SENATE OFFICE BUILDING
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WASHINGTON, DC 20510-3205
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COMMITTEES:
ENVIRONMENT AND PUBLIC WORKS
FOREIGN RELATIONS
AGRICULTURE
SPECIAL COMMITTEE ON AGING

United States Senate

WASHINGTON, DC 20510-3205

May 19, 2009

The Honorable Barack H. Obama
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500-0004

Dear President Obama:

I am very concerned about the expanding humanitarian crisis triggered by the military offensive by the Pakistani government against the extremist Taliban groups in the Swat valley and neighboring areas. We appreciate Pakistan's determination to end the oppressive and dangerous Taliban regime in those regions. We must ensure that we allocate sufficient funding to address the immediate crisis and the rebuilding that will be necessary to allow those people to return home while minimizing the possibility that extremist groups will again take root in those areas.

As you know, the number of Internally Displaced People (IDPs) is over one million and growing. Tens of thousands are in desperate need of immediate and urgent relief in terms of shelter, food, clothing and healthcare. Hundreds of thousands more have found shelter with their families, but their needs and the strain they put on those families likewise necessitate a strong response from the international community. Based on the funding required to address the more limited numbers of Pakistani IDPs in the past year, I understand that it may require as much as \$300 million to adequately address the relief operations for the current number of IDPs in the affected areas.

In addition to these immediate needs, I am sure you appreciate the need for a consistent and adequate commitment to rebuilding the affected regions of Swat, Federally Administered Tribal Areas (FATA) and neighboring regions, as well as other areas of Pakistan. The Taliban and attendant groups in Pakistan are losing their public appeal, while the latest actions of the Pakistani government have gained support of all major political parties in Pakistan as well as the majority of the people of Pakistan. We must capitalize on this shift in opinion to work with the Pakistani government and civil society in helping to rebuild and stabilize the north-west region and address issues such as supporting free media, encouraging the growth of women's rights, expanding educational opportunities, and other democracy and stability building programs throughout the country.

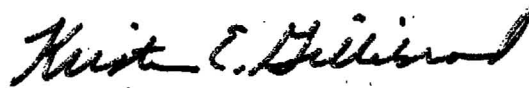
OSD 06092-09



As you have stated on several occasions, the United States is locked in a battle with the extremists for the hearts and minds of Muslims around the world. We showed our strong support for the people of Pakistan after the earthquake in the Northern regions in October 2005. Our assistance yielded positive attitudes toward the United States among the Pakistani people.

The assistance to Pakistan in the Fiscal Year 2009 supplemental appropriation currently before Congress will go a long way in strengthening Pakistan's constitutional democracy and addressing its developmental needs. But the United States must take immediate action to demonstrate to the 170 million people in Pakistan that our goal is to work with them to achieve a peaceful, stable and prosperous Pakistan for all its citizens.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Kirsten E. Gillibrand". The signature is fluid and cursive, with the first name "Kirsten" being more prominent.

Kirsten E. Gillibrand

CC: Secretary of State Hillary Rodham Clinton
Secretary of Defense Robert Gates ✓
General (Ret.) James Jones, National Security Advisor
Ambassador Richard C. Holbrooke, Special Representative to Afghanistan and
Pakistan
General David Petraeus, Commander, U.S. Central Command

MARK BEGICH
ALASKA

COMMITTEE ON ARMED SERVICES

COMMITTEE ON
COMMERCE, SCIENCE AND TRANSPORTATION

COMMITTEE ON VETERANS' AFFAIRS

SUITE SH-825
HART BUILDING
WASHINGTON, DC 20510
(202) 224-3004

United States Senate

WASHINGTON, DC 20510

May 21, 2009

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

Dear Secretary Gates:

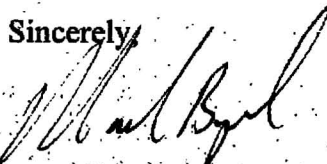
Thank you for your willingness to meet with several senators Wednesday morning to discuss our concerns regarding proposed reductions in several defense systems, including ground-based interceptor missiles in Alaska. I very much appreciate your time to further explain the administration's thinking on modernizing our nation's defense posture.

I was heartened by your commitment to the ground-based missile defense system, a portion of which is based in my state at Fort Greely. As you know, many members of the Senate believe this system is a proven component of our defense capabilities. Recent missile launches by North Korea and Iran make this system even more vital.

As we discussed, I look forward to your department's further amplification on the role of the system in America's overall defense posture, the robust testing program you have already endorsed and the overall maintenance of the Fort Greely-based missiles to ensure they are capable of addressing threats to our state and nation.

Thank you also for your willingness to travel to Alaska to address in-person Alaska's servicemen and women who are so ably protecting our country.

Sincerely,



Mark Begich
United States Senator

OSD 06093-09



United States Senate

WASHINGTON, DC 20510

May 18, 2009

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

Dear Mr. President:

As you know, the humanitarian crisis in Pakistan's North West Frontier Province, which is the result of increased fighting between the Pakistan Army and militants, is reaching historic and catastrophic proportions. Over one million people have already been displaced, in what is believed to be the single largest civilian migration in the region since the 1947 Partition. Worryingly, the numbers of displaced are continuing to grow. We must help the Pakistani government protect the civilian population while fighting continues and provide assistance to the displaced to ensure this crisis does not lead to greater unrest throughout the rest of the country.

United Nations officials have called for a "massive international effort" to address the crisis, warning that absent such an effort, it will be "absolutely impossible" to provide assistance. Reports indicate that there are significant gaps in the basic assistance currently being provided, including food, water, shelter, and sanitation. In addition, some 80 to 90 percent of those displaced are relying on the hospitality of family and friends already under strain from the global economic crisis.

We are deeply concerned that if not adequately addressed, the crisis could undermine the Pakistani government and compromise our ability to help stabilize the country. We note with concern that the media is reporting the charity wings of designated terrorist organizations such as Lashkar-e-Taiba are already rushing to provide assistance in the absence of a sufficient government response.

For this reason, we are writing to urge you to work in full partnership with the Government of Pakistan to mount an immediate U.S. response that addresses both the short-term and long-term needs of the displaced. We believe that nothing less than an immediate, large-scale response that mobilizes the resources of the entire U.S. government, as well as the private sector, is required to ensure the Pakistani people receive the help they need.

As we saw in the aftermath of the 2004 tsunami in Southeast Asia and the 2005 earthquake in northern Pakistan, the United States possesses unique capabilities to provide swift and effective aid for civilian populations suffering from unprecedented

OSD 06103-09



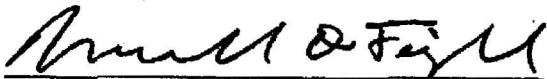
United States Senate

WASHINGTON, DC 20510

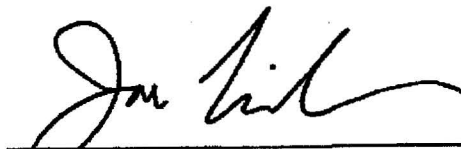
humanitarian crises. We believe that we have both a moral and strategic imperative to help provide an immediate response to the crisis unfolding in Pakistan.

We thank you for your attention to this urgent and critical matter.

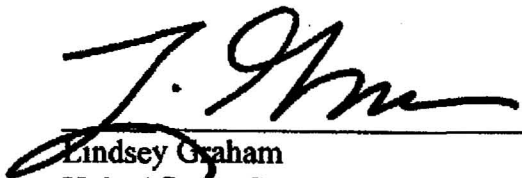
Sincerely,



Russell D. Feingold
United States Senator



Joseph I. Lieberman
United States Senator



Lindsey Graham
United States Senator



Robert P. Casey Jr.
United States Senator



Jon Kyl
United States Senator

CC: Secretary of State Hillary Rodham Clinton
Secretary of Defense Robert Gates ✓
General (Ret.) James Jones, National Security Advisor
Ambassador Richard C. Holbrooke, Special Representative to Afghanistan and Pakistan
General David Petraeus, Commander, U.S. Central Command

MICHAEL F. BENNET
COLORADO

COMMITTEES:

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BANKING, HOUSING, AND
URBAN AFFAIRS

HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS

SPECIAL COMMITTEE ON AGING

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May 23, 2009

The Honorable Robert Gates
Secretary of Defense
1300 Defense Pentagon
Washington, DC 20301-1300

Dear Secretary Gates:

On behalf of the 4,500 employees at Memorial Health System and the 140,119 TRICARE beneficiaries who live in Colorado Springs, Colorado, I write to ask your assistance in Memorial Health System's efforts to obtain approval for a three-year Temporary Military Contingency Payment Adjustment (TMCPA). A TMCPA would allow the system to continue to provide quality care to the TRICARE population of Colorado Springs.

Memorial Health System is a 600 plus bed acute care health and hospital system that serves an area in which there are five military installations: The United States Air Force Academy, Peterson Air Force Base, Shriever Air Force Base, Cheyenne Mountain Air Force Station, and Fort Carson. Due to a severe shortage of TRICARE providers in Memorial Health System's service area, Memorial is the largest nonmilitary provider for the TRICARE population in the western region, as well as the largest provider of Emergency Department and Urgent Care services in the Colorado Springs area. In 2008, Memorial Health System provided over 45,000 patient visits to the TRICARE population and provided care for 149 babies.

Additionally, with this an arrival of an additional 7,000 troops and their families from the 4th Infantry Division moving from Fort Hood, Texas to Fort Carson this summer, demand for these military families at Memorial Health System is only going to increase.

While I understand the Department of Defense's desire to adopt a TRICARE outpatient prospective payment system (OPPS) that is more in line with Medicare rules, I am concerned that imminent implementation of this adjustment will be financially crippling for Memorial Health System. Without a TMCPA, Memorial Health System's TRICARE reimbursement will be reduced by over \$10 million, and the facility will have to consider limiting both access to the types of care it delivers to its TRICARE population, and potentially the amount of healthcare workforce available to serve these military families.

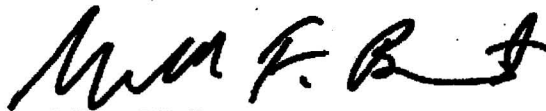
OSD 06306-09



Granting Memorial Health System a TMCPA is essential to making sure our military families receive the high-quality care they need and deserve. With a gradual transition to the TRICARE outpatient prospective payment system, Memorial could continue its mission of helping to keep our military ready and prepared for future challenges. On behalf of these families, I thank you for your attention to this matter and urge you to grant this adjustment.

Thank you for your leadership and commitment to our nation's men and women in uniform.

Sincerely,

A handwritten signature in black ink, appearing to read "M. F. Bennet", with a stylized flourish at the end.

Michael F. Bennet
United States Senator

United States Senate

WASHINGTON, DC 20510

June 2, 2009

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

Dear Secretary Gates,

We are writing on behalf of the 94th Infantry Division, which valiantly fought during the European campaign of World War II. In April 1945, the Division came across a concentration camp near Velbert, Germany containing hundreds of dying prisoners, and was relieved by a medical unit that cared for the prisoners who were in dire need of medical attention.

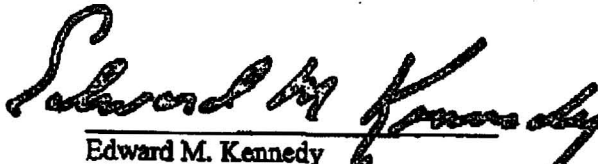
Despite the fact that the 94th Infantry Division was the first Allied unit to enter the camp, it has not yet been recognized as an official liberating unit of World War II. The Division hopes very much to be approved for liberation status, so that its flag can be flown at the Holocaust Museum. We understand that the Division has complied with all of the necessary guidelines established for such status by the United States Center for Military History, and have the personal accounts of two soldiers who served in the unit at that time - Edward Cowley and Thomas Manthey.

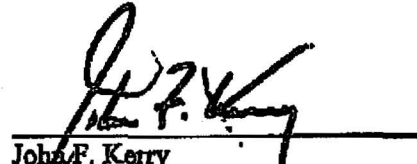
We respectfully request that the 94th Infantry Division be considered by the Department for liberation status, and any appropriate assistance or consideration that you can provide would be greatly appreciated. If you have any additional questions or concerns, please have your staff contact Tristan Takos in Senator Kennedy's office at (617) 565-4471, or Brady Van Engelen in Senator Kerry's office at (202) 224-2742.

Thank you for your consideration in this matter.

With respect and appreciation,

Sincerely,


Edward M. Kennedy
United States Senator


John F. Kerry
United States Senator

OSD 06356-09



ORRIN G. HATCH
UTAH

JACE JOHNSON
CHIEF OF STAFF

104 Hart Senate Office Building

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FAX (202) 224-6331

Website: <http://www.senate.gov/~hatch>

United States Senate

WASHINGTON, DC 20510-4402

June 8, 2009

COMMITTEES:

FINANCE

JUDICIARY

HEALTH, EDUCATION,
LABOR, AND PENSIONS

INTELLIGENCE

JOINT COMMITTEE
ON TAXATION

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.

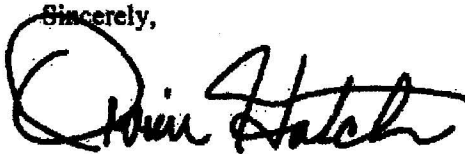
I was delighted to learn of the Department's commitment to our depot maintenance system by "compli[ying] with the 50/50 and Core laws as currently written and interpreted." As you know, the Congress, on a bipartisan basis, has worked with the Department over the past several years to recapitalize our 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

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OSD 06447-09



JOSEPH I. LIEBERMAN
CONNECTICUT

COMMITTEES:
ARMED SERVICES
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
SMALL BUSINESS

United States Senate
WASHINGTON, DC 20510-0703

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HOME PAGE:
<http://lieberman.senate.gov>

June 10, 2009

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

Dear Mr. Secretary,

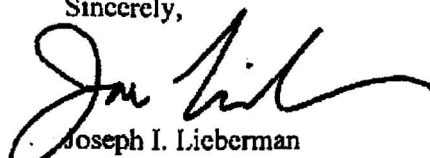
I read with great interest your speech to the Association of American Universities on April 14, 2008. On that occasion you noted the potential of the records of Saddam Hussein's Ba'athist regime, captured by American forces in 2003, to provide us "unprecedented insights" into the workings of dictatorial 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



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|-------------------|----------------------|-----------------|--------------------|-----------------|
| SECDEF | DEPSECDEF | ASST | EXECSEC | USDP |
| USDI | ESD | OSD | CBLCH | FILE |

1 A /

PATTY MURRAY
WASHINGTON

United States Senate

WASHINGTON, DC 20510-4704

COMMITTEES:
APPROPRIATIONS
BUDGET
HEALTH, EDUCATION, LABOR
AND PENSIONS
RULES AND ADMINISTRATION
VETERANS' AFFAIRS

June 4, 2009

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

Dear Secretary Gates:

I write to urge you to act immediately to protect the jobs of people with severe disabilities working on the Department of Defense (DoD) service contracts under the AbilityOne Program. Specifically, I ask that you;

1. Reaffirm the moratorium on conversions set forth in the December 29, 2004, Memorandum wherein Under Secretary of Defense Chu states, *DoD NAFIs shall not enter into contracts or agreements with DoD elements or other Federal Departments, Agencies, or instrumentalities for the provision of goods and services that will result in the loss of jobs created pursuant to the Randolph Sheppard Act, the Javits-Wagner-O'Day Act, or small business programs until a policy solution can be reached that encourages job creation;*
2. Request that the AbilityOne Program be part of the Air Force solution; and,
3. Provide notification that responses to date from Arthur Meyers, principal Director, Military Community and Family Policy, do not fully address the above two issues.

I support the DoD Food Transformation effort where it results in higher quality and efficiency to service members and lower costs. However, given the potential impact this challenge could have on the employment of thousands of people with severe disabilities in the AbilityOne Program, I strongly urge the DoD to coordinate with AbilityOne representatives to develop a policy solution that encourages job creation through both the MWR and the AbilityOne Programs. This is a crucial step to incorporate the best thinking to resolve this issue, particularly when jobs for people with severe disabilities are so rare, reflecting an unemployment rate unparalleled by any other demographic sector of our society.

Thank you for your early consideration of this urgent request. If you have any questions on this issue, please contact Crystal Bridgeman at (202) 224-2621 in my office.

Sincerely,


U.S. Senator Patty Murray

OSD 06541-09



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JIM WEBB
VIRGINIA

WASHINGTON OFFICE:
WASHINGTON, DC 20510
(202) 224-4024

COMMITTEE ON
ARMED SERVICES
COMMITTEE ON
FOREIGN RELATIONS

COMMITTEE ON
VETERANS' AFFAIRS

JOINT ECONOMIC COMMITTEE

United States Senate

WASHINGTON, DC 20510-4605

June 11, 2009

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

Dear Secretary Lynn,

During your confirmation hearing in January, you agreed to review the Navy's proposal to homeport a nuclear-powered aircraft carrier in Mayport, Florida, as part of the Quadrennial Defense Review. I appreciate your making this commitment. My purpose in writing is to request that this review consider new information regarding the Department of the Navy's fiscal year 2010 budget request revealed by Admiral Roughead, the chief of naval operations, during a hearing last week before the Senate Committee on Armed Services. This input updates the comprehensive critical assessment of the Navy's plan that I forwarded to you and Under Secretary Flournoy in January.

I was struck by the growing level of risk that Admiral Roughead identifies in several Navy warfighting and shore readiness areas. In his prepared statement, a copy of which I have enclosed for your information, he states:

- The Navy is "stretched in our ability to meet additional operational demands."
- The risk in the areas of warfighting, personnel, and force structure is "moderate today trending toward significant in the future."
- "Future shore readiness ... is at risk."
- The continued decrease in the number of strike-fighter tactical aircraft "will affect the capacity and effectiveness of our air wings." (One estimate places this shortfall at 125 aircraft by 2015. Other estimates range as high as 220 aircraft in successive years.)

I do not recall a starker assessment of the operational risks facing the Navy since then-CNO Admiral Thomas Hayward testified in 1979 that the Navy possessed a one-and-a-half-ocean Navy for a three-ocean requirement.

The Navy has justified relocating an aircraft carrier to Mayport as "a hedge against a catastrophic event in Hampton Roads." Contrary to Admiral Roughead's assessment of the real risk facing the Navy at sea and ashore, however, the Navy has described the risk of a future catastrophic event in Hampton Roads as "small." Moreover, the Navy has stated, "No clear, credible threat distinguishes one homeport from the other." In short, a risk-based resource allocation methodology will document that the Navy's homeporting proposal for Mayport, Florida, is not a sound investment.

OSD 06636-09



Regarding shore readiness, Admiral Roughead testified, "... Maintenance and recapitalization requirements have grown, and the cost of ownership for our shore infrastructure has increased. At current investment levels, our *future shore readiness*, particularly recapitalization of our facilities infrastructure, *is at risk*."

The Navy documented the full dimension of this growing problem to my staff earlier this year. In January, the Navy acknowledged it has a \$28 *billion* backlog in shore facility restoration and modernization—documented projects to repair or modernize taxiways, high-explosive magazines, hangar roofs, piers, waterfront-support buildings, galleys, and other facilities.

In particular, the growing funding backlog for necessary sustainment, restoration, and modernization projects at the Navy's four naval shipyards is cause for alarm in light of their work on nuclear-powered ships. Last November, the Navy said the backlog was \$791 million. Last month, I was informed that the shortfall had grown to \$1.3 billion, broken out as follows:

- Puget Sound Naval Shipyard: \$327.2 million
- Norfolk Naval Shipyard: \$450.6 million
- Pearl Harbor Naval Shipyard: \$312.6 million
- Portsmouth Naval Shipyard: \$206.4 million

At the same time that the Navy is not properly maintaining its existing shipyard infrastructure, workers from these yards are periodically rotated to Guam and Diego Garcia to conduct depot-level maintenance on forward-deployed ships. In Guam, this entails a high level of work on homeported nuclear-powered attack submarines and a submarine tender. In Diego Garcia, shipyard fly-away teams perform similar work on nuclear-powered guided-missile submarines. Adequate shore facilities do not exist at either location. Unavoidably, the workers' efficiency in performing complex repairs and maintenance is degraded.

These worrisome trends—a failure to sustain past investments in shore infrastructure or to address emergent requirements—should be reversed before the Navy builds redundant nuclear-support infrastructure in Mayport that will only be fully manned when a carrier is in port. Rather than investing in expensive new facilities in Mayport, which is contrary to the Navy's Shore Investment Strategy's goal of consolidating its shore footprint, the Navy should first remedy its current shore-installation backlog.

There are more fiscally responsible and strategically sound options to sustain Naval Station Mayport as a viable Navy homeport on the East Coast. The assignment of new construction surface combatants or in-service amphibious force ships better suited to the operational requirements of the commander, U.S. Southern Command is a preferable and more affordable approach.

Alternatively, funding could be applied for the construction of an additional Wasp-class amphibious assault ship (LHD). The required funding is estimated by industry to be \$2.7 billion in constant-year 2010 dollars. This assumes repeating the LHD-8 design with funding for hull, mechanical, and electrical systems only.

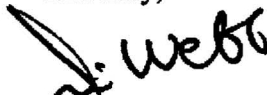
The Navy could fund roughly a third of the construction cost for a ninth LHD with the funding that will likely be required (up to \$1 billion) for its carrier homeporting scheme in Mayport. This option has other attractive advantages. Namely, it will:

- Help address today's shortfall in providing sufficient amphibious lift for the Marine Corps' two Marine Expeditionary Brigades. Admiral Roughead and General Conway, the commandant of the Marine Corps, agree that 38 amphibious warfare ships are needed for this mission. We will have 31 (not including two command ships) when LHD-8 is commissioned later this year;
- Provide a more operationally relevant platform for the U.S. Southern Command's area of geographic responsibility in the Central American region;
- Be homeported closer to Morehead City, North Carolina, for embarkation of Marine units; and
- Provide more opportunities for maintenance work to local ship-repair companies in Jacksonville than a nuclear-powered aircraft carrier.

Speaking as both a member of the Senate Committee on Armed Services and a former secretary of the Navy, I remain convinced that there is no reasonable justification for the relocation of an aircraft carrier to Mayport when the Navy has identified growing readiness risks in its warfighting and shore-installation programs.

Thank you for your consideration of this request.

Sincerely,



Jim Webb
United States Senator

Copy to: Under Secretary of Defense Flournoy

Enclosure: As stated

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United States Senate

COMMITTEE ON APPROPRIATIONS

WASHINGTON, DC 20510-6025

<http://appropriations.senate.gov>

June 9, 2009

CHARLES J. HOUY, STAFF DIRECTOR
BRUCE EVANS, MINORITY STAFF DIRECTOR

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

Dear Mr. Secretary:

At recent hearings before various Committees of Congress, Defense Department representatives have attested to the need for acquisition reform. It is clear from this testimony that competition is the single most effective means to infuse cost, schedule, quality, performance, and technology development discipline into the procurement process.

For several years, Congress has supported the competitive procurement of the propulsion system for the Joint Strike Fighter aircraft. However, while we recognize that the Administration supports competition, the fiscal year 2010 defense budget maintains a sole source acquisition strategy for the JSF engine.

Recent testimony from Defense Department witnesses asserted that the business case does not support a competitive procurement strategy for the JSF engine. The Department has provided estimates ranging from \$2-5 billion to establish a competitive source for annual procurements that will total nearly \$100 billion for JSF engines over the life of the program. We are advised that the cost to maintain a sole source procurement may be three times that estimate.

To inform our proceedings on your FY 2010 budget request, I would appreciate the Department's estimate of the comparative cost to procure engines from a sole source provider and from two sources. This analysis should include the cost to develop the current sole source engine as well as the cost to finance the announced upgrade of the engine to meet program

OSD 06652-09



The Honorable Robert Gates
June 9, 2009
Page Two

performance requirements. Please conclude the analysis with a comparison of the elements of expense and expected unit cost for sole source versus competitive procurement over the JSF production cycle.

I would appreciate a response within 30 days following receipt of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan Inouye', with a stylized flourish at the end.

Daniel K. Inouye
Chairman
Committee on Appropriations
Subcommittee on Defense

TOM UDALL
NEW MEXICO

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United States Senate
WASHINGTON, DC 20510

COMMITTEES:
COMMERCE, SCIENCE, AND TRANSPORTATION
ENVIRONMENT AND PUBLIC WORKS
INDIAN AFFAIRS
RULES AND ADMINISTRATION

June 2, 2009

The Honorable Robert Gates
Secretary
U.S. Department of Defense
1300 Defense Pentagon
Washington, DC 20301

Dear Secretary Gates:

As you are well aware, making certain that soldiers recently separated from the military are fully knowledgeable of the benefits due them as a veteran has been a difficult process. I applaud your efforts as Secretary of Defense to ease the transition and working with Secretary Shinseki at the Department of Veterans Affairs in this effort. To build on these ongoing efforts, I respectfully suggest a modification to the DD 214 form and ask that you consider adding a new contact, the email address, to the form as a way to increase communication to these new veterans.

Earlier this year, I was visited by the New Mexico Secretary of the Department of Veterans Services who reported to me that nearly 60 percent of welcoming mail sent by the Department to new veterans in New Mexico, which makes them aware of their education, health, and home ownership benefits, is returned. Oftentimes the return is due to an incorrect mailing address, which is usually taken from the DD 214 and is the only manner in which the Department is able to contact the veteran. The Secretary stated that by adding a requirement that the soldier filling out the DD 214 include an email address, it would make it easier, timelier, and more cost effective to reach the veteran with information he or she can use.

I fully support this idea and I would ask that you look into having the DD 214 form altered to include an email address. The vast majority of Americans use email daily, including our men and women serving in uniform abroad, and it only makes sense that we would try to continue to connect with them after they have left the service by utilizing all forms of communication, including email. This would benefit not only the soldiers, but veterans departments and organizations across the country.

Thank you for your consideration of this request. I look forward to hearing back from and continuing to work together to serve our soldiers and our veterans.

Sincerely,



Tom Udall
United States Senator

OSD 06665-09



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June 9, 2009

The Honorable Robert M. Gates
Secretary of Defense
Department of Defense
The Pentagon, Room 3E880
Washington, D.C. 20301

Dear Secretary Gates:

I was grateful for the opportunity to discuss with you the U.S. nuclear deterrent in the context of the Administration's arms control agenda during a recent meeting in Senator Lieberman's office. I appreciated hearing you say that you share my concerns about reducing our nuclear forces, including our operationally deployed strategic nuclear warheads (ODSNW), before a modernization program is in place to address the neglect to both our nuclear weapons and the complex of infrastructure that supports them. I have further articulated my concerns in a recent speech on the Senate floor, and I have enclosed a copy of those remarks for your consideration.

I believe you made a critical point at the Carnegie Endowment last October when you characterized the "long term prognosis" of our nuclear deterrent as "bleak." That assessment was one of the reasons I urged the Bush administration at about the same time to seek funding – even on an emergency basis – to begin the process of arresting the downward spiral and why I believe it is imperative that we move forward on a comprehensive modernization plan now.

As you know, the President stated that he intends to seek bilateral reductions with the Russians below the lower limit (2,200 to 1,700) of the Moscow Treaty of 2002. Some in the press have reported that the Administration may attempt to go to as low as 1,500 ODSNW, which would constitute an approximately 30 percent reduction in our deployed strategic nuclear forces – a very significant reduction. I believe you noted in a recent interview that you begin to get nervous at this low level.

Importantly, consideration of reductions of this magnitude would be occurring well before the Administration has completed the congressionally directed Nuclear Posture Review, Quadrennial Defense Review and Missile Defense Policy Review. Given the timing of these reviews and the impending expiration of the 1991 START agreement, there is the danger that the START process will inform the NPR as opposed to the NPR informing the START process, as Congress intended. This would be dangerous and wrong.

My greatest concern, however, is that we are again talking about reductions to our nuclear forces before the U.S. begins, much less completes, a long overdue and desperately



needed modernization of our nuclear weapons stockpile and complex of support infrastructure. The FY10 budget compounds what I believe is a pattern of neglect of the U.S. nuclear enterprise, and even accelerates it in the five year projections. Though this is chiefly a Department of Energy/NNSA budget issue, the strategic military requirements are appropriately set by the Department of Defense. Based on your comments, I know you are well aware of, and troubled by, the outcomes that have been produced by this system of organization.

For almost two decades, administrations and Congress have underfunded the requests from the weapons labs (e.g., Los Alamos and Sandia) and the weapons facilities (e.g., Pantex and Y-12). Neither branch of government has taken seriously the significant problems affecting the U.S. nuclear enterprise.

The best illustration of this failure is seen in the case of the Reliable Replacement Warhead (RRW) program. Two House members who served on an appropriations subcommittee with no real national security role were permitted to reject the request for the RRW without serious explanation or justification, and Congress accepted their rejection.

So, how do we implement a plan for modernization along the same timeline as the START negotiations?

The first option would be to seek a reprogramming of FY09 appropriated funds by submitting a request to the House and Senate Armed Services Committees and to the Energy and Water Subcommittees of the House and Senate Appropriations Committees. If any one of those committees disagreed, the reprogramming request would die. In fact, unless the Chairmen and Ranking Members of all four of those committees agree, the reprogramming request would die.

One clear problem would emerge with the Appropriations Committees, which would likely have to absorb a significant share of a reprogramming request -- one that might affect their programs on the nuclear weapons enterprise, but would also likely impact their water infrastructure, energy development, or nonproliferation programs.

Second, a request for supplemental appropriations could also be submitted at the same time as the treaty documents. This option would require a formal vetting of the request by both the House and Senate, beginning with the Appropriations Committees, which could be undertaken, with significant Administration commitment, while the Senate is considering the possible ratification of the expected START follow-on treaty.

Another option would be for the Office Management and Budget to submit an amendment to the FY10 budget request. As of this writing, the House and Senate Armed Services Committees and the House - and shortly the Senate - Appropriations Committees have begun to mark up their annual authorization and appropriations bills, meaning this would be an uphill climb.

Lastly, there is the FY11 budget. As you know, the President ordinarily submits his budget in February. Consequently, START would be expected to precede by several months an official modernization request. Even then, its fate in Congress is uncertain.

Because of these timing issues, I urge you to make clear, in detail, what you believe must be included in a modernization program. One place to start would be the package of supplemental appropriations and reprogramming requests developed by the Departments of Energy and Defense last year at the instruction of Vice President Cheney. I understood you were in support of this concept during meetings on Capitol Hill and in the interagency review process. Since this was never designed to be a comprehensive modernization plan, it is only a starting point.

I understand it is unusual for the head of one federal department to go into detail about how the programs in another federal department should be funded in the federal budget. I would only note that the nuclear weapons enterprise is one of the few programs, if not the only program that crosses so many executive and legislative lines of authority. This could even take the form of a public statement from you and Secretary Chu detailing exactly what is needed to modernize our strategic and tactical warheads and the complex of support infrastructure. Such an action would be most helpful to those in Congress and the Administration who are willing to work to promote the safety, security, reliability and credibility of the U.S. nuclear deterrent.

As we discussed in our recent meeting in Senator Lieberman's office, the Perry-Schlesinger Commission has identified correctly the problems confronting the U.S. nuclear deterrent and what we need to do about it. Following its recommendations, I hope we can work together to ensure this basic building block of U.S. national security is given the attention and resources it needs.

Finally, I understand that the last Administration prepared, but never released, an unclassified version of the 2001 Nuclear Posture Review. I urge you to make it a priority to have the Pentagon release this document. I believe that doing so would serve a valuable purpose of making sure members of the public, their representatives in Congress, and the allied and friendly nations that rely on our nuclear deterrent are fully informed about America's strategy for providing deterrence and assurance over the coming years.

Thank you for your concern about these matters.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Kyl", with a stylized, sweeping flourish at the end.

JON KYL
United States Senator

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United States Senate

COMMITTEE ON ARMED SERVICES
 WASHINGTON, DC 20510-6050

June 11, 2009

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

Dear Mr. Secretary:

On December 19, 2008, I sent you a letter expressing concern about a *Washington Post* article reporting that the Army was seeking bids for an American firm "to manage oversight of private security companies in Afghanistan."

In your February 17, 2009 response, you stated that the solicitation at issue was for a contract to provide administrative support to Combined Joint Task Force - Operation Enduring Freedom's (CJTF-101) Armed Contractor Oversight Directorate (ACOD), which oversees private security contractors (PSC) in Afghanistan. Your letter also said that the ACOD "has four Field Grade Officers assigned, including an O-6 director. Contractor personnel will have no direct input into daily operations, force protection, or combat operations. Only government personnel will perform oversight duties with respect to private security contractors."

Earlier this week, the Commission on Wartime Contracting issued an interim report to Congress on contingency contracting in Iraq and Afghanistan. I was troubled to read in that report that, since it was established, the ACOD in Afghanistan "has primarily been run by contractor personnel from Aegis." The report said that CJTF-101 submitted an expedited request for four field grade officers for the ACOD, but that "as of mid-May the request had yet to be approved and there were no senior U.S. military officials assigned full-time to the directorate." The Commission concluded that, without those military officers in place at the ACOD, "Aegis is in a role of significant official responsibility in reviewing activities of other private security contractors."

Please advise me as to:

1. The number and rank of military officers currently assigned to the ACOD in Afghanistan and the dates of their assignments.

OSD 06705-09



2. The current responsibilities of Aegis personnel as they relate to the oversight of PSC activities, including their role in investigating escalation of force incidents involving contractors.

I share the view articulated in your February 17, 2009 letter that the Department must continually demonstrate that the use of contractors on the battlefield is governed by proper policies, practices, and oversight. It is my hope that our efforts in Afghanistan meet that standard. Thank you for your prompt attention to this matter.

Sincerely,



Carl Levin
Chairman

cc: Senator John McCain
Ranking Member

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AD HOC SUBCOMMITTEE ON
CONTRACTING OVERSIGHT

June 12, 2009

The Honorable William J. Lynn
Deputy Secretary of Defense
1400 Defense Pentagon
Washington DC 20301-1400

Dear Secretary Lynn:

In light of new information received by my office and my continued disagreement with a BRAC related determination by the Department of Defense, I ask for your review of the impending relocation of the Technology Services Organization (TSO) in Kansas City, Missouri to Indianapolis, Indiana. In particular, I ask that you review whether DoD officials implementing the move are circumventing law and regulation by understating rental costs and space requirements related to the move. Further, I urge a fresh review of the Department's determination that the TSO is a related activity to the Defense Finance and Accounting Service (DFAS) - Kansas City. Under BRAC 2005, DFAS-Kansas City was required to realign to Indianapolis. Since that time, the Department has inappropriately sought to move the TSO to Indianapolis on the erroneous basis that the TSO is a related activity to DFAS.

As stated in a November 2008 letter signed by myself, Senator Bond, and Congressmen Skelton, Graves and Cleaver, it is inappropriate for the TSO function in Kansas City to be realigned away from the city pursuant to the BRAC 2005 process. This conclusion is buttressed by findings of the Director, DFAS and the Headquarters, United States Marine Corps, both of whom concluded that the TSO had been realigned from DFAS-Kansas City function *prior* to the BRAC determinations and thus constituted both a separate and unrelated activity from DFAS at the time of passage of the BRAC law. Corroborating this finding is the fact that the Department did not budget for the relocation of the TSO, a move with estimated costs approaching \$200M. There is also no federal space planned for or allocated to the TSO in Indianapolis.

I have also been informed that the Department has requested approximately 76,000 square feet of rental space in Indianapolis for the TSO. This represents less than half the space the TSO currently occupies in Kansas City. It has been alleged that this under-requesting of office space has the purpose of circumventing expanded Congressional review of the lease. Further, it has been alleged that at some point in the future Department officials will seek to acquire an additional 120,000 square feet of space to house the remainder of the government and contract personnel that currently occupy space in GSA facilities in Kansas City. Such an action, if accurate, appears dubious and may be unnecessarily expensive and inefficient. More importantly, it may represent an impermissible splitting of procurements for the purpose of circumventing the "prospectus level" Congressional approval process. I seek your review of these allegations and would like a detailed explanation of how the Department is acquiring space for the TSO in Indianapolis, as well as how it is compliant with law and regulation.

Thank you for your attention to this matter. I look forward to hearing back from you.

Sincerely,



CLAIRE MCCASKILL
United States Senator

OSD 06715-09

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ROBERT P. CASEY, JR.
PENNSYLVANIA

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United States Senate

WASHINGTON, DC 20510

June 22, 2009

The Honorable William J. Lynn III
Deputy Secretary of Defense
1010 Defense Pentagon
Washington, DC 20301-1010

Dear Deputy Secretary Lynn,

As you know, over the past year I have closely followed the Pentagon's multiple investigations into the electrocutions of U.S. soldiers while serving in Iraq. My interest in this issue was sparked by the courage and perseverance of a constituent of mine, (b)(6) who lost her son, Staff Sergeant Ryan Maseth, on January 2, 2008 when he was electrocuted while taking a shower at the Radwanayah Palace Complex in Iraq.

(b)(6) has been driven by an unyielding pursuit of the truth about her son's death. Since Ryan died at the beginning of 2008, she has received three separate accounts of her son's death, each successive account changing in key details. The U.S. Army Criminal Investigative Division (CID) and the Department of Defense Inspector General both have ongoing investigations into the circumstances of Ryan's death. In addition, Ryan's family has filed a civil lawsuit against KBR, Inc.

The U.S. Army CID closed an initial investigation into Ryan's death on June 11, 2008, without filing any charges. However, it reopened the investigation on August 29, 2008. On December 16, 2008 a U.S. Army CID investigator emailed (b)(6) to convey the news that the CID's official classification of Ryan's death had been changed from accidental homicide to negligent homicide.

OSD 06876-09



Since that exchange, (b)(6) has been told repeatedly that her son's case would be closed soon. In an email exchange with General Rodney Johnson, the CID Commanding General, (b)(6) was told she would receive an update on June 8, 2009. On this day, she received a phone call from (b)(6) a CID Group Commander in Atlanta. He informed her that the investigation is complete but that the Judge Advocates General are still reviewing the investigation for thoroughness, a claim that has been made to her before.

(b)(6) was also informed that her efforts to reach out for additional information were slowing down the process because Army investigators would have to stop and respond to those requests. Finally, (b)(6) told her that he could not provide a timeline for the release of final findings for this investigation. (b)(6) is concerned that her family's ongoing lawsuit against KBR may be influencing the lack of Pentagon communications with her on the status of Ryan's investigation.

I understand the need for thoroughness and allowing justice to fully work without undue haste. But I am concerned that (b)(6) now believes that the U.S. Army and the Pentagon as a whole are ignoring her legitimate concerns and requests for information. (b)(6) has been a dogged advocate for all soldiers serving in Iraq and Afghanistan, to ensure that no other mother be forced to endure what she has over the past eighteen months.

During our phone conversation in March, you agreed to provide me updates and milestones in multiple Department of Defense investigations. I also asked to receive a timeline for completion of these various ongoing DOD investigations. Finally, I insisted that the Pentagon adopt complete transparency and forthrightness with the families of those fallen by electrocutions. These mothers and fathers, husbands and wives are entitled to receive continuous updates and full inclusion in the investigative process as it unfolds. They deserve nothing less.

Accordingly, I now request that you provide a response on the status of Staff Sergeant Ryan Maseth's case, both in the context of the U.S. Army CID investigation and DOD Inspector General investigation, and the expected timelines for their conclusion. Ryan Maseth was tragically killed almost 18 months ago, and the investigations have dragged on for almost that entire period of time. We as a nation owe his family an answer on what happened. (b)(6) remarkable dedication has inspired me to remain involved on this issue to demand justice and accountability for all of the families who have lost loved ones to electrocutions in Iraq.

I look forward to hearing from you.

Sincerely,



Robert P. Casey, Jr.
United States Senator

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United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

June 5, 2009

The Honorable Robert Gates
Secretary of Defense
Department of Defense
Washington DC

Dear Secretary Gates:

Last week I traveled to Russia to celebrate the opening of the Chemical Weapons Destruction Facility at Shchuchye in the Kurgan Oblast. The facility was constructed by the Nunn-Lugar Cooperative Threat Reduction Program to eliminate the threats posed by a stockpile of nearly 2 million chemical weapons stored there. The munitions were considered a severe threat given their lethality and portability. In 1999, a Russian major at the facility took my picture holding a briefcase containing a single 85mm shell of VX nerve gas. The gas in the shell would have been enough to kill tens of thousands of Americans.

The ceremony symbolized U.S.-Russian nonproliferation cooperation and the success we have achieved in responding to common threats. The facility is testament to the progress possible in areas essential to our common interests. I am hopeful that it represents an encouraging sign for future nonproliferation endeavors and progress on finding agreement to extend the START Treaty and other arms control endeavors.

I have assembled a few papers and articles which provide a good summary of the project and its place in our overall effort to destroy weapons of mass destruction through the Nunn-Lugar and related programs.

If the Administration is to succeed in reaching the nonproliferation goals President Obama set in his speech at Prague, Nunn-Lugar must be expanded geographically, updated in form and function and supported as an active tool of foreign policy. The program must be less cumbersome and bureaucratic and more agile, flexible, and responsive to ensure timely contributions across a larger number of countries. I look forward to working with you as we move forward in these important areas.

Sincerely,



Richard G. Lugar
Ranking Member

RGL/kmk

Cc: The Honorable William J. Lynn, Deputy Secretary of Defense

OSD 06968-09



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NORTH DAKOTA

website: <http://conrad.senate.gov>

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United States Senate

June 17, 2009

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GRAND FORKS, ND 58203-3738
(701) 775-9601

100 1ST STREET, S.W., ROOM 105
MINOT, ND 58701-3846
(701) 852-0703

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

Dear Secretary Gates:

As the Nuclear Posture Review process gears up and begins to inform negotiations for a new arms control treaty, I wanted to raise several points regarding our strategic nuclear deterrent force.

First, you should know that I share the President's view that we need to increase our attention to arms control and cooperative threat reduction efforts. However, I also believe that we must make absolutely certain that we do not make any destabilizing choices as we move down that road. As the Strategic Posture Commission noted, preserving the nuclear triad becomes increasingly important as our nuclear force is reduced. Given that, we must be certain that any force reductions do not threaten the balance or long-term vitality of the triad.

For maximum flexibility and to preserve the option of recallability, we must maintain both the B-52 and the B-2 as dual-mission, nuclear-capable weapons systems and invest in a next-generation cruise missile. Major General Donald Alston, the Air Force's point person on all things nuclear, puts it very well when he points out that the bomber force "speaks with exquisite diction" in a crisis environment. The very fact that B-52 deployments and operational flights are so visible allows the President the flexibility to send precise messages to potential adversaries in times of tension.

For maximum stability and responsiveness, we also must preserve the ICBM force at 450 missiles, preferably downloaded to a single warhead each. As General Larry Welch and others have argued, our land-based nuclear force is the most stabilizing portion of our nuclear arsenal, and it becomes even more so as total warhead numbers shrink. The dispersion and low warhead loading of the ICBM force make a successful disarming attack nearly impossible. That deters attack from near-peer competitors and dissuades future adversaries from building their nuclear forces. It also eliminates the pressure to maintain a launch-on-warning posture.

You have rightfully made restoring discipline and confidence in nuclear surety a top priority. I fear that cutting the ICBM force below 450 missiles would undermine that goal by making it difficult to recruit and retain talented nuclear personnel, a top priority for the Air Force as it works to prevent future mishaps.

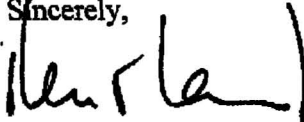
OSD 07035-09



Considering that ICBMs can be downloaded to a single warhead and that the Russian force is disproportionately land based, maintaining 450 missiles should not impossible to do, even under relatively strict treaty obligations. Furthermore, given your commitment to keep defense costs under control, I want to note that ICBMs come in at about one-third to one-fifth the annual operating cost of the submarine-launched leg of the triad. What's more, ICBM costs will be stable for many years to come, while an extremely expensive replacement program for the Ohio-class submarine is just about to begin.

As you and the President work to reduce our nuclear force to the smallest size possible consistent with security needs, I feel very strongly that we must ensure that we do not take any steps that would threaten the future of the triad or reduce overall stability. I appreciate you taking these issues under careful consideration and would be grateful if you could keep me informed of the Department and the Administration's continued deliberations on these matters.

Sincerely,

A handwritten signature in black ink, appearing to read "Kent Conrad", written over a horizontal line.

KENT CONRAD
United States Senate

cc: Gen James Jones (USMC, ret.)

United States Senate

WASHINGTON, DC 20510-7012

June 24, 2009

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

Dear Secretary Gates:

I write today to bring to your attention again a transmission corridor in Nevada proposed by the Department of Defense that could potentially benefit nearby renewable energy projects, as well as the local community, and possibly decrease the Department's costs of adding new transmission capacity. I request that the DOD consider taking this opportunity to utilize the proposed Military Powerline Corridor on the eastern side of the Nellis Test and Training Range for the desired Military purposes as well as to facilitate the development of renewable energy resources.

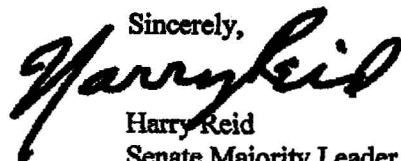
The DOD has asked the Lincoln County Power District for 10 MW of new service, which would require the current transmission to be upgraded with a 1-circuit 138 kV line. This upgrade would be adequate to serve only Defense purposes. However, further expanding the capacity of the line, at the cost of the non-military users, could benefit the Military, help the local power district with its long term planning, and facilitate the development of hundreds – potentially thousands – of megawatts of clean solar energy.

To serve demand in southern Nevada and California, any renewable energy project will require access to adequate transmission capacity to deliver power to the market. By cooperating with the local stakeholders, DOD's proposed corridor could be utilized for both military and non-military energy transmission capacity, thereby enjoying both cost benefits and environmental benefits from avoiding the almost certain need to build additional structures in the future to serve the same general area.

I strongly urge that the advantages to the local community and other potential consumers of clean energy from nearby projects be carefully considered in making your decision, which I hope will come soon.

I greatly appreciate your attention to this matter. If I can be of any assistance, please do not hesitate to contact me, or have your staff contact Bob Herbert, Chris Miller or Alex McDonough of my staff at (202) 224-3542.

Sincerely,



Harry Reid
Senate Majority Leader

OSD 07062-09



RON WYDEN
OREGON

223 CURRIEN SENATE OFFICE BUILDING
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(202) 224-1280 (TDD)

United States Senate
WASHINGTON, DC 20510-3703

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June 22, 2009

The Honorable Robert M. Gates
Secretary
Department of Defense
1300 Defense Pentagon
Washington, DC 20301-1300

Dear Secretary Gates:

I am writing you to express serious concern over the Morale, Welfare and Recreation (MWR) facilities at Joint Base Balad, Iraq. While these resources are designed to allow service members to communicate with their families, my constituents stationed at the base routinely experience difficulties.

According to their accounts, the U.S. tax payer-funded resources and computers are occupied for lengthy periods of time by non-military personnel. The presence of these individuals monopolizing these limited resources results in soldiers avoiding the computer stations altogether.

With the pending activation of the 41st Brigade Combat Team, Oregon is facing its largest deployment since World War II. I am extremely concerned at the obstacles our soldiers face in staying in contact with their families on lengthy deployments far from home, in Balad and throughout the region. To impede communication between service members and families is an injustice to those who serve and also negatively affects morale. I urge you to ensure that MWR facilities are used for their intended purposes and that our brave men and women are able to communicate with their families.

Thank you for your consideration of this request and your concern for the health of the brave men and women that serve our country. I look forward to working with you to resolve this matter in the future.

Sincerely,

Ron Wyden

Ron Wyden
United States Senator

OSD 07066-09



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United States Senate

COMMITTEE ON APPROPRIATIONS

WASHINGTON, DC 20510-6025

<http://appropriations.senate.gov>

June 26, 2009

CHARLES J. HOLY, STAFF DIRECTOR
BRUCE EVANS, MINORITY STAFF DIRECTOR

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

Dear Mr. Secretary:

Last May after discussing this matter with you, I forwarded a request for the Defense Department to evaluate the cost of proceeding with a competitive split buy on the tanker program. Yesterday I received a response from Undersecretary of Defense, Acquisition, Technology, and Logistics, Mr. Ashton Carter, which failed to respond to the fundamental question posed in my inquiry.

Secretary Carter's response indicated that the Defense Department is unable to assess a competitive split buy in which the Air Force would compete the award of tankers annually. While this dual source approach has been used successfully in the past by the Defense Department in the acquisition of many systems in which there are two competing manufacturers, the response in this case has been that DoD is unable to evaluate this proposal.

This response is completely unacceptable to me as it should be to you. If the Defense Department is unable to evaluate the cost and/or benefit of this approach then how can you or the Congress be confident that the award to one manufacturer represents the best value to the taxpayer?

OSD 07111-09

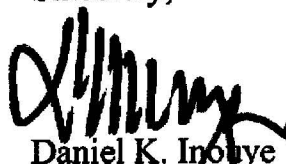


The Honorable Robert Gates
June 26, 2009
Page 2

I remain concerned that the current plan by the Defense Department will purchase tankers too slowly. Under this plan the nation will be relying on tankers that are more than 50 years old for far too long. Moreover, recognizing the past failures of the current acquisition strategy many believe that continuing down this path sets us on a course of a near guarantee of litigation and continued delay. You and I agree that it is critical that we get on with the tanker replacement program.

Mr. Secretary, I am not convinced that the current acquisition strategy is the best one. Nor am I convinced that an annual competition will generate sufficient savings to merit its selection. However, if the Department is unable to provide a useful cost comparison I am not sure how any of us can be sure we are on the right track.

Sincerely,



Daniel K. Inouye
Chairman

JIM DeMINT
SOUTH CAROLINA

CHAIRMAN
SENATE STEERING COMMITTEE

340 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510
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United States Senate

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COMMERCE, SCIENCE AND
TRANSPORTATION

FOREIGN RELATIONS

JOINT ECONOMIC

June 17, 2009

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

Dear Secretary Gates:

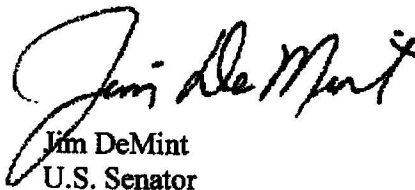
Thank you for your continued service to our country and your tireless support to national defense during this time of war. I share your desire to make certain that our troops are equipped with protective gear that provides whatever margins of safety possible.

I am writing to request information involving your annual review of the Sections 807 and 829 Exceptions to the Berry Amendment with regards to para-aramid fibers and fire resistant rayon fibers. Specifically I am looking for the rationale and underlying data that the DOD used to determine that domestic manufacturers could not produce these materials at a competitive cost compared to foreign sources.

Further, has the department ever issued a determination or finding that the domestic market lacks sufficient products that could perform the functions desired by DOD or that a lack of competition from alternative domestic products exists in the domestic market such that DOD is disadvantaged through adherence to the Berry Amendment?

I appreciate you and your staff for looking into this issue for me and I look forward to continued work towards national defense and taking care of our troops.

Sincerely,


Jim DeMint
U.S. Senator

OSD 07123-09



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200 EAST BAY STREET
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GREENVILLE, SC 29601
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COLUMBIA
1901 MAIN STREET
SUITE 1475
COLUMBIA, SC 29201
(803) 771-6112

United States Senate

WASHINGTON, DC 20510

June 29, 2009

The Honorable Barack H. Obama
President
1600 Pennsylvania Avenue, NW
Washington D.C. 20500

Dear Mr. President:

We are writing in regard to your upcoming visit to the Russian Federation and your meeting with President Medvedev.

As you attempt to set a new tone with the Russians, we believe there are issues of common interest, but we also believe it is crucial that you vigorously defend the values that have been the cornerstone of free markets and free societies. At a minimum, below are three key issues we believe you must raise.

First, with the coming expiration of the Strategic Arms Reduction Treaty, there is little time to complete negotiations. However, the United States must not concede key issues in exchange for expediency. One specific point is the linkage Russian leaders have made between the United States abandoning missile defense and reducing nuclear weapons.

There should be no quid pro quo between deploying defensive capabilities like missile defense and the reduction of offensive nuclear weapons either in a treaty or through separate agreements. This is essential to our close Czech and Polish allies and a key factor in the placement of the "third site."

Second, during her confirmation process before the Senate Foreign Relations Committee, Secretary Clinton said that the United States "cannot accept the notion that Russia has a special say over the future of its independent neighbors." Whether it is Georgia, Ukraine, Estonia, or other neighbors, Russia aggressively exerts a "special say" over its neighbors. However, undermining UN peacekeeping operations or the European Union's Monitoring Mission in Georgia, waging economic warfare with energy during the winter, and conducting cyberattacks are not the actions of a proud and constructive nation.

It is important President Medvedev understands that the United States strongly supports the independence and self determination of all the former Soviet Republics. As a Senator, you cosponsored a number of resolutions on the ascension of Ukraine and Georgia into NATO, and we hope you will specifically reaffirm this support with President Medvedev.

Finally, as you know, the interests of the Russian people and the Russian elites are not always the same. It is important that you seriously address issues like corruption and the rule of law,

OSD 07187-09

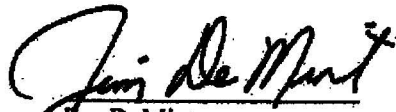
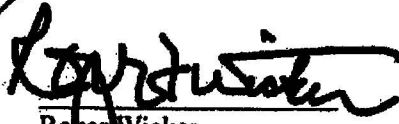


and also take time to visit with members of the opposition and civil society, especially those leaders who are not closely associated with the Kremlin.

There are many tough, but important issues in the relationship between the United States and Russia. It is imperative that the words you deliver in Moscow are well received in the capitals of our close friends and allies in Eastern Europe and elsewhere.

We wish you the best of luck on your upcoming trip, and look forward to working together to ensure success in U.S.-Russia relations upon your return.

Sincerely,


Jim DeMint
Jon Kyl
Roger Wicker

CC: The Honorable Hilary R. Clinton
Secretary of State
The Honorable Robert M. Gates
Secretary of Defense

E. BENJAMIN NELSON
NEBRASKA

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www.bennelson.senate.gov

United States Senate

July 2, 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:

I am writing to report on my trip these past few days to Warsaw, Poland, where I met with senior government officials, parliamentarians, and representatives of non-governmental organizations, as well as officials from the U.S. Department of State assigned to Poland and servicemembers from the U.S. Department of Defense assigned to the European Command (EUCOM). The impetus of the trip was missile defense against the potential threat from Iran and the role of the United States, Russia, and the North Atlantic Treaty Organization (NATO) with regard to missile defense.

I understand that you will be in Moscow on July 6-8, 2009, to meet with Russian President Dmitry Medvedev and that your talks will focus on working toward an agreement to replace the 1991 Strategic Arms Reduction Treaty (START) before it expires on December 5. Both the Russian President and Prime Minister have linked the relationship between offensive and defensive weapons, suggesting interrelated negotiations with respect to START and missile defense.

The Polish officials with whom I spoke repeatedly expressed concerns to me that the European site for missile defense, ten interceptors in Poland and an X-band radar in the Czech Republic, would be abandoned in bilateral negotiations with the Russians. As you have noted, the planned European missile defense system is limited in scope to defend the United States and our allies against the rising and continuing threat posed by Iran, and poses no threat to Russia's strategic missiles.

In addition, these Polish officials consistently impressed upon me their desire to be treated as full partners and equals by the United States and NATO. They stated that agreeing to the proposed placement of missile interceptors in Poland was a weighty decision and that they ultimately would agree to the placement in order to be an active partner in providing for the security of the U.S. and Europe. They further discussed the matter of the deployment of a Patriot battery in Poland, noting that their understanding was that the Patriot would be an operational battery and not just a training battery. With regard to the Patriot, it is my belief the Poles would be amenable to having a Patriot in any form from the onset of deployment, but would also seek to – after training – having multiple operational batteries on their soil. These officials were clear that they would welcome the presence of U.S. troops in Poland, regardless of form.

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LINCOLN, NE 68508
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FAX: (402) 476-8763

FIELD REPRESENTATIVE
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FIELD REPRESENTATIVE
POST OFFICE BOX 1472
SCOTTSBLUFF, NE 69363
(308) 631-7614

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(402) 268-3505

7602 PACIFIC STREET
SUITE 205
OMAHA, NE 68114
(402) 381-3411
FAX: (402) 381-4725

OSD 07502-09



July 2, 2009


Page 2

Finally, the Poles impressed upon me the importance of the United States fulfilling what they believe to be our nation's prior commitments to their country. Should the U.S. fail to follow through on what they believe to be America's commitments, it will cut against our standing as a faithful and reliable ally. Although the details of the European site are under review, it is my belief that whatever determination is ultimately made as to the best strategic defense system, the United States should engage the Poles and Czechs regarding such decisions.

In closing, Mr. President, I am optimistic that through your leadership, the multilateral negotiations regarding the European missile defense system will move forward. It is my belief that an effective missile defense system in Europe could unite the United States, our NATO allies, and Russia in cooperative strategic defense against threats from rogue nations.

I would welcome the opportunity to discuss any of these matters with you. I wish you a safe journey and look forward to what I know will be positive negotiations for the United States and our allies.

Sincerely,



E. Benjamin Nelson
United States Senator

EBN:ajp

cc: The Honorable Hillary Rodham Clinton, Secretary of State
The Honorable Robert M. Gates, Secretary of Defense

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July 6, 2009

SSCI# 2009-2703

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

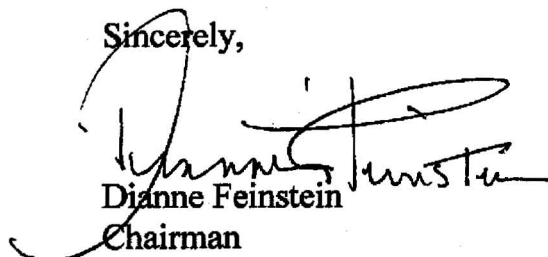
Dear Secretary Gates:

As Chairman of the Senate Select Committee on Intelligence, I was concerned to read the enclosed op-ed by defense attorney Barry Wingard in the *Washington Post* ("No Justice Today at Guantanamo," July 1, 2009). I request that you look into the allegations of how detainees are treated by prison guards at Guantanamo Bay, Cuba.

Mr. Wingard, who represents Kuwaiti detainee Fayiz Mohammed Ahmed al-Kandari, alleges that military guards have created an "Immediate Reaction Force" to punish even minor infractions by conducting unnecessary "bruising cell extractions." He also writes that slurs and "petty persecutions" by guards are on the rise since President Obama pledged to close the prison. Furthermore, Mr. Wingard says his client has told him that guards who have typically shown respect for the prisoners have been warned to stop their interactions with detainees. On the other hand, according to Mr. Kandari, a few guards who have been more aggressive toward the prisoners have been promising detainees "a farewell to remember."

Given the history of abuse of detainees at Guantanamo in the past, the allegations raised by Mr. Wingard are especially concerning. I ask that you investigate these claims and provide the Intelligence Committee with your findings before August 7, 2009. Thank you very much for your attention to this matter.

Sincerely,



Dianne Feinstein
Chairman

OSD 07567-09



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United States Senate

COMMITTEE ON
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 WASHINGTON, DC 20510-6250

July 14, 2009

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

Dear Secretary Gates:

The Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security ("the Subcommittee") of the Senate Committee on Homeland Security and Governmental Affairs is investigating how the Department of Defense (DoD) awards congressionally directed earmarks, and the value of the resulting projects. In furtherance of the Subcommittee's investigation, no later than July 31, 2009, please have DoD provide the information requested in Attachment A for the FY2008 Department of Defense Appropriations Act earmarks identified in Attachment B.

Upon completion of the document production, DoD should submit a written certification, signed by the appropriate officer, stating that: (1) a diligent search has been completed of all documents in DoD's possession, custody, or control which reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced or identified in a privilege log.

If you have any questions, please let us know or have your staff immediately call both Velvet Johnson of the majority staff at (202) 224-6579 and Bryan Parker of the minority staff at (202) 224-8265.

Sincerely,

Thomas R. Carper John McCain

Thomas Carper
 Chairman

John S. McCain
 Ranking Member

OSD 07868-09



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United States Senate

COMMITTEE ON APPROPRIATIONS

WASHINGTON, DC 20510-6025

<http://appropriations.senate.gov>

CHARLES J. HOUY, STAFF DIRECTOR
BRUCE EVANS, MINORITY STAFF DIRECTOR

July 15, 2009

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

Dear Secretary Gates,

I am concerned about the ability of the Air National Guard (ANG) to perform its critical domestic Incident Awareness and Assessment (IAA)/Intelligence, Surveillance and Reconnaissance (ISR) mission as a result of the transfer of six of its eleven ANG RC-26 aircraft to support Overseas Contingency Operations. These transfers, combined with routine maintenance and upgrade requirements, have reduced the number of available aircraft in the continental United States to as few as one operational aircraft at times. Additionally, the high operations tempo of overseas deployments has adversely affected crew availability.

It is distressing to learn that the capacity of the ANG to support its law enforcement, counter narcotics, weapons of mass destruction response, search and rescue, border and maritime security and National Security Special Events missions has been degraded, in some cases by as much as ninety-five percent, due to these transfers. These missions are no less important to the continuing safety and well being of the U.S. population than are the overseas military missions to defeat terrorist threats.

I understand that the transfer of the ANG aircraft has been classified as an enduring requirement in support of the battlefield IAA/ISR mission. This suggests that the population of the United States will remain at risk until the ANG IAA/ISR capability is restored.

In order to address this vulnerability, I am requesting that your office, in consultation with the Office of the Secretary of the Department of Homeland Security, develop a formal plan to restore the aircraft and equipment necessary to fully meet the Air National Guard's domestic IAA/ISR mission. This program plan, when executed, should enable support to a wide range of domestic missions and this capability should remain available for the numerous missions defined in the Air Force Irregular Warfare CONOPS and other manned IAA/ISR taskings in the event of an unforeseen emergency.

OSD 08213-09



Dr. Robert Gates

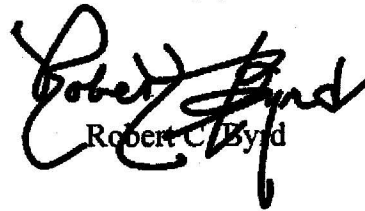
July 15, 2009

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Until this need is met, I remain concerned that in supporting the transfers, you have removed assets vital to our domestic security. I hope that you will share in my concern and act promptly to address this situation.

With kind regards, I am

Sincerely yours,



Robert C. Byrd

RCB:mgm

CC: The Honorable Janet Napolitano, Secretary of Homeland Security
U.S. Department of Homeland Security
Washington, DC 20528