

09-F-0214



DEFENSE SECURITY COOPERATION AGENCY

WASHINGTON, DC 20301-2800

AUG 6 2007

In reply refer to:
I-07/010550

Honorable Jeff Flake
United States Congress
240 Cannon House Office Building
Washington, DC 20515

Dear Congressman Flake:

Thank you for your letter of July 12, 2007, concerning Tactical Air Services' efforts to acquire aircraft currently owned by the New Zealand Government in support of the Army's Big Crow Program Office.

The Defense Criminal Investigative Services (DCIS), Office of the Department of Defense Inspector General, is conducting a criminal investigation potentially associated with various contracts under the auspices of the Army's Big Crow Program. On August 15, 2006, the Department of the Army withdrew its support of the proposal pending conclusion of that investigation. On Tuesday, July 31, 2007, my Country Program Director for New Zealand confirmed with the DCIS Special Agent in charge of the criminal investigation in Phoenix, Arizona that the criminal investigation is on-going.

The criminal investigation is anticipated to end in approximately three months. We advised both State Department as well as the New Zealand Embassy of this information. Upon completion of the investigation, we will ask the Army to reevaluate its recommendation to support the third party transfer of the 17 A-4K SKYHAWK aircraft from the Government of New Zealand to Tactical Air Services.

We have informed the State Department and New Zealand Embassy personnel that we are not opposed in principle to New Zealand's efforts to transfer these aircraft. However, in light of the on-going criminal investigation, we cannot presently support a retransfer request contingent upon contract support of the Big Crow Program.

I hope you find this information useful. If you or your staff requires additional information, please contact my House Liaison, [REDACTED] or my Country Program Director for New Zealand, [REDACTED].

Sincerely,

A handwritten signature in black ink, appearing to read "J. B. Kohler".

JEFFREY B. KOHLER
LIEUTENANT GENERAL, USAF
DIRECTOR

4

09-F-0214



COMPTROLLER

UNDER SECRETARY OF DEFENSE
1100 DEFENSE PENTAGON
WASHINGTON, DC 20301-1100

JAN 23 2007

The Honorable Bud Cramer
United States House of Representatives
2184 Rayburn House Building
Washington, DC 20515

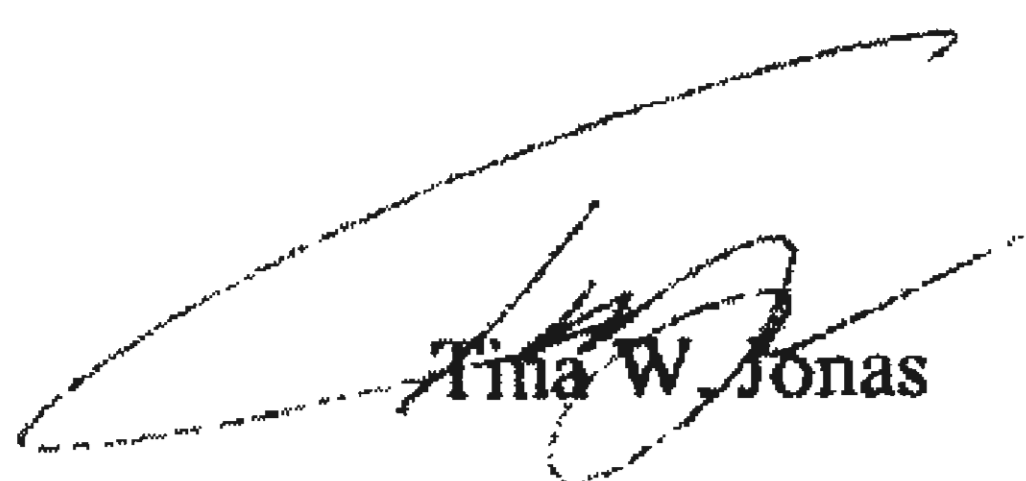
Dear Representative Cramer:

Thank you for your recent letter to Secretary Gates concerning Base Realignment and Closure (BRAC) implementation. I appreciate your support of our efforts to implement BRAC 2005.

As you accurately stated, it is critical that we fulfill our obligation to complete the BRAC 2005 recommendations. To that end, if Congress does not pass a Military Construction, Quality of Life/ Veterans Affairs Appropriations bill for fiscal year (FY) 2007, it is absolutely essential that Congress ensure any year-long Continuing Resolution (CR) for Defense programs include provisional language that will permit execution of the FY 2007 President's Budget request. This will allow the Department to maintain a schedule to ensure BRAC 2005 implementation by the statutory completion date. A year-long CR that is lower than the full FY 2007 budget request would seriously jeopardize the Department's efforts to implement the BRAC 2005 Commission decisions.

I look forward to working with you to ensure the Department receives the funding it needs to efficiently execute all BRAC 2005 decisions.

Sincerely,


Tina W. Jonas

323, 3

(5 Jan 07)

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09-F-0214



COMPTROLLER

UNDER SECRETARY OF DEFENSE
1100 DEFENSE PENTAGON
WASHINGTON, DC 20301-1100

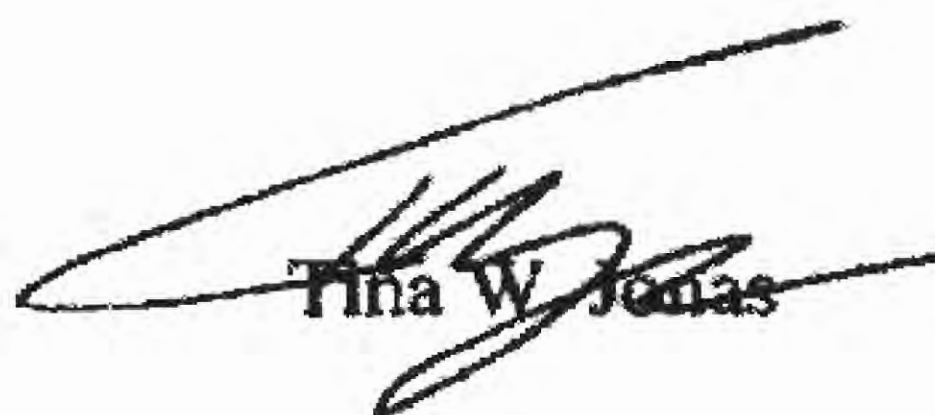
The Honorable Henry E. Brown, Jr.
U.S. House of Representatives
5900 Core Avenue, Suite 401
North Charleston, SC 29406
Attn: Mr. Earl Copeland

Dear Representative Brown:

This is in reply to your letter to Secretary Gates regarding your constituent Captain (b)(6). I share your view that we must ensure those who have made great personal sacrifices in defending our Nation should be paid what they are owed correctly and in a timely fashion. I have directed the Director of Defense Finance and Accounting Service (DFAS), Mr. Zack Gaddy, to visit your office to personally explain the actions we are taking to ensure that all cases of disabled military retiree retroactive pay including that of Captain (b)(6) are resolved by November 15, 2007. Mr. Gaddy is on schedule to meet (b)(6) on July 18, 2007.

I realize many of our Veterans are frustrated over the length of time it has taken to receive their payments. We are committed to completing retroactive payments quickly and accurately. I will continue to track this program and ensure it is brought to closure as soon as possible.

Sincerely,



Tina W. Judas

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09-F-0714



**OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
1400 DEFENSE PENTAGON
WASHINGTON, DC 20301-1400**

PUBLIC AFFAIRS

December 27, 2006

**The Honorable Jeff Flake
House of Representatives
Washington, DC 20515**

Dear Representative Flake:

This is in response to your letter of November 30, 2006, to Assistant Secretary of Defense Daniel R. Stanley, on behalf of your constituent Ms. Lori Kuhuski and her husband. Your constituent owns a business that personalizes teddy bears and would like to use the service seals for display on the teddy bears that they produce.

The Department of Defense (DoD) emblem, as well as the military service seals, is protected by law from unauthorized use. The services approve the use of their emblems or coat of arms on a case-by-case basis. Because of the wide range of request requirements; i.e., material, size, color, etc., the Department of Defense (DoD) does not stock or provide emblems for such use. The production of emblems is the responsibility of each requestor.

Final approval for the use of Military Service seals and additional information regarding use of the seals can be obtained from the following offices:

Department of the Army
Institute of Heraldry
9325 Gunston Road, Room S-117
Fort Belvoir, VA 22060-5579
(703) 806-4968

Department of the Navy
Office of the Judge Advocate General
1322 Patterson Street SE, Suite 3000
Washington Navy Yard
Washington, DC 20374-5066

Department of the Air Force
Chief, Organizational History Branch
HQ AFHRA/RSO
600 Chennault Circle
Maxwell AFB, AL 36066
(334) 953-5152

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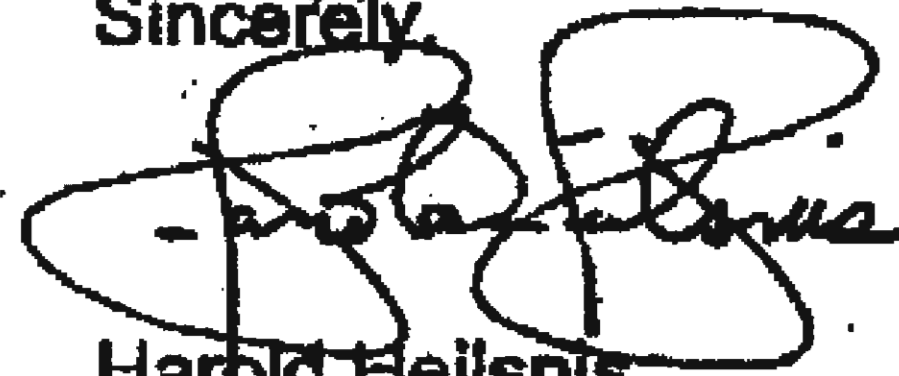
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Department of the Navy,
U.S. Marine Corps
2 Navy Annex
Washington, DC 20380-1775
(703) 614-4698

Headquarters, U.S. Coast Guard
Public Affairs Staff
Community Relations Branch
2100 Second Street, SW
Washington, DC 20593-0001
(202) 267-0938

I hope the above information proves useful to you in your response to your constituent.

Sincerely,



Harold Heilsnis
Director for Public Inquiry and Analysis

09-F-0214



PUBLIC AFFAIRS

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
1400 DEFENSE PENTAGON
WASHINGTON, DC 20301-1400

January 9, 2007

The Honorable Henry E. Brown, Jr.
House of Representatives
Washington, DC 20515-4001

Dear Representative Brown:

This is in response to your letter, dated October 25, 2006, to the Honorable Robert Wilkie, requesting assistance for your constituent, [REDACTED] to obtain a flag for each branch of the armed services. [REDACTED] would like the flags for a memorial site in the city of Hanahan, South Carolina.

Owing to the nature of your letter, my office has been directed to respond to your request. We apologize for the delay in our reply back to you.

The Department of Defense (DoD), as well as the military service seals, is protected by law from unauthorized use. However, the military services sometimes approve the use of their emblem or coat of arms on a case-by-case basis. Because of the wide range of request requirements; i.e., material, size, color, etc., the DoD does not stock or provide emblems for such use. The production of emblems is the responsibility of each requestor.

Final approval for the use of Military Service emblems and additional information regarding their use can be obtained from the following offices:

Department of the Army
Institute of Heraldry
9325 Gunston Road, Room S-117
Fort Belvoir, VA 22060-5579
(703) 806-4968

Department of the Navy
Office of the Judge Advocate General
1322 Patterson Street, SE
Suite 3000
Washington Navy Yard
Washington, DC 20374-5066

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Department of the Air Force
Chief, Organizational History Branch
HQ AFHRA/RSO
600 Chennault Circle
Maxwell AFB, AL 36086
(334) 953-5152

Department of the Navy,
U.S. Marine Corps
2 Navy Annex
Washington, DC 20380-1775
(703) 614-4693

To get permission to display the flag of the U.S. Coast Guard, your constituent may write to:

Coast Guard Headquarters
Commandant, U.S. Coast Guard,
2100 Second Street, SW,
Washington, DC 20593
(202) 267-1537

Sincerely yours,



Harjo Helms
Director for Public Inquiry and Analysis

09-F-0214

FOUO



ACQUISITION,
TECHNOLOGY
AND LOGISTICS

THE UNDER SECRETARY OF DEFENSE

**3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010**

JUL 25 2006

The Honorable Judith B. Biggert
United States House of Representatives
1317 Longworth House Office Building
Washington, D.C. 20515-1313

Dear Representative Biggert:

Thank you for your June 13, 2006, letter to the Secretary of Defense sharing your concerns about the study the Department is performing in response to section 358 of the National Defense Authorization Act for Fiscal Year 2006 (P.L. 109-163). Let me assure you the Department is committed to supporting the development of alternative energy sources including wind power. Yet we remain mindful of our responsibility to maintain our capabilities to defend the American people. We are aggressively exploring mitigation approaches we hope will minimize the number of instances where these two objectives might come in conflict.

I assigned responsibility for performing the requested study to the Office of the Deputy Under Secretary of Defense, Science and Technology (ODUSD(S&T)), an office within my organization, to ensure all the relevant science and technology issues were robustly explored. ODUSD(S&T) immediately established a broadly based Action Team that includes, for the Department of Defense, representatives from the Army, Navy, Air Force, Missile Defense Agency, and the U.S. Northern Command. Two civilian employees from the DOD/DHS Long Range Radar Joint Program Office (LRR JPO) participate as members of the Action Team study group.

The first meeting of the study group was on January 18, 2006. Yet even before that date, ODUSD(S&T) personnel conducted a technical interchange with several of our NATO allies to understand how they approach this subject. In addition, the United Kingdom Ministry of Defense (UK MoD) and the Department have co-sponsored a NATO research project on this topic.

As a part of our study we have created an extensive database containing more than 400 samples of radar cross section and Doppler frequency characteristics of a state-of-the-art wind turbine as a function of turbine blade to radar aspect angle and radar frequency band. This database is already being employed by some of our radar contractors in their internally funded studies to explore mitigation approaches. We will continue our dialogue with industry on this subject with the goal of achieving a better



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—FOUO—

mutual understanding of the mitigation challenges that will need to be overcome. Those discussions, in conjunction with other efforts now being performed within our Defense S&T program, will ultimately lead to the ability to evaluate potential cost impacts for federal agencies to develop and deploy new mitigation solutions. Naturally, the prime focus will be on approaches that would simultaneously minimize cost impacts for both the taxpayer and the potential wind farm developer.

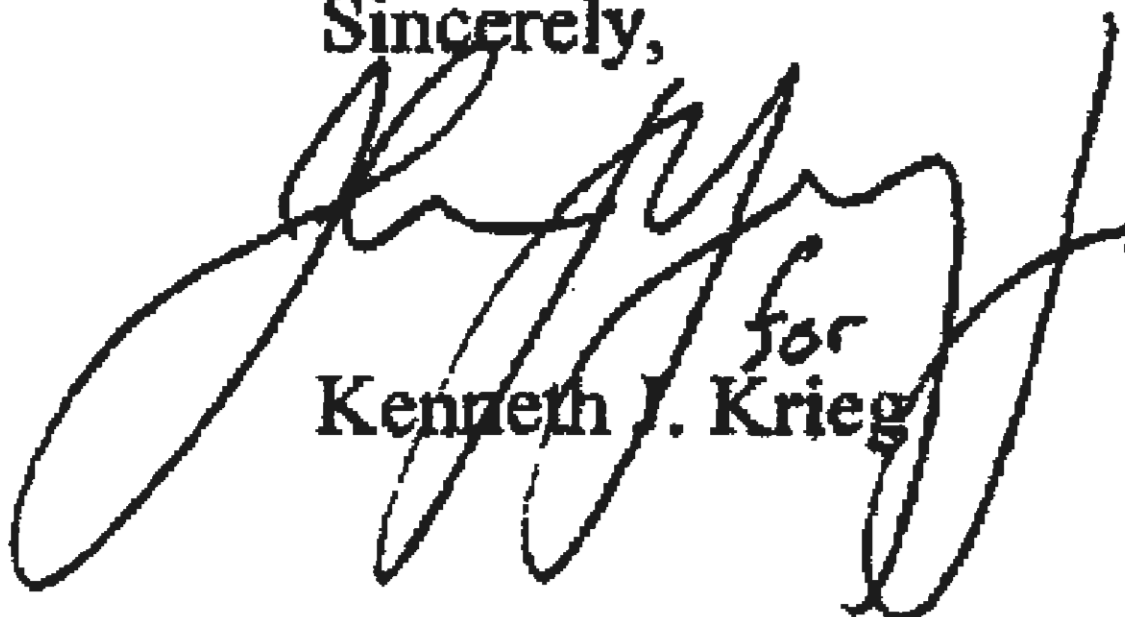
Even as we near completion of our study, we continue to investigate actively a variety of potential mitigation approaches. In late May of this year one of my Senior Executives traveled to the UK to observe flight trials being conducted by the Royal Air Force Air Warfare Centre (RAF AWC). Those particular trials tested a proposed mitigation technique that employed an add-on software package to enhance aircraft detection and track file maintenance in the presence of wind farm generated radar clutter. Early in June his military deputy observed a second set of RAF AWC flight trials that tested the effectiveness of an alternate approach that included both hardware and software modifications to the radar. We believe observation of these flight trials was an important element in our efforts to understand better the performance of various cutting edge mitigation strategies. At present the Action Team is investigating a different set of potential mitigation approaches provided by the Department of Energy on June 21, 2006. We hope to complete that effort soon to enable us to finish our study and prepare and deliver our report to the Congress.

The Action Team will stand down upon completion of the draft of the report. However, mitigation study efforts already underway within the Department will continue and additional ones may be initiated if appropriate.

Please let us know if you would like us to brief you or members of your staff on our efforts. My Point of Contact for this matter is CDR [REDACTED]. Your staff should feel free to contact him directly for updates on our activities. A similar letter is being sent to the other signatories of your letter.

I appreciate your concern and interest.

Sincerely,



for
Kenneth J. Krieg

—FOUO—

09-F-0214



THE UNDER SECRETARY OF DEFENSE
3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010

ACQUISITION,
TECHNOLOGY
AND LOGISTICS

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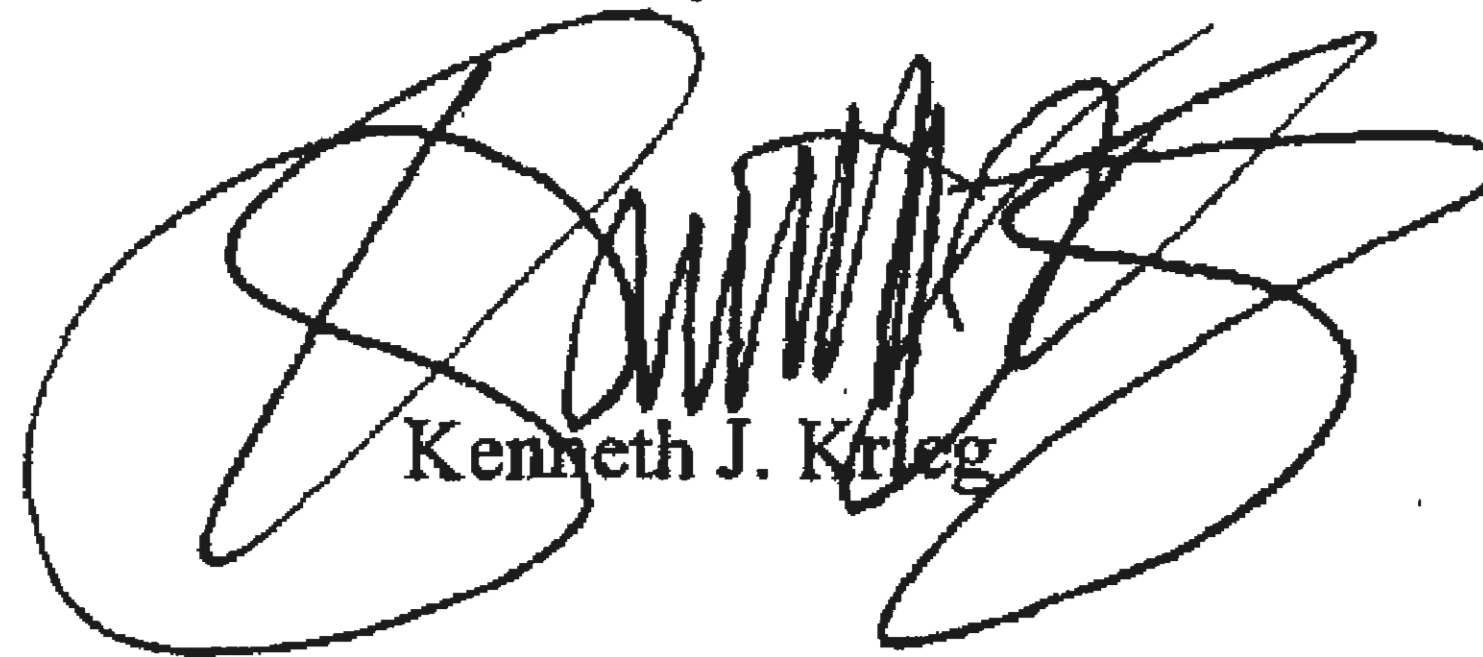
The Honorable Judith B. Biggert
U.S. House of Representatives
Washington, D.C. 20515-1313

Dear Representative Biggert:

Thank you for your September 12 letter to the Chairman of the White House Council on Environmental Quality sharing your concerns about the study the Department performed in response to section 358 of the National Defense Authorization Act for Fiscal Year 2006 (P.L. 109-163). The report on the study was delivered to the congressional defense committees on September 27. A copy of the report is provided on the enclosed compact disk. It is also available online at <http://www.defenselink.mil/pubs/index.html>.

My point of contact is Commander [REDACTED] [REDACTED] [REDACTED]. A similar letter is being sent to the other signatories of your letter.

Sincerely,



Kenneth J. Krieg

Enclosure:
As stated

cc:
White House Council on Environmental Quality



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09-F-0214



ACQUISITION,
TECHNOLOGY
AND LOGISTICS

THE UNDER SECRETARY OF DEFENSE
3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010

NOV 21 2007

The Honorable Judy Biggert
U.S. House of Representatives
Washington, DC 20515

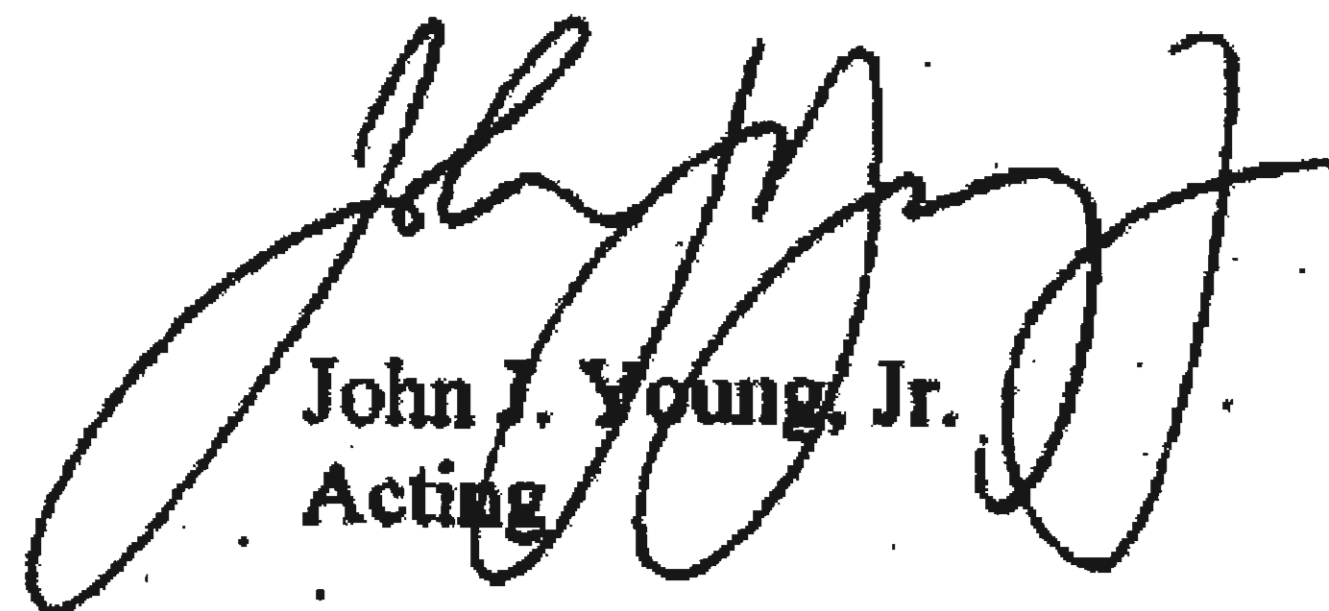
Dear Representative Biggert:

Thank you for your October 30 letter to the Secretary of Defense expressing support for increased DoD Science and Technology (S&T) investments as part of the FY 2009 budgeting process.

Foundational science has indeed been an important enabler of our national defense. DoD S&T investments are at historically high levels. Still, international developments in S&T continue to accelerate so it is important for the Department to invest adequately in scientific research.

Your confidence in the capabilities and potential of the DoD S&T enterprise is appreciated. As the Department formulates its FY 2009 budget request, future S&T investment will be carefully considered. A similar letter has been sent to the other signatories of your letter.

Sincerely,



John J. Young, Jr.
Acting



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09-F-0214



THE UNDER SECRETARY OF DEFENSE
3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010

ACQUISITION,
TECHNOLOGY
AND LOGISTICS

The Honorable Robert E. (Bud) Cramer, Jr.
U.S. House of Representatives
Washington, DC 20515

JAN 05 2007

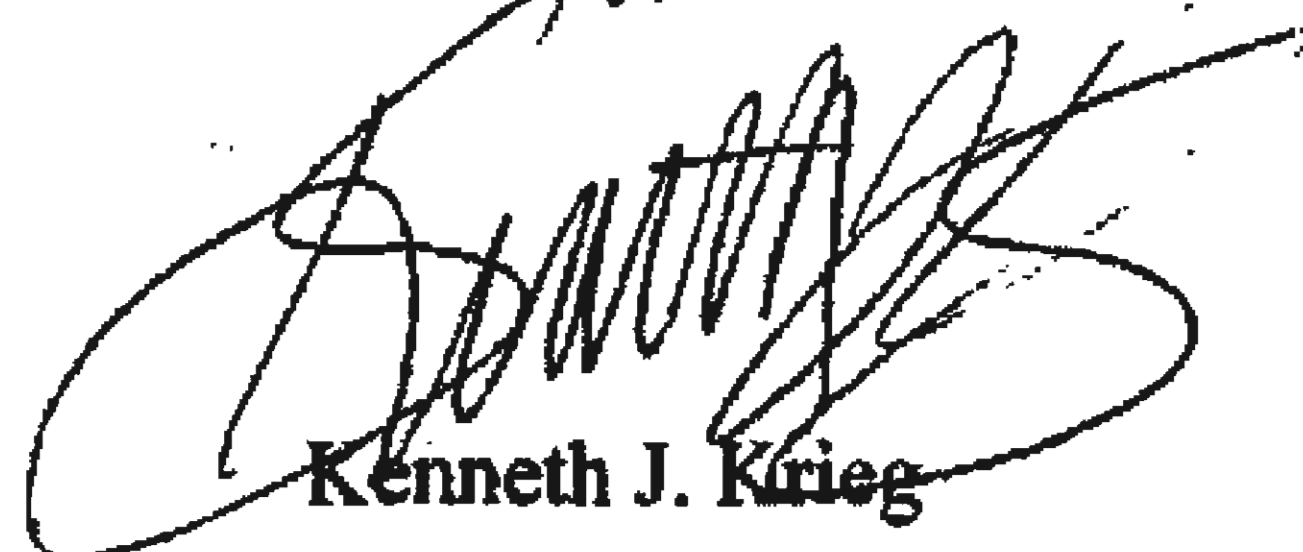
Dear Representative Cramer:

This is in response to your November 19 letter to the Deputy Secretary of Defense regarding concerns about the Joint Common Missile (JCM) program. As you know, the FY 2006 budget terminated the JCM program because of budget constraints and priorities in other areas. In the air-to-ground missile capability area, the Department decided other options were available, capabilities were good, and we could assume some temporary risk.

The Department released the FY 2006 and 2007 funding to the Army and the Navy to continue technology maturation efforts for the tri-mode seeker and certain other missile technologies that were commenced under the JCM program. In the coming months, we are planning to conduct a review of the air-to-ground missile portfolio. This review will ensure the Department has the analysis to support a balanced corporate investment decision. In all capability area decisions, the Department seeks to balance operational and programmatic risk, maximize both jointness and affordability, and apply resources where there is a high probability of early fielding.

I look forward to working with Congress as the Department reviews the air-to-ground capability area.

Sincerely,



Kenneth J. Krieg



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09-F-0214



ACQUISITION,
TECHNOLOGY
AND LOGISTICS

THE UNDER SECRETARY OF DEFENSE

3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010

AUG 24 2007

The Honorable Henry Brown
U.S. House of Representatives
Washington, DC 20515-4001

Dear Representative Brown:

Thank you for your letter of July 26, 2007, concerning the Mine Resistant Ambush Protected (MRAP) vehicle program and our plans for providing this important capability to our Service members. The Joint MRAP vehicle program is dedicated to producing as many vehicles as possible by capitalizing on industry's potential.

To meet the demand for these vehicles as quickly as possible, we have been actively working with the industrial base and intend to take delivery of at least 8,000 MRAP vehicles by April 2008. The following responds to your interest in additional production awards to Force Protection Industries, Inc. (FPII) and Protected Vehicles Inc. (PVI).

We issued a \$69.8 million delivery order for 125 MRAP vehicles to FPII on August 6, 2007. This brings FPII's total to 1,963, which is more than 30% of the 6,415 MRAP vehicles ordered by the Department.

Delivery orders are based on vendors' demonstrated ability to produce vehicles that meet the Department's operational requirements, including survivability, within our required delivery timelines. There are a few vendors from the initial competition that did not meet the requirements for MRAP vehicle production. PVI's Golan I and Golan II vehicles did not meet government test standards and therefore have not been selected for continued production. The test standards are based on threat assessments from theater. To take full advantage of industry capability, the Department encouraged partnering wherever possible between vendors whose vehicles met test standards and those vendors who were not successful.

We are aggressively pursuing technologies and innovations that will improve our war fighters' survivability while simultaneously continuing rapid fielding of MRAP vehicles. We are working a parallel MRAP II solicitation (M6785407R5082) to review potential solutions that were not available during the original competition. MRAP II will also provide an opportunity for vendor-sponsored experiments, such as those conducted by PVI on Explosively Formed Penetrator protection, the results of which will be

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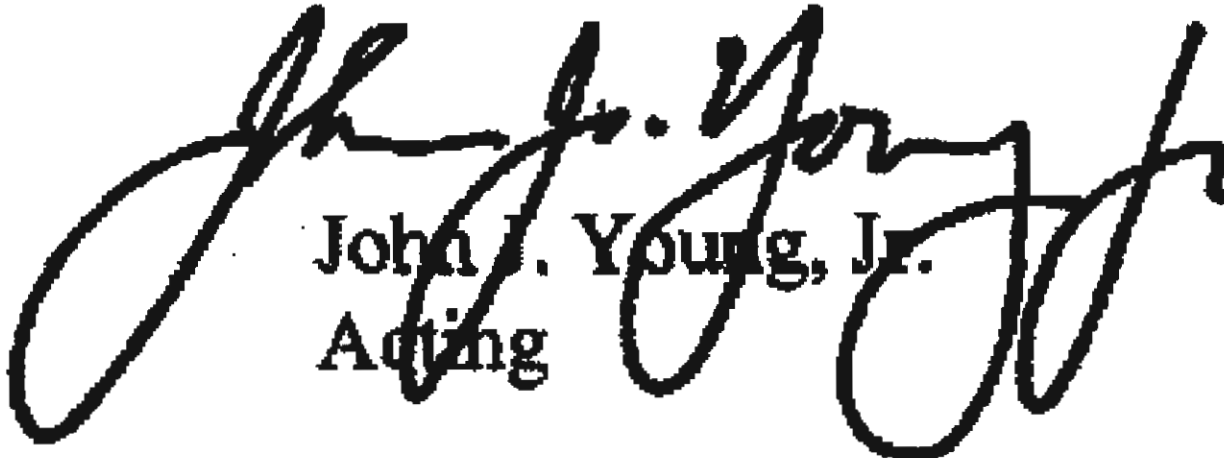
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assessed against government standards. FPII and PVI are encouraged to participate in this open and competitive process.

The Department is committed to fielding quality MRAP vehicles as expeditiously as possible. We have placed large delivery orders within supporting manufacturers' production capabilities and we are refining our processes to speed up integration and fielding.

Thank you for your continued support of our men and women in uniform. If I can be of further assistance, do not hesitate to contact me.

Sincerely,



John J. Young, Jr.
Acting



DEPARTMENT OF DEFENSE
DEFENSE LEGAL SERVICES AGENCY
DEFENSE OFFICE OF HEARINGS AND APPEALS
POST OFFICE BOX 3656
ARLINGTON, VIRGINIA 22203-1995



March 23, 2006

Honorable Bud Cramer
Member, U.S. House of Representatives
Attn: Ms. Jayne Murray
626 Clinton Avenue
Huntsville, Alabama 35801

Dear Congressman Cramer:

This is in response to your inquiry of March 15, 2006, to the Assistant Secretary of Defense for Legislative Affairs on behalf of your constituent, [REDACTED]

[REDACTED] case was referred to this office for processing in accordance with DoD Directive 5220.6, Defense Industrial Personnel Security Clearance Review Program (copy enclosed).

As you know, [REDACTED] was afforded a hearing before an Administrative Judge. On January 26, 2006, the Judge issued a determination that it was not clearly consistent with the national interest to grant him a security clearance. On February 2, 2006, [REDACTED] filed a timely Notice of Appeal which is currently pending before the DOHA Appeal Board. As such, it would be inappropriate for me to discuss the merits of the case at this time.

I hope this information is helpful to you in responding to your constituent.

Sincerely,

Leon J. Schachter
Director

Enclosure

R 04283-06

09-F-0214



LEGISLATIVE
AFFAIRS

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, DC 20301-1300

November 22, 2006

The Honorable Henry E. Brown, Jr.
Member, U.S. House of Representatives
5900 Core Avenue, Suite 401
North Charleston, South Carolina 29406

Dear Representative Brown:

This is in reply to your inquiry on behalf of your constituent, [REDACTED]

Since this matter falls under the purview of the United States Coast Guard, your inquiry has been forwarded to The Department Homeland Security for a final response to you.

Sincerely,

K. W. Rogers

Special Assistant

Administration and Personnel

R 17004-06

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DEPUTY UNDER SECRETARY OF DEFENSE FOR
LOGISTICS AND MATERIEL READINESS
3500 DEFENSE PENTAGON
WASHINGTON, DC 20301-3500

MAR 07 2007

The Honorable Kay Granger
United States House of Representatives
440 Cannon House Office Building
Washington, DC 20515

Dear Representative Granger:

This responds to your recent letter to the Department of Defense (DoD) on behalf of (b)(6). You requested the necessary information to reply to his concerns regarding 100 percent disabled veterans flying space-available on military aircraft.

The purpose of the space-available program is to help maintain the morale and welfare of those currently serving on active duty. The privilege is extended to retired members at a lower priority, in recognition of the fact that they may still be recalled to active duty, and as a reward for their many years of military service. In either case, veterans who are not on active duty or retired are not authorized space-available travel. The guidelines and categories available for travel are located in DoD Regulation 4515.13R, "Air Transportation Eligibility," Chapter 6 which is publicly available at <http://www.dtic.mil/whs/directives/index.html>.

Space-available transportation is granted under the assumption that the travelers fly in the aircraft as it is equipped. Military aircraft are designed to transport warfighters and their equipment. With the exception of aircraft designed for aeromedical movements, aircraft are not equipped to support disabled passengers and military crews are not trained to support their special medical needs.

The Department is in the process of preparing a report required by section 359 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163), "Report on Space-available Travel for Certain Disabled Veterans and Gray-area Retirees." This report is targeted for completion and submittal to Congress in a few weeks.

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Although the Department of Defense greatly values the contributions of every veteran, we cannot at this time expand the privileges of space-available travel to disabled veterans.

Sincerely,

Jack Bell
Jack Bell

09-F-0214



DEPARTMENT OF DEFENSE
OFFICE OF GENERAL COUNSEL
1600 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600



OCT - 2 2007

The Honorable Henry E. Brown
5900 Core Avenue, Suite 401
North Charleston, SC 29406

Attention: Earl Copeland

Dear Congressman Brown,

You inquired whether current law and/or military regulations provide for obtaining deposition testimony from service members currently deployed in Bahrain and Afghanistan. There are no laws or regulations detailing the logistics for such action.

If (b)(6) is able to travel commercially to Bahrain and Afghanistan, access to (b)(6) and (b)(6) would only be subject to their availability as determined by their chains of command.

Please advise if you require further assistance.

Sincerely,

(b)(6)

Paul Ney
Deputy General Counsel
(Legal Counsel)



R11652-07

①

09-F-0214



UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

APR 12 2006

PERSONNEL AND
READINESS

The Honorable Jeff Flake
United States House of Representatives
Washington, DC 20515-4001

Dear Representative Flake:

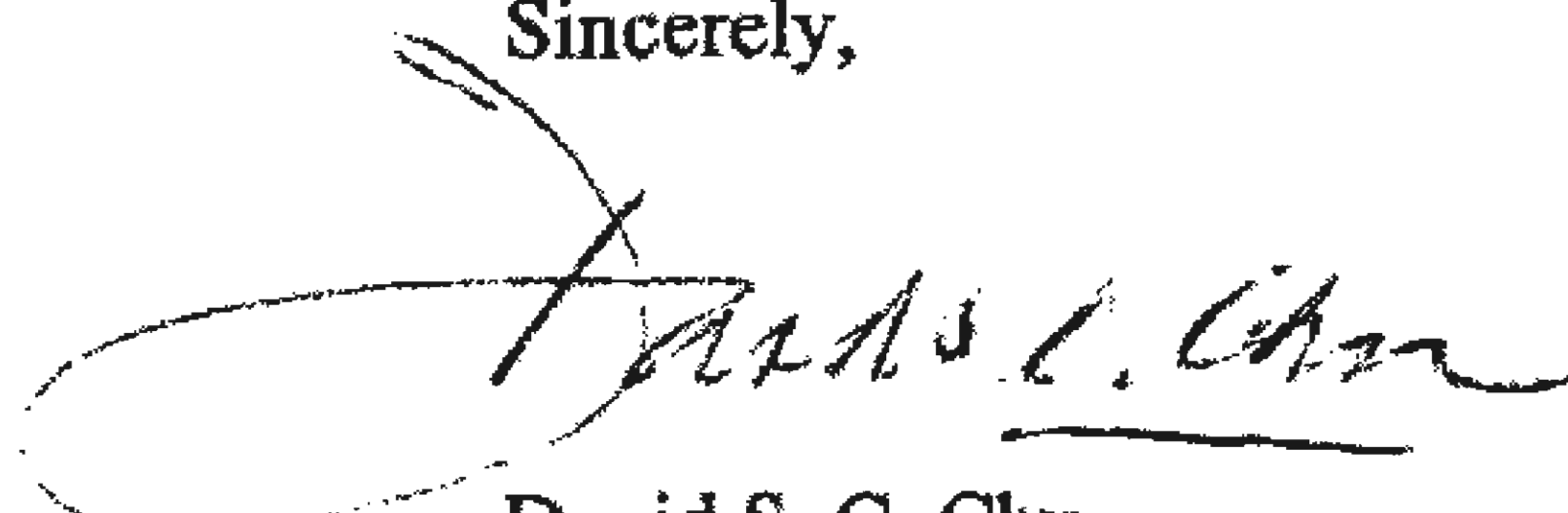
I am writing regarding your letter to Secretary Rumsfeld requesting that the Department of Defense implement the recommendations of the Defense Business Board's (DBB) Military Postal Service Task Group regarding the Military Postal Service Agency (MPSA), as reported in December 2005. Since Personnel & Readiness provide oversight of the Military Postal Service, Secretary Rumsfeld asked me to reply on his behalf.

The DBB recommended that the Department issue an open-ended Request for Proposal (RFP) to allow the private sector to provide an innovative, comprehensive solution for the processing and delivery of military mail. A Request for Information (RFI) is expect to be issued shortly by the MPSA that implements the DBB's recommendation.

The Secretary of the Army has appointed The Adjutant General of the Army as the Executive Director of the Military Postal Service Agency, reporting to the Administrative Assistant of the Army. The position is charged with carrying out the Department of Defense mandate for the MPSA. The Executive Director is tasked with issuing the RFI.

I sincerely appreciate your leadership and commitment to the morale and welfare of our troops and I want to personally thank you for your support of our military and our department.

Sincerely,


David S. C. Chu



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09-F-0214



OFFICE OF THE UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

AUG 10 2007

PERSONNEL AND
READINESS

The Honorable Jeff Flake
United States House of Representatives
Attn: Kelly Hedman
1640 S. Stapley Dr, Suite 215
Mesa, AZ 85204

Dear Representative Flake:

This is in reply to your letter to the Assistant Secretary of Defense for Legislative Affairs, regarding (b)(6) and his desire to serve in the United States military. This office has been asked to respond.

Each of the Services establishes its own standards for enlistment under the authority of Title 10 of the United States Code. The age limit for initial enlistment, established by the United States Code (10 USC, Section 505), is 42 years, although most Services set their maximum enlistment age at a lesser age. Provisions exist that increase this age limit for individuals with previous service; however, without knowing the length of (b)(6) prior service, it is not clear if these added provisions apply.

The Department of Defense team consists of both military and civilian members. Individuals who are not eligible for military duty can and do become civilian members of the team. The work they perform for the Department and our country is valuable and rewarding. If (b)(6) is interested in civilian service, he should contact the local government agency where employment is desired. A listing of government job vacancies is available from the U.S. Office of Personnel Management at its website: www.usajobs.opm.gov.

Alternatively, (b)(6) past experiences may prove useful in volunteer positions through such organizations as USA Freedom Corps, the United Service Organizations, and the Department of Veterans Affairs. He can learn more about such opportunities through the following websites: <http://www.usafreedomcorps.gov/>, <http://www.uso.org/>, and <http://www.va.gov/>.

We appreciate your continued interest in the defense of our Nation and thank you for your previous service to our great country.

Sincerely,

William J. Carr
Deputy Under Secretary
(Military Personnel Policy)

(4)

OSD 11405-07

09-F-0214



OFFICE OF THE UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

PERSONNEL AND
READINESS

JUN 20 2008

The Honorable Henry E. Brown, Jr.
U.S. House of Representatives
Washington, DC 20515-4001

Dear Representative Brown:

This responds to your inquiry on behalf of your constituent (b)(6) regarding concerns over the implementation of a change to the Combat-Related Special Compensation (CRSC) Program.

As you know, a provision of the FY 2008 National Defense Authorization Act opened the CRSC program to members of the uniformed services who have been retired from their branch with less than 20 years of service, including those retired for disabilities under Chapter 61 of title 10, United States Code, who do not otherwise have sufficient years of service for regular retirement eligibility. While we appreciate the urgency which our disabled warriors view the implementation of this new provision, this expansion was a significant change to the program and required carefully drafted implementation guidance and modification of the standard claim form. The revised claim form has been approved and is now available. The implementing guidance recently passed through formal review by the military services and was signed on June 3rd. The expanded entitlement is effective from January 1, 2008, and qualifying applicants will be paid retroactively to that date.

The CRSC program, as established in law, only provides compensation for disabilities that are determined to be combat-related and may only compensate for that portion of offset retired pay attributable to the years of service completed. This provision may result in a CRSC payment that is less than the total amount of offset retired pay in cases where the number of years of service is few and the DoD disability rating is high. In order to determine combat-relatedness, members who believe they meet eligibility criteria must submit a claim for CRSC to the uniformed service from which they retired and provide documentation to substantiate their claim. We hope you find this information helpful.

Sincerely

William J. Carr
Deputy Under Secretary
(Military Personnel Policy)

707930-08 (5)

09-F-0214



OFFICE OF THE UNDER SECRETARY OF DEFENSE

WASHINGTON, D. C. 20301-2000

SEP 08 2006

POLICY

The Honorable Chris Chocola
United States House of Representatives
510 Cannon House Office Building
Washington, DC 20515

Dear Congressman Chocola:

Thank you for your letter of June 5, 2006, concerning Department of Defense (DoD) detention operations. In response to your specific inquiries, The U.S. Armed Forces detain enemy combatants to prevent them from continuing to wage terror and war, as well as to gather intelligence to thwart further terrorist attacks. The detention of enemy combatants under the law of war is not a criminal justice matter, but rather is to prevent them from continuing to fight against the United States in the War on Terrorism.

We are constantly reviewing the detention of each detainee based on various factors, including whether the individual poses a continued threat to the United States, whether the individual is of further intelligence value, and whether the individual is subject to trial proceedings for war crimes allegations. Each factor must be carefully considered before a transfer or release may occur. The United States has no desire to hold detainees any longer than necessary. As we have stated in the past, the evaluation of detainees is a time-consuming and deliberate process. We stand firm in our commitment to transfer detainees when we determine that they are eligible for transfer. The detainee assessment process is ongoing.

The United States will not expel, return or extradite individuals to other countries where it believes that it is "more likely than not" that they will be tortured. Prior to returning a detainee to another government, the United States seeks appropriate assurances from that government regarding the detainee's treatment upon his return. This includes assurances that after transfer this individual will continue to be treated humanely, in accordance with domestic and international legal obligations. The Department of Defense works closely with the Department of State in these matters.

More information about the detainees at Guantanamo Bay can be found at: www.defenselink.mil/news/detainees.html, and a fact sheet listing the detainee processes is available at: www.defenselink.mil/news/Jan2005/d20050131process.pdf. The Department appreciates your concern about the Guantanamo Bay facility. Thank you for your continued support of our personnel who are serving our country and contributing to this critical mission in the war on terrorism.

Sincerely,

Gully Stimson

Deputy Assistant Secretary of
Defense for Detainee Affairs

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09-F-0214



POLICY

THE UNDER SECRETARY OF DEFENSE
2000 DEFENSE PENTAGON
WASHINGTON, DC 20301-2000

MAY 1 11 10 2007

The Honorable Kay Granger
House of Representatives
Washington, DC 20515

Dear Representative Granger:

I am responding to your letter regarding the upcoming deployment of Air National Guard (ANG) RC-26's in support of United States Special Operations Command (USSOCOM).

Intelligence, Surveillance, and Reconnaissance (ISR) assets are a precious battlefield resource which provide a critical, often lifesaving, capability to our men and women engaged in combat overseas. The RC-26 aircraft and their ANG aircrew will provide a short-term, unique, and absolutely critical capability that is urgently required on the battlefield. USSOCOM is modifying the RC-26 aircraft and thus they will be significantly more capable when they are returned for their traditional support role for counter-narcotic and law enforcement missions.

The National Guard Bureau has worked with USSOCOM to mitigate the effects of this temporary deployment and balanced those with the longer term benefits provided to the NGB and its ANG aircrews.

Sincerely,

Eric S. Edelman



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OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
NATIONAL COMMITTEE FOR EMPLOYER SUPPORT
OF THE GUARD AND RESERVE
1555 WILSON BOULEVARD SUITE 200
ARLINGTON VA 22209-2405

FEB 20 2008

The Honorable Henry E. Brown
U.S. House of Representatives
1124 Longworth House Office Building
Washington, D.C. 20515

Dear Representative Brown:

This letter is in response to your correspondence to the Secretary of Defense, dated February 6, 2008, on behalf of your constituent, (b)(6). (b)(6) asserts that his civilian employer has not promoted him because of his service in the Reserves, with its associated deployments and training.

The Uniformed Services Employment and Reemployment Rights Act (USERRA) prohibits employers from denying any benefit of employment to an employee solely on the basis of the employee's performance of military duty. This agency, the National Committee for Employer Support of the Guard and Reserve (NCESGR), supports the men and women who actively serve in the National Guard and Reserve as well as their civilian employers. NCESGR provides information and education to both employers and Reservists about USERRA. In addition ESGR oversees an informal mediation program designed to resolve USERRA complaints. Essentially, when a Reservist brings a USERRA complaint to ESGR, a trained Ombudsman is assigned to the matter to attempt to informally mediate the dispute. The informal mediation process has proven to be successful in a substantial majority of cases.

On June 11, 2007, (b)(6) sought ESGR's assistance. One of our Ombudsmen attempted to informally mediate his complaint. In general, ESGR Ombudsmen speak with the parties involved in a dispute, listen to all sides of the issue, and provide USERRA information to assist the parties in making a decision. Unfortunately, the informal mediation attempt was not successful in this case.

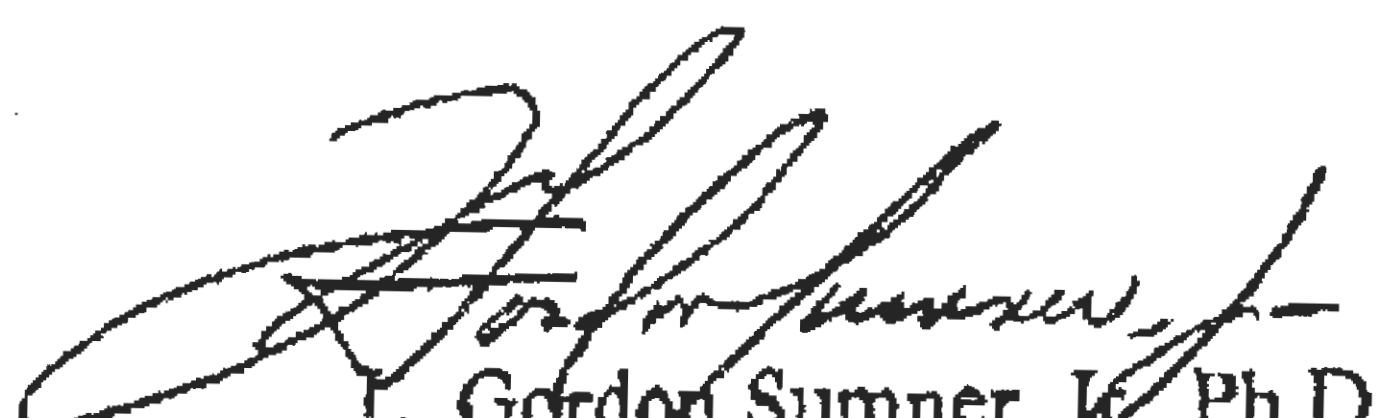
When the military member contacts ESGR, they are informed that it is their right to withdraw from mediation at any time. Their options then are to bring a formal complaint with Department of Labor (DoL) or hire a private attorney to pursue the matter. The filing of a complaint with DoL or the hiring of a private attorney ends all ESGR involvement. (b)(6) has filed a formal complaint with DoL.

DoD does not investigate USERRA complaints; it attempts to informally mediate them, and therefore does not take sworn statements. Due to Administrative Dispute

Resolution Act confidentially requirements, ESGR does not release numbers of complaints filed against individual employers. However, records do not reflect unusual complaint activity against your constituent's employer. We have contacted DoL and they will be responding separately on the questions within their area of expertise.

NCESGR appreciates your concern for our servicemembers. In the event that you have any further questions or concerns, please feel free to contact me or my Ombudsman Director at (703)-696-1386 or email: [REDACTED] Thank you for the opportunity to review [REDACTED] situation.

Sincerely,


L. Gordon Sumner, Jr., Ph.D.
Executive Director