# Congress of the United States

Washington, DC 20515



March 16, 2001

The Honorable Donald Rumsfeld
Secretary of Defense
Office of the Secretary
The Pentagon
Washington, DC 20301-1155

Dear Secretary Rumsfeld:

We would like to bring a matter of national security to your attention. We respectfully request that the Department of Defense maintain subpart 225.71 of the Defense Federal Acquisition Regulation Supplement (DFAR) as it pertains to propulsion shafting for the United States Navy. This "Buy American" provision is critical to maintain the U.S. industrial base in this area which is so vital to our national security.

Erie Forge and Steel, which is located in Erie, Pennsylvania, is the sole manufacturer of propulsion shafting in the U.S. If the restriction on foreign procurement is lifted, company officials assured me that they would not be able to compete against European-subsidized propulsion shafting which would force our Navy to depend upon foreign companies to produce a key component of all naval vessels. As Members of Congress, who are committed to protecting America's shores, we find any change to this policy dangerous.

In past correspondence with the Department of Defense, both the Naval Sea Systems Command and the Bureau of Export Administration expressed their disagreement with DOD's past intention to remove the restrictions for this component. After reviewing the relevant documents, we believe that the Department of Defense should continue to prohibit the foreign procurement of naval propulsion shafting.

Thank you for your consideration of this important matter.

Best wishes,

Phil English
Member of Congress

Arlen Specter
U.S. Senator

Rick Santorum
U.S. Senator

Jack Murtha
Member of Congress

Curt Weldon
Member of Congress

Robert Brady
Member of Congress

Paul Kanjorski
Member of Congress

Michael Doyle
Member of Congress

William Coyne
Member of Congress

Tim Holden
Member of Congress

James Greenwood
Member of Congress

Melissa Hart
Member of Congress

Frank Mascara
Member of Congress

George Gekas
Member of Congress

Don Sherwood
Member of Congress

Robert Borski
Member of Congress

Joseph Hoeffel
Member of Congress

John Peterson
Member of Congress

Joseph Pitts
Member of Congress

Chaka Fattah
Member of Congress

Todd Platts
Member of Congress

Pat Toomey
Member of Congress

JOHN P. MURTHA
12TH DISTRICT, PENNSYLVANIA

COMMITTEE:
APPROPRIATIONS



# Congress of the United States
## House of Representatives
Washington, DC 20515–3812

June 21, 2001

Honorable Donald H. Rumsfeld
Secretary of Defense
Washington, D.C. 20301

Dear Mr. Secretary:

As we have discussed, one of the most important issues to be addressed in the fiscal year 2002 budget process will be the size and structure of next year's military pay raise. The upcoming choice will be whether to distribute additional pay raise funds promised by the President as an across the board increase in addition to the 4.6% increase specified by current law, or to limit the total size of the across the board increase and use the savings to pay for special retention bonuses and to correct pay inequities in certain limited military pay grades.

I have talked to military personnel around the world, and when it comes to pay raises, most perceive a substantive difference between an across the board pay raise to reward overall performance and special bonuses or pay table adjustments to correct past mistakes. I think it is imperative that when promises are made to provide the military with a special pay raise, it be applied as a general across the board increase.

I know that some in OMB and other places promote special pays and bonuses over across the board increases because of the opportunity to lower long range budget costs since bonuses and special pays can be eliminated over time and don't factor into retired pay. I strongly urge you to reject this approach and remember the basic bargain this country struck with the military in moving to an all-volunteer force in 1973. Central to the all-volunteer concept was the commitment to pay our service personnel at levels that are fair and equitable compared to their private sector counterparts.

Today, a large across the board pay raise is certainly justified. The entire military is suffering from a pay gap compared to the private sector, and all deserve a substantial raise, not just those who are in specialties or pay grades where there are special problems. It is important to meet the expectations that have been raised and use the promised pay raise money to provide a minimum 7.3 percent across the board increase for all military personnel. This would cut the estimated 10.9% military pay gap by two-thirds, and cost a little more than $1 billion in fiscal year 2002.

I acknowledge that last year's targeted pay adjustment passed by Congress created some unintended pay inequities at the senior non-commissioned officer ranks and for certain warrant officers, for which corrective relief is justified. There also is a special problem with mid-grade officers that deserves close attention. While I strongly support corrective adjustments, the cost of these adjustments should not be counted against the fundamental commitment to provide additional funds for a pay raise. These adjustments should be funded in addition to the basic pay raise promised to all.

Shortly, I will introduce a revision to my original pay raise bill that will provide a basic 7.3 percent across the board increase for all military personnel effective January 1, 2002 and will also include corrective adjustments to increase E-4 to E-9, W-1 to W-5, and O-3 and O-4 pay rates by up to 3.2 percent over the 7.3 percent across the board increase in my original bill (some individual pay cells will be higher). Such an adjustment package is not only the right thing to do, it is affordable, costing an additional $200 million in FY 2002. The cost of such pay adjustments could be further reduced to meet any FY 2002 funding constraints by delaying the effective date by a few months if you feel it is absolutely necessary.

The first priority of any pay raise legislation should be to close the pay gap for *all* military personnel and reward all in military service for their excellence and dedication. I urge you to show this commitment in your upcoming Fiscal Year 2002 budget amendment and request a full 7.3 percent across the board military pay raise with additional corrective relief for non-commissioned officers, warrant officers, and mid-grade officers.

Sincerely,

John P. Murtha
Ranking Democratic Member
Subcommittee on Defense Appropriations

# Congress of the United States

## House of Representatives
## Committee on Appropriations
## Washington, DC 20515–6015

July 25, 2001



Honorable Donald H. Rumsfeld
Secretary of Defense
Washington, D.C. 20301

Dear Mr. Secretary:

I was very pleased that Congress accepted my proposal as part of the FY 2001 Supplemental Appropriations Act to infuse a significant amount of money into the Defense Health program to improve the military direct care system. As expressed in the various committee reports accompanying the bill, Congress has clearly stated its desire to reverse the pattern of disinvestment in our military medical treatment facilities that has been greatly exacerbated by the need to cover the large unanticipated cost growth of TRICARE contracts.

I believe that so-called optimization of the military direct care system is not only the right thing to do for our military personnel, but can serve to draw eligible patients back into the military medical treatment facilities where the cost of care is significantly lower than that provided by TRICARE contractors. An important result of your strategic review should be to emphasize MTF optimization. I strongly urge you to follow up on our initiative and expand upon this optimization effort in your fiscal year 2003 budget proposal.

I would also call the Department's attention to the September 15, 2001 reporting deadline for informing Congress which projects will be funded with Supplemental funds. The Committee will use this report to judge the Department's commitment to MTF optimization and it will be an important factor when we make our funding recommendations for the fiscal year 2002 defense budget. I urge you to make implementation of this effort a priority.

Sincerely,

John P. Murtha
Ranking Member
Subcommittee on Defense Appropriations

cc: Military Service Secretaries
Military Surgeons General

# Congress of the United States

## House of Representatives
## Committee on Appropriations
## Washington, DC 20515–6015

July 25, 2001



Honorable Donald H. Rumsfeld
Secretary of Defense
Washington, D.C. 20301

Dear Mr. Secretary:

As you consider new ship designs and future manning requirements for the DD-21 Land Attack Destroyer and other future Navy vessels, I would call your attention to an important lesson learned from the attack on the USS COLE as well as from past incidents involving the USS STARK in 1986 and the USS SAMUEL B. ROBERTS in 1991. These incidents have all shown that once a ship sustains severe damage from an attack, the size of the crew has been a critical factor to successfully controlling damage and saving the ship.

I am concerned that the current philosophy of designing ships to reduce crew size to absolute minimum numbers in order to save operational costs may not give sufficient attention to the number of crew members needed to meet emergencies or to operate in stressful combat situations.

In particular, I question whether the stated DD-21 objective of reducing manning levels from the current level of more than 300 sailors for a DDG-51-class ship to 95 sailors for a DD-21-class ship will provide enough crewmembers to meet all of this ship's operational and system requirements. By comparison, today one DD-963 class destroyer requires 90 people for damage control alone. It is also evident that members of such a small crew would have to be extremely well trained -- all would need to be specialists in more than one area or weapon system. This will be a major challenge.

I know that the DD-21 design calls for advanced damage control technology that should reduce manning requirements, but history shows that our best technology in many cases cannot substitute for the actions of sailors who willingly risk their lives to save their shipmates and their ship. This was proved once again by the heroic actions of the USS COLE crewmembers.

I realize that the future of the DD-21 is under study as part of the Quadrennial Review process. A part of this review should include a reassessment of projected DD-21 manning levels against realistic and conservative projections of operational requirements. If this is done, I have little doubt that the DD-21 manning requirement will grow to a more realistic level that will provide a better margin of safety for this ship.

Sincerely,

John P. Murtha
Ranking Member
Subcommittee on Defense Appropriations

cc: Honorable Gordon R. England, Secretary of the Navy
Honorable E.C. "Pete" Aldridge Jr., Undersecretary of Defense for Acquisition, Technology and Logistics
Honorable John J. Young Jr., Assistant Secretary of the Navy for Research, Development and Acquisition

JOHN P. MURTHA
12TH DISTRICT, PENNSYLVANIA



COMMITTEE:
APPROPRIATIONS

# Congress of the United States
## House of Representatives
### Washington, DC 20515–3812

August 29, 2001

Honorable Donald H. Rumsfeld
Secretary of Defense
Washington, D.C. 20301

Dear Mr. Secretary:

As you move into the decision-making phase of your strategic defense review, I want to register my deep concern about continued media reports that budgetary constraints are forcing you to consider reducing the size of our conventional ground forces by as many as two or three active Army divisions.

Based on many articles, some of your advisors appear to harbor the view that our defense program can be fit into pre-determined budgetary levels by adopting a strategy that rationalizes the substitution of a sizeable portion of our forward-deployed land forces with existing capabilities to deliver long-range precision strikes from "over the horizon" power projection platforms. While this may be an interesting subject for textbooks, I would urge you to exercise extreme caution before trying to implement this as a near-term national security strategy for this country.

The strategic discussions that appear to be going on within the Department are not new. Over the last 60 years there have been many well-intentioned attempts to substitute the war-winning power of conventional land forces with the substantial but limited deterrent effect of long-range air and sea power and strategic nuclear capabilities. Such strategies were instituted to varying degrees in World War II, the Korean Conflict, and in Viet Nam with disastrous results in many cases. More recently, Desert Storm demonstrated vividly how we can still be surprised by the unexpected need to quickly mount a large-scale conventional ground operation. In the Yugoslavia air campaign, I believe the imminent threat of a large-scale NATO ground operation was a decisive factor in Milosevic's final capitulation. Even today, it can be argued that our complete air dominance over Iraq is having only very limited success in achieving our policy goals. The unquestioned capability to decisively and overwhelmingly destroy any adversary on the ground is still our national security "gold standard", and has a deterrent effect much greater than other capabilities for the foreseeable future.

I have noted your recent press statements that you intend to change the current "two major theater war" strategy to what some euphemistically call the "win-repel-win" two-war strategy augmented by more formal plans for homeland defense and for participation in a limited number of small scale contingency operations. You and I have discussed my view that the military services have never been resourced to execute the "two nearly-simultaneous MTW"

strategy and do not possess that capability. I have no major problem explaining to the American People what capability our defense budget truly will deliver and commend you for saying so. I also think some of the ideas you have raised about standing joint task forces, homeland defense, and military transformation have merit.

But I have yet to be convinced that there is any plausible near-term strategic scenario that would justify reducing what is now the smallest army we have fielded since 1940 and only the eighth largest army in the world by another five to ten percent. Although the transforming war fighting capabilities brought about by information networking, stealth, unmanned vehicles, and precision guidance may someday change this equation, today there is simply too much risk associated with reducing further the size of our conventional ground forces. While there is no doubt that a smaller American Army would still be very powerful, numbers are still essential to sustaining that power over time.

On the strategic level, I am concerned that further reducing the size of our ground forces could tempt a potential adversary to miscalculate that we cannot sustain our global commitments over a protracted period of conflict, and challenge us because of it.

At the day-to-day management level, I am concerned about the destructive OPTEMPO impacts on a smaller force, and the ultimate effect this will have on recruiting and retaining the high quality personnel we have today. While your QDR planners may be tempted to make force planning assumptions based on "hoped-for" reductions in peacekeeping missions and our force levels in Europe and even Korea, I am concerned that the demands of the real world and our status as the only world superpower will not allow this to take place. Indeed, there has been no perceptible shift in OPTEMPO during the administration's first eight months in office and significant pressures exist to actually expand our peacekeeping roles in Macedonia and the Middle East. Force reductions in Europe and Korea would have powerful geopolitical ramifications. In short, these force level reductions are much easier to talk about than they are to accomplish. When it comes to force planning, I think conservative assumptions about the change in real world OPTEMPO are the order of the day.

I am concerned that your staff may be tempted to embrace well-meaning but ultimately unworkable assumptions about future Army roles and missions to justify pre-determined personnel and budget levels. If budgetary restrictions force tradeoffs, I believe it is far more important for our national security that we have unquestioned conventional ground superiority, even if this be at the expense of delaying national missile defense systems.

Sincerely,

JOHN P. MURTHA
Member of Congress

JOHN P. MURTHA
12TH DISTRICT, PENNSYLVANIA

COMMITTEE
APPROPRIATIONS

OFFICE OF THE
SECRETARY OF DEFENSE

2002 JUL -3 AM 10:23

# Congress of the United States
## House of Representatives
Washington, DC 20515–3812

July 1, 2002

C.C. D for
Assignment/response
as appropriate

The Honorable Donald H. Rumsfeld
Secretary of Defense
United States of America
1000 Defense Pentagon
Washington, D.C. 20301

SUBJECT: VERIZON/DYNACOM FEDERAL'S
MENTOR-PROTEGE APPLICATION

Larry Di Rita
7/2

Dear Mr. Secretary:

Pursuant to Section 811 of PL 106-65 of the National Defense Authorization Act for fiscal year 2000, I am requesting that you exercise the authority Congress vested in your office to authorize a separate contract for the purposes of establishing a Mentor-Protégé relationship between Verizon Federal and Dynacom Industries. Dynacom is unique; they are a small disadvantaged business manufacturer emerging in the telecommunications industry. The fact that they are a manufacturer involved with telecommunications is a very unique factor and satisfies the "unusual circumstances" that justifies the use of a separate contract.

Today, as you are aware, the Department of Defense is attempting to enhance the telecommunications capabilities of the war fighter. The development assistance as well as the enormous contractual support Verizon has offered should insure tremendous benefits to Dynacom and the Department of Defense.

As a result of this mentoring relationship, Verizon intends to enhance significantly the manufacturing capabilities of Dynacom. Verizon is a 61 billion dollar annual revenue enterprise operating in 48 state and 90 countries. It is just the type of company that we need in the Mentor-Protégé Program.

U10782 /02

I am asking on you to do whatever you can to ensure their immediate participation in this very important program. I appreciate your interest in the Verizon/Dynacom Mentor-Protégé program. Thanks for your cooperation.

Sincerely,

JOHN P. MURTHA
MEMBER OF CONGRESS

JPM:cs

cc: Mr. Frank Ramos
Mr. George Shultz

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

October 9, 2002

The Honorable Donald H. Rumsfeld
Secretary of Defense
Department of Defense
Washington, DC 20301-1000

Dear Mr. Secretary:

The conference agreement on the fiscal year 2003 Department of Defense Appropriations Act provides 19 UH-60 Blackhawk helicopters.

Two of the additional UH-60L aircraft have been provided specifically to complete fielding for Army Reserve units as described in the House Report on the fiscal year 2003 DoD Appropriations Bill (107-532). Two more of the additional UH-60L aircraft are intended for units of the Army National Guard.

It is our intention that three of the additional aircraft be HH-60Ls and that two of these aircraft to be fielded in Army National Guard units within the State of California, and one be fielded with a unit of the West Virginia Army National Guard.

Sincerely,

Daniel K. Inouye
Chairman
Subcommittee on Defense
Senate Appropriations Committee

Jerry Lewis
Chairman
Subcommittee on Defense
House Appropriations Committee

Ted Stevens
Ranking Minority
Subcommittee on Defense
Senate Appropriations Committee

John P. Murtha
Ranking Minority
Subcommittee on Defense
House Appropriations Committee

U18054 /02

# Congress of the United States

Washington, DC 20515

December 12, 2002



The Honorable Donald H. Rumsfeld
Secretary of Defense
United States Department of Defense
The Pentagon
Washington, DC 20301

Dear Secretary Rumsfeld:

We are writing to express our strong support for layberthing two Large Medium Speed Roll On / Roll Off vessels at the Port of Philadelphia. We believe that the Port of Philadelphia has unique physical, safety, security, and organizational qualities that make it the ideal choice for these ships.

As you know, Philadelphia was recently designated a strategic port by the Department of Defense. To support this designation, Pennsylvania has invested in a new collaborative initiative to leverage commercially available technologies. The Pennsylvania Regional Agile Port Intermodal Distribution System - known as RAPID - will promote faster deployment of troops and equipment from the fort, through the port, and ultimately into the theater. These new strategies and technologies will enable the Department of Defense to meet current shortfalls in transportation and logistics capacity by utilizing existing capabilities.

Pennsylvania's agencies have further partnered with the Military Traffic Management Command and the Maritime Administration to conduct a national demonstration of the PA RAPID System - moving cargo from Letterkenney Army Depot to the Port of Philadelphia. This is the first systemic demonstration of advanced agile transport and logistics technologies in the United States.

As you also know, the Interim Combat Brigade Team - known as the "Independence Brigade" - is based in Philadelphia under the Pennsylvania National Guard's command. As an integral component of the Army's transformation, the Independence Brigade combines agility with firepower to meet modern war's challenges Rapid deployment is central to the Brigade's mission, one that is best served by berthing of these ships in Philadelphia.

It is our understanding that this decision will be made within the next three weeks. We believe the Port of Philadelphia is the best choice for layberthing these vessels and strongly encourage your full and fair consideration of its qualities. Thank you for your prompt attention to this matter.

Sincerely,

Robert A. Brady
Member of Congress

John P. Murtha
Member of Congress

JOHN P. MURTHA
12TH DISTRICT, PENNSYLVANIA

COMMITTEE
APPROPRIATIONS



# Congress of the United States
## House of Representatives
### Washington, DC 20515–3812

August 27, 2003

The Honorable Donald Rumsfeld
Secretary of Defense
The Pentagon
Washington, D.C. 20301

Dear Secretary Rumsfeld:

As you are aware, I recently returned from travel to the Iraq theater of operations during which I met with Ambassador Bremer and our senior military leaders in the region. In a matter of days, the President will receive a letter from me outlining my broad findings, conclusions, and recommendations. In the meantime, however, I want to raise with you several specific items that I believe require your immediate attention. In my discussions with our senior military leaders, I received information about parts and equipment shortages that are adversely affecting our troops ability to conduct their mission and provide adequate protection for themselves and others. These are:

**Personnel Protection:**

1. **Body armor:** It was reported that some 40,000 troops in theater lack protective Kevlar plates for body armor vests. Many of the troops I've visited in military hospitals who were wounded in Iraq claim that these Kevlar plates saved their lives.

2. **Portable RF jammers:** Experience indicates that remotely controlled radio devices are detonating many of the land mines and bombs being used against our troops. There are several portable radio frequency jammers that have been developed that serve as an effective counter-measure against this threat. Yet, the Army division patrolling the so-called 'Sunni Triangle' has a total of only nine portable jammers, and the 2nd brigade of this division only had one. The division leaders with whom I met reported that these jammers are urgently required for convoy and patrol protection.

3. **Kevlar blankets:** Division leaders reported a shortage of Kevlar blankets for the HMMWVs.

**Parts Shortages:**

1. **Bradley Fighting Vehicles:** Of the 140 Bradleys deployed with the 1st Armored Division in theater, I was told that some 46 of these personnel carriers had been 'dead-lined' due to a lack of vehicle tracks.

2. **HMMWVs:** It was reported to me that roughly 80 of the 1st Armored Division's HMMWV wheeled vehicles had been taken out of service due to a lack of key spare parts. In addition, the Division reported that it is still waiting for 125 'up-armored' HMMWVs.

3. **Parts distribution:** Perhaps the most troubling information I received regarding spare parts was that in-country distribution problems resulted in a zero balance in 46 percent of the spare parts inventory for the HMMWVs and Bradley Fighting Vehicles.

Mr. Secretary, if there is anything the Sub-Committee can do to assist, please have someone contact us.

Sincerely,

John P. Murtha
Member of Congress

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



October 28, 2004

Honorable Donald Rumsfeld
Secretary of Defense
The Pentagon
Washington, DC 20301

Dear Mr. Secretary:

With the completion of congressional action on regular defense appropriations and authorization legislation for fiscal year 2005, we are writing to clarify our intent and reaffirm our support for expeditiously proceeding with an aerial tanker recapitalization program for the Air Force.

Contrary to certain assertions, congressional action on this program directly supports and facilitates the ability of the Department of Defense to proceed with an aerial tanker replacement program as rapidly as possible during fiscal year 2005. Both the defense appropriations and authorization conferences recognized and respected the need for the Department to complete the various reviews you mandated in the wake of the serious allegations associated with the previous contract negotiations. We believe that the Department must continue to fully investigate and prosecute, where appropriate, any instance of impropriety, but also move this program beyond the current state of suspended animation in order to initiate the lengthy process of recapitalizing the Air Force's aging tanker fleet.

Section 8132 of the Department of Defense Appropriations Act, 2005 (Public Law 108-287), provides the Department with a $100 million tanker replacement fund available for the acquisition of an aerial refueling tanker program. Further, the conference report strongly urges the Department of Defense to "thoroughly consider the effects on the U.S. aircraft industrial base of any and all tanker replacement program alternatives."

In turn, the Conference Report on H.R. 4200, the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005, as recently passed by the House and the Senate, builds on the appropriations provision. Section 133 of this legislation simply modifies the authority established in section 135 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136), by converting the previous program profile of 20 lease/80 procurement aircraft to a 100 aircraft multi-year procurement program.

However, it is equally important to clarify what section 133 does not do. Other than modifying the 20/80 profile to a 100 aircraft multi-year authority, this section does not alter the program of record or impose on the Department any additional or new requirements for the acquisition of the aircraft itself. With regard to the specific assertion that this legislation will require the Department to conduct a new "full and open competition" for tanker replacement aircraft, it is important to note that the conference addressed this question directly where there was agreement and remained silent where there was not. For instance, section 855 of the defense authorization conference report would require the Secretary of the Air Force to conduct a series of analyses as well as specifically abide by the applicable provisions of the Competition in Contracting Act as it pertains to the provision of integrated support for aerial tankers. However, there is purposefully no similar companion provision or requirement for competition in the conference report as it relates to the acquisition of the actual aircraft.

Mr. Secretary, as outlined above, Congress has provided the Department with all the necessary fiscal and legal resources necessary to proceed with the acquisition of aerial tanker replacement program as rapidly as possible once you complete the previously established internal reviews next month. We strongly believe that we should not allow the unfortunate actions of a few to continue to derail the need to fulfill this critical warfighting capability in the most expeditious and effective fashion possible. We urge you take the actions necessary to put this program back on track by taking full advantage of the resources and authorities provided to you for this purpose.

Sincerely,

Duncan Hunter
Chairman
House Armed Services Committee

Ike Skelton
Ranking Member
House Armed Services Committee

Jerry Lewis
Chairman
House Appropriations
Subcommittee on Defense

John P. Murtha
Ranking Member
House Appropriations
Subcommittee on Defense

# Congress of the United States

Washington, DC 20515



November 18, 2004

The Honorable Donald H. Rumsfeld
Secretary of Defense
Washington, DC

Dear Mr. Secretary:

We are committed to ensuring that our soldiers, sailors, airmen, and Marines have the best equipment and the highest force protection possible to execute the Global War on Terror. The Army and Marine Corps recently identified emergent equipment needs for U.S. troops fighting the Global War on Terrorism that must be addressed quickly. We believe that Congress has provided the Department of Defense the financial resources to meet the most urgent of these requirements, but we understand that it may be necessary to reprogram funds between accounts to do so. Accordingly, we urge you to provide the necessary reprogramming requests within the next several days to the congressional defense committees.

We are also deeply concerned about a matter Chairman Bill Young has brought to our attention regarding the retention of United States Special Operations Forces. Retention of our military personnel is becoming a significant challenge for the Department as the Global War on Terrorism continues its high pace of personnel and operational tempo, and we share Chairman Young's particular concern. We understand that USSOCOM is working closely with the Department on a strategy to retain many of these operators through a package of special pays and bonuses, and that this proposal is awaiting approval by you and the military services. Any delay in implementing this plan will result in the loss of critical personnel, and we strongly urge you to begin this program as soon as possible, but not later than January 1, 2005.

We also expect that any supplemental request will include any additional funding required to continue this initiative through the balance of the fiscal year.

Sincerely,

Ted Stevens
Chairman
Defense Subcommittee
Senate Appropriations Committee

Jerry Lewis
Chairman
Defense Subcommittee
House Appropriations Committee

Daniel K. Inouye
Ranking Minority Member
Defense Subcommittee
Senate Appropriations Committee

John P. Murtha
Ranking Minority Member
Defense Subcommittee
House Appropriations Committee

cc: The Honorable Joshua B. Bolten
Director
Office of Management and Budget

JOHN P. MURTHA
12TH DISTRICT, PENNSYLVANIA

COMMITTEE:
APPROPRIATIONS



# Congress of the United States
## House of Representatives
### Washington, DC 20515–3812

December 17, 2004

The Honorable Donald H. Rumsfeld
The Secretary of Defense
United States of America
The Pentagon
Washington, D.C. 20301-1000

Dear Mr. Secretary:

I continue to visit our wounded troops at Walter Reed and Bethesda on a weekly basis. During each of my visits, when I ask the troops if they need anything, they have consistently responded "we need armor". Just last week at Walter Reed I was visiting with a West Point Officer who was shot in the neck and unable to talk. His mother said he was frustrated because he was unable to communicate; but when I asked if they needed anything, he grabbed a pen and a piece of paper and scribbled, "I was in a Stryker Unit. A lot of Humvees need up-armor. All soldiers need protection (groin, etc). The infantry is always squared away, but non-combat arms are hurting for protective gear".

Based on conversations with senior military leaders and reports I recently received, I continue to believe that the Army is struggling to maintain current deployment levels and sustain military readiness across the force. I am particularly concerned with shortfalls in life saving equipment and our inability to get this equipment fielded with the sense of urgency that it deserves. As you know Mr. Secretary, I brought some of these issues to the forefront over a year ago, yet progress remains slow.

The anticipated supplemental funding request to support operations in Iraq and Afghanistan presents the Administration and Congress with an opportunity to forthrightly address this issue and to pay for the needs of our warfighters now. I strongly urge you to consider and fully address the following findings as you prepare the Department's request for supplemental funding.

Immediate Needs:

Requirements for the following items should be fully funded in the supplemental request in order to address immediate needs in the Iraq and Afghanistan theaters of operation:

- Armor: As you are well aware, the need for additional up-armored Humvees and add-on armor kits for other wheeled vehicles continues to grow. Some reports have lauded the fact that almost three-quarters of the full requirement for up-armored Humvees needed in Iraq have been met. What this really means is that one-quarter of the units in Iraq are still left more vulnerable to deadly attacks by insurgents. Reports I received from the Department indicate that we are still short about 2,200 of the up-armored Humvees required in theater. It has recently been reported that the manufacturer of the up-armored Humvees is not operating at full capacity.

  In addition, only 10% of our requirement for armored medium tactical vehicles, and 15 % for armored heavy vehicles in Iraq is currently being met. Full rate order and production of these vehicles should be achieved now.

- Equipment shortages: The 3rd Infantry Division is deploying soon, but without certain critical equipment. In fact, because of this equipment shortage, the unit has received the lowest combat readiness rating achievable. Though the Army leadership and Division command contend that these shortages are only temporary, the fact remains that the Army is experiencing some systemic equipment shortfalls. These include: battlefield radios; M-4 rifles; crew-served weapons and .50 caliber machine guns; ring mounts; and, tracking and IFF systems. The full Army requirement for these items should be filled and fielded.

- Personnel: The Army continues to experience shortfalls in critical occupation categories, including military intelligence specialists, transportation personnel, military police, and civil affairs units. I have been repeatedly told that a re-structuring study is under way to address this issue, and to ultimately arrive at a total force number. I believe this concept has been too long in the making. I strongly recommend the Department include in its supplemental request a plan to fully address these shortfalls in both the short-term and for the future.

Near-term Future Needs:

It appears that the Army is currently experiencing a readiness "bath tub" effect similar to that experienced by the Navy in the mid-90's. Once a unit returns from deployment, its military readiness rating falls to the lowest level, which is to be expected as personnel changes are made, block leave is granted, and repair and overhaul of equipment, vehicles and aircraft are achieved. Due to systemic equipment, training device, and personnel shortfalls, this period of low readiness

is extending beyond historic parameters for most Army units here in the United States. In fact, most of the Army combat units expected to deploy in the next rotation have unsatisfactory readiness ratings for this reason. In effect, the Army is shifting equipment and supplies from the units at home to units deploying and/or deployed now. At some point in the near future this scheme will crumble, forcing the Department, the Administration, and the Congress to consider some very hard choices. To address this problem, the Department should include in its supplemental request full funding to eliminate critical Army equipment and training device shortfalls across the force.

In addition while it has been reported that our reserves are falling on the same equipment in Iraq and Afghanistan as that of the regular force, the fact remains that our reserve force continues to train with outdated equipment, leaving them less prepared to undertake their mission once deployed. While support for war funding is strong, we need to take the opportunity now to procure better training equipment for the guard and reserve.

Army Reset:

What is perhaps most troubling is the absence of a solid plan to address the Army's need to repair and refurbish its combat and support equipment to ensure that we have a viable force 3 to 5 years from now. I have received numerous estimates of the cost to "reset" the Army force, anywhere from $18 to $20 billion. Whatever the cost to reset the force, and it will surely be multiple billions of dollars over several years, we need to get on with it. I am concerned that support for continued funding for the war will erode over time, jeopardizing funding to fully reset the Army. I strongly recommend that you include in the supplemental a robust request to repair and replace Army equipment damaged or lost in combat.

Before closing, I want to bring the following issues to your attention:

Army Medical Center

As I have been visiting our national medical centers on a regular basis as of late, it has become apparent to me that although built only 30 years ago, the Walter Reed facility has already become inefficient and antiquated, especially when compared with facilities in the civilian sector. Even in my rural district, the medical facilities are more modern and technologically advanced. Our troops and retirees deserve the best that health care has to offer, so beginning this year I will be pushing for the construction of a new state-of-the-art facility in the metropolitan DC area.

Mental Health Care and Assessment

I am particularly concerned about the quality of the service offered to our returning troops relative to their mental health. I have both talked with patients at Walter Reed and have read accounts of our troops returning from war with deep psychiatric problems and post traumatic

stress disorders. As these wounds are not physically manifested, I am troubled that the medical condition will go undiagnosed or unreported due to the associated negative stigma. One soldier told me that in a battle in Sadr City, some of his buddies were killed, others were left without limbs and he lost his mind. He added, those who are killed are ceremonially recognized. Those who lose limbs are awarded the Purple Heart. He was put in the mental health ward where he feels shunned and ignored. I am concerned that given the intensity and duration of this war, enough is not being done to assess the mental health condition of our returning troops. If funding is needed to better address this problem, I urge the Department to include it in the Supplemental request.

Finally, I will once again reiterate the importance of requesting funding for these importance issues now. Historically as wars come to an end, defense budgets are cut. We cannot afford to take the risk of jeopardizing funding for these critical issues by pushing out requests to future years.

Sincerely,

JOHN P. MURTHA
MEMBER OF CONGRESS

JPM:gc

# Congress of the United States
## House of Representatives
## Committee on Appropriations
## Washington, DC 20515–6015

March 8, 2005



The Honorable Donald H. Rumsfeld
Secretary of Defense
Washington, D.C.

Dear Mr. Secretary:

We are writing to reaffirm our commitment to the accountability and oversight of funds appropriated by Congress for the Department of Defense.

As you may know, in the Defense Appropriations Act, 2005, Congress included a provision (section 9010) that requires a report from the Secretary of Defense no later than October 31 and April 30 of each year on the military operations of the Armed Forces and the reconstruction activities of the Department of Defense in Iraq and Afghanistan. This provision was included in furtherance of article I, section 9, of the Constitution, which provides in part the following: "No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of receipts and expenditures of all public money shall be published from time to time." Congress has consistently responded with alacrity to requests for supplemental funds to support our Armed Forces during the past three years. However, this does not excuse either the Congress or the Executive Branch from accounting for the use of these funds, or from exercising proper oversight.

The first report required under section 9010, which was due over four months ago, has not yet been submitted to Congress. It is vital that both the Appropriations Committee and the Defense Department demonstrate we are committed to ensuring appropriated funds are being used for the purposes provided. This report is an important part of that effort. Failure to comply in a timely manner with such a reporting requirement can only raise fears that adequate accountability and oversight is not being exercised.

As we move forward on the President's request for emergency supplemental appropriations for fiscal year 2005, we urge you to submit the first report as soon as possible, and to meet the letter and spirit of the law for the additional reports required under section 9010.

Thank you for your attention to this matter.

Sincerely,

John P. Murtha

C. W. Bill Young

OSD 05115-05

# Congress of the United States
## House of Representatives
## Committee on Appropriations
## Washington, DC 20515–6015

July 26, 2006

702102

The Honorable George W. Bush
President of the United States
The White House
Washington, D.C.

Dear Mr. President:

We are writing to recommend that you submit an emergency funding request to reverse the continuing deterioration of the U.S. Army's preparedness for war. General Schoomaker, the Army's Chief of Staff, testified before Congress that the Army needs an additional $17 billion in fiscal year 2007 to repair and replace equipment used in the war. Without these additional funds, Army readiness most likely will continue to degrade.

While we in Washington continue to spend countless hours debating U.S. national security policy in Iraq, the Middle East, and elsewhere, our national security strength – namely, the readiness of U.S. ground forces – has weakened. It is sadly ironic that as we wage war in Iraq, our ability to wage war in other potential conflict areas around the world has been seriously undermined by a lack of attention and commitment. This may be the ultimate cost of and greatest untold story regarding our occupation of Iraq. Here are some troubling facts:

- The vast majority of U.S. active duty combat units not deployed to Iraq and Afghanistan are reported to be at the lowest levels of military readiness. Were you, as the Commander-in-Chief, to call upon them to respond to a crisis, these units would have to reply, "Not ready for duty, Sir."

- The situation for the Army reserves is worse. Almost all of the non-deployed Army Guard and Reserve units are reporting to be at the lowest military readiness levels.

- Army readiness is being driven to these low levels, in part, by a lack of equipment for training and deployment overseas. Yet, thousands of the Army's main fighting vehicles and trucks are lined up at repair depots around the country, sitting in disuse for lack of maintenance funding.

- Ammunition supplies are so low that only units with deployment orders at Fort Hood, Texas are issued ammunition. No other Army units at the base have been issued ammunition for training. Further, other Army bases throughout the U.S. have been forced to severely curtail operations. In some cases, grounds maintenance has ceased completely and custodial services of public buildings have been limited to cleaning only the restrooms.

The deterioration of our Army's readiness for war has potentially dire short-term and long-term consequences to American security. Combat units experiencing equipment and personnel shortages cannot adequately train for redeployment to Iraq or Afghanistan. Under-trained and ill-equipped forces face the potential of greater casualties after being called to battle. Over the longer term, our ability to deter future conflicts is undermined by the lack of a strategic reserve to respond to international crises. We can continue to debate the role of our military in Iraq, Iran, North Korea, and elsewhere, but without a military capable of meeting strategic requirements, that debate is pointless.

We believe this national crisis must be addressed now and, as President, your attention to this matter is urgently required. As such, we strongly recommend that you and your Administration prepare for submission to the Congress an emergency funding request to cover the Army readiness and equipment maintenance shortfalls, as well as shortfalls in other U.S. ground forces. Were such a request submitted, you can be sure that we will work hard to secure its timely passage.

Sincerely,

Dave Obey
Ranking Member

John P. Murtha
Ranking Member
Subcommittee on Defense

JOHN P. MURTHA
12TH DISTRICT, PENNSYLVANIA

COMMITTEE:
APPROPRIATIONS

# Congress of the United States
## House of Representatives
### Washington, DC 20515–3812

May 11, 2007

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

Dear Mr. Secretary:

I am in receipt of your letter dated May 9, 2007 in which you express concern of the consequences relating to the lack of timely supplemental funding. Let me first say that I believe your comments are misdirected and that the more appropriate recipient of this letter should be the President. In the initial bill passed by the House and Senate on April 24th 2007, Congress provided a significant increase in funding to address military readiness and equipment shortfalls resulting from an unplanned occupation and prolonged war. Included in this robust funding package was $2 billion more than the President requested for training and equipment shortfalls, to include $1.2 billion more than the President requested for the Mine Resistant Ambush Protected (MRAP) family of vehicles and $1 billion dedicated to purchase Army National Guard equipment. This was a good and responsible bill that the President should have signed, but instead he vetoed it, paving the way for an unnecessary delay in funding. Let me also be clear on two additional points. First, when I learned of the existence of the FY07 Emergency Supplemental request, I strongly encouraged OSD to send the request to Congress post haste in order for the bill to be taken up in a timely fashion. Second, this Congress added $17 billion in the FY07 Bridge for resetting equipment worn out or destroyed in the War. These funds were not requested by the President but it is undisputed that the infusion of funds by this Congress drastically improved a dire situation.

Congress is diligently at work at our second attempt to responsibly fund our troops, while holding the Iraqi Government and this Administration accountable for benchmarks that have previously been agreed upon. The President, however, once again threatens to veto the bill, an action that will only further delay and exacerbate the current funding predicament.

I am joined by a majority in this 110th Congress in saying that the President's current policy in Iraq is ill-conceived. A continued U.S. military build-up in Iraq is not in the best interest of Iraq's internal security and in my view acts to further incite violence and instability. In addition, an open-ended U. S. military presence in Iraq, without well defined and consequential targets, acts only to delay and distract the Iraqis from making the necessary political progress that we all agree is imperative for Iraq's future stability. In light of these beliefs, it would be irresponsible

for this Congress to ignore its oversight responsibilities. This Congress and the American people are insisting on accountability, progress and most importantly a plan for re-deployment.

In closing, I strongly recommend that you address your concerns relating to the delay in funding with the President and urge him to sign the bill sent to him by this Congress as rapidly as possible. It is the responsible thing to do.

Sincerely,

JOHN P. MURTHA
MEMBER OF CONGRESS

# Congress of the United States
## House of Representatives
## Committee on Appropriations
## Washington, DC 20515–6015

June 11, 2007

The Honorable Gordon England
Deputy Secretary of Defense
1010 Defense Pentagon
Washington, DC 20301-1010

Dear Mr. Secretary:

Last week I directed my Defense Appropriations Subcommittee staff to travel to Fort Bragg, North Carolina to receive briefings on numerous military personnel, readiness, and related family issues. The staff's report, coupled with recent discussions I've had with senior military leaders, has raised several important concerns about some disturbing trends in our ability to field quality personnel in a timely fashion. To allow the Subcommittee to address these issues in our upcoming mark-ups of the FY 2008 Defense Appropriations bill and supplemental funding request, I request your response to the follow questions:

- It was reported to my staff that, of the 67 units deployed from Ft. Bragg over the past year, 17 could not meet their required deployment dates because of personnel shortfalls. Moreover, units are generally under-strength by 25-30% when they undertake their major combat exercise at the National Training Centers prior to deployment. Would you please verify these figures and provide information about why these shortfalls have developed and what the consequences are?

- Commanders at Ft. Bragg expressed concerns about indications that senior NCOs and field grade officers (especially captains) are beginning to leave the force in greater numbers. Have you been apprised of this trend and what has the Department done to address this issue?

- My staff was told that units deploy to Iraq with only 92% of their required personnel strength, but receive additional personnel once they are in theater. Even though a unit staffed at 92% still qualifies for a C1/C2 rating, brigade combat teams are deploying with shortfalls of roughly 300 soldiers. How have these shortfalls affected units in theater?

- In discussions with soldiers at Ft. Bragg, it was reported that the number of disciplinary actions for drug use has risen considerably over the past year. Would you please provide the Subcommittee with information about the trends in disciplinary actions throughout the Army?

Mr. Secretary, it is my intention to mark-up the FY 2008 Defense Appropriations bill around July 12th. Your prompt response to these questions will allow the Subcommittee and me to address these very important matters in an effective and forthright manner.

Sincerely,

John P. Murtha
Chairman
Defense Subcommittee

# Congress of the United States
## House of Representatives
## Committee on Appropriations
## Washington, DC 20515–6015

July 23, 2007



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

Dear Mr. Secretary:

As I'm sure you are aware by now, I approved your requested transfer of funds to purchase additional Mine Resistant Ambush Protected (MRAP) vehicles. I am writing to you as a follow-up to our recent conversation about this matter.

I appreciate your efforts to address the urgent need for MRAP vehicles and respect your openness with the Committee and me about your concerns. Yet, you and I both agree that the Department must vastly improve its fiscal management and requirements processes in order to more effectively deal with important issues such as this. Regarding MRAP purchases in particular, the Army and Marine Corps badly mishandled this issue. Had these services responded a year or two ago when our field commanders first raised this matter, we could have acted – and saved lives and taxpayer dollars.

Unfortunately, this type of situation has been repeated over and over in recent years. Today we are spending about $12 billion per month for the wars in Iraq and Afghanistan, in part because we have more contractors in Iraq than we do military members. The seeds of this costly imbalance were sown early on when the Administration failed to adequately plan for our occupation of Iraq.

As you know, the Committee and I have done everything we can to support and protect our soldiers. We have led the way in providing additional funding for body armor, up-armored Humvees, jammers, Army equipment reset and rehabilitation, health care for the soldiers (including PTSD and TBI research and treatment), and so on – despite the fact that the Administration did not request much of these funds. There is a systemic problem in the Department that limits the military's ability to raise problems when they arise. I know you are working to fix this. But, once again, the Pentagon is putting Congress' back against the wall for additional, unrequested funding by asking the Congress to buy into a multi-billion dollar MRAP program in FY 2008.

- There is no formal request before Congress to increase funding for MRAPs in FY 2008. The President has not submitted an amended FY 2008 budget request, nor has the Committee received any detailed purchase plan or justification materials.
- Increasing the production rate from 82 vehicles/ month to over 1,000 is a fine goal, but what evidence do I have that this can be done?
- My staff has been told that airlift transportation costs for each MRAP is about $150,000. For the 8,000 vehicles you plan to buy, transportation costs will amount to $1.2 billion. How is this cost to be covered? The same question can be asked about spare parts and maintenance support in theater.

Mr. Secretary, I intend to address funding for additional MRAPs in the war supplemental bill the Committee will consider in September. By that time, I expect the Department to have provided the Committee with a more detailed MRAP requirements, purchase, and funding plan. I appreciate you coming to the Congress to express your personal desire to deal effectively with this issue. I assure you that we will work together to make sure that our troops receive the very best.

Sincerely,

John P. Murtha
Chairman
Defense Subcommittee

# Congress of the United States
## House of Representatives
## Committee on Appropriations
## Washington, DC 20515–6015



November 15, 2007

The Honorable Gordon England
Deputy Secretary of Defense
Department of Defense
Washington, DC 20301

Dear Mr. Secretary:

I received your letter dated November 8, 2007, regarding funding for military operations. I share your concerns. As you noted, the Fiscal Year 2008 Defense Appropriations Act did not include funding for war operations. However, on November 14, 2007, the House of Representatives passed an FY 2008 supplemental bridge fund that provides the funding for continued military operations that you discuss in your letter. This funding is sufficient to cover the Department's expenses for continued global military operations for an additional four months.

Specifically, your letter states the Army's Operation and Maintenance account will be exhausted in mid-to-late January. The House-passed bridge fund provides $27.4 billion to properly support and sustain our troops. Furthermore, the bridge fund addresses your concern with limited general transfer authority by providing an additional $4 billion of transfer authority.

In addition, your letter addresses the lack of, or limited, funding for the Iraqi Security Forces, the Afghanistan National Security Forces, and the Joint Improvised Explosive Device Defeat Organization (JIEDDO). Again, the bridge fund addresses these concerns by providing $500 million each for the Iraqi and Afghani security forces and $1.6 billion for the JIEDDO.

When signed by the President, the bridge fund will prevent any negative impact on other Department efforts as described in your letter. The bridge fund passed by the House of Representatives properly supports and sustains our troops in the field and alleviates the concerns of your letter.

Sincerely,

the President should sign a bill

John P. Murtha
Chairman
Subcommittee on Defense

JOHN P. MURTHA
12TH DISTRICT, PENNSYLVANIA

COMMITTEE:
APPROPRIATIONS

# Congress of the United States

## House of Representatives

Washington, DC 20515–3812

December 14, 2007

The Honorable Gordon England
Deputy Secretary of Defense
100 Defense Pentagon
Washington, DC 20301-1010

Dear Secretary England:

I received your letter dated December 7, 2007 and read with concern your intention to begin issuing furlough notices within the Department of the Army, the Marine Corps, and the Combatant Commands.

I believe that the schedule of O&M fund depletion that you cite is, in my view, inaccurate. Calculations performed by my Defense Appropriations Subcommittee staff and the Congressional Research Service both lead one to conclude that Army O&M funds can be available until at least the end of March were the Department to exercise reasonable fiscal management options. Enclosed, please find a chart produced by CRS that details the options available to extend Army Operations.

Furthermore, the Secretary of Defense can invoke section 165 of title 10, which allows him to utilize Navy and/or Air Force funds to cover war costs. Altogether, the authorities available to the Secretary of Defense will certainly allow the Army to continue funding critical operations until the end of March without any need for dramatic actions.

I hope yesterday's decision to postpone the notification of furloughs to unions and employees is an indication that we can come to a non-political solution to this issue.

Sincerely,

JOHN P. MURTHA
MEMBER OF CONGRESS

JOHN P. MURTHA
12TH DISTRICT, PENNSYLVANIA

COMMITTEE:
APPROPRIATIONS

# Congress of the United States
## House of Representatives
Washington, DC 20515–3812

December 14, 2007

The Honorable Gordon England
Deputy Secretary of Defense
100 Defense Pentagon
Washington, DC 20301-1010

Dear Secretary England:

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Sincerely,

JOHN P. MURTHA
MEMBER OF CONGRESS

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

Dear Mr. Secretary:

On January 2, 2008, the staff of the Committee on Appropriations was notified that the Department of Defense had obligated funds totaling $155,500,000 for a revised disarmament, demobilization and reintegration program in Iraq for which funds were provided for a different purpose in Public Law 110-28, the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007. This action was taken despite then-continuing discussions with the Department about ongoing policy questions and concerns about the revised program, the overuse of contractors in the Iraqi theatre, the commitment of the Iraqi government to provide matching funds for the program, and the continuing presence of U.S. military forces to perform traditional Department of State activities.

The hasty actions taken by the Department to obligate funds for a program that was not described in the department's congressional justification materials and on which the Committee has expressed its policy concerns abrogates a long-standing comity between the Committee and the Department. This action is of great concern to the Committee, and I would like to talk to you about what happened.

Sincerely,

JOHN P. MURTHA
MEMBER OF CONGRESS

# Congress of the United States
## Washington, DC 20515

February 7, 2008

The Honorable Robert Gates
Secretary of Defense
1000 Defense Pentagon
Room 3E718
Washington, DC 20301

Dear Secretary Gates:

We are writing to express our concern over appropriated funding for a landmine and unexploded ordnance program that has never been spent for its intended purpose. We request that your office make an inquiry into the fiscal year 2005 funding for Project RENEW and respond at your earliest convenience.

Decades after the last of any United States military involvement in the nation of Vietnam, that country continues to be burdened by the problem of landmines and unexploded ordnances. Vietnamese officials estimate that 3.5 million landmines and 300,000 tons of unexploded ordnances litter the Southeast Asian country. During the Vietnam War's final 10 years from 1965-1975, the U.S. Armed Forces deployed more than 15 million tons of bombs, mines, artillery shells and other ordnances. According to the Landmine Working Group of Vietnam, between 1975 and 2000 there were 104,701 landmine and unexploded ordnance casualties in Vietnam (38,849 killed and 65,852 injured). It is estimated that landmines and unexploded ordnances will kill and maim at least 1,200 Vietnamese civilians in 2008.

In the Fiscal Year 2005 Defense Appropriations Act (P.L. 108-287), Congress provided the Department of Defense $5 million for Project RENEW, a program designed to support a landmine removal and education program in Vietnam to be administered by the Vietnam Veterans Memorial Fund (VVMF). Despite assurances from officials at the Department of Defense that funding would be provided, Project RENEW received less than $100,000, stifling the expansion of an effective and model humanitarian program, and ignoring clear congressional intent. Further, the U.S. Ambassador to Vietnam has had to rescind statements made during a press conference in November 2004, causing great embarrassment to our nation. We have enclosed a summary of the efforts in the past several years, all of which have failed, to ensure that the appropriated funding for Project RENEW is fulfilled.

We believe that Project RENEW will make great strides toward continued reconciliation with Vietnam as it provides a comprehensive and integrated mine awareness and victim assistance program. We request that the appropriate staff review this matter and explain why funding has yet to be allocated and what the current impediments stand in the way of Project RENEW receiving the full $5 million appropriation.

Thank you for your time and consideration of this important effort.

Sincerely,

Jim Moran

Norm Dicks

JPM/hdb
Enclosure (1)

# Project RENEW
# Timeline of Events

- Project RENEW is a comprehensive and integrated mine awareness and victim assistance program established in 2000 and officially approved by Vietnam's Prime Minister on July 5, 2001. The program is a partnership between the Vietnam Veterans Memorial Fund (VVMF) and the Quang Tri Province Department of Foreign Affairs.

- On June 22, 2004 the House approved H.R. 4613, the Fiscal Year 2005 Defense Appropriations bill. The committee report accompanying the bill, House Report 108-553, included $5 million for Project RENEW. On July 22, 2004, the House and Senate approved the conference report on the FY Defense Appropriations bill. The conference report, House Report 108-622, retained $5 million in funding for Project RENEW. The money was placed in appropriation 0400D - RDT&E Defense-wide, FY 2005, within Budget Activity (BA) 7 - Operational Systems Development. On August 5, 2004 President Bush signed the conference report into law (Public Law 108-287).

- In October of 2004, VVMF was told by DoD that the DoD Joint Robotics Coordinator in the Office of the Under Secretary of Defense would be handling the Project RENEW funding. In November of 2004 officials from VVMF began its first series of meetings with the Joint Robotics Task Force. At that first meeting the head of the Task Force and informed VVMF that there would be no problem disbursing the money to VVMF and that the first installment of funds should be released within a few months.

- Based on that discussion, in November of 2004, then U.S. Ambassador to Vietnam, Michael Marine, held a press conference with Vietnamese government officials and representatives from VVMF to announce the funding.

- In December of 2004 DoD agreed that the $5 million in funding for Project RENEW would be given to VVMF in the form of a grant over a period of five years. At the request of the Joint Robotics Task Force, VVMF prepared a Statement of Work (SoW) outlining how it intended to spend the grant money. In early 2005 VVMF was informed by DoD that Tyndall Air Force Base in Florida would be preparing the paperwork to process the grant. From May of 2005 through December 2005, VVMF staff worked closely with Tyndall Air Force Base and the grant specialists at Eglin Air Force Base to process the paperwork necessary to execute the grant – producing several renditions of the SoW based on feedback from officials at Tyndall and Eglin. In a letter dated May 17, 2005, the head of the Joint Robotics Task Force wrote to Robert Frank, VVMF Treasurer, the following:

  *"We look forward to working with the Vietnam Veterans Memorial Fund (VVMF) through Project RENEW. I wanted to confirm that we are in fact developing a grant to the VVMF to fund approximately $1M annually for the next five years. The Air Force Research Laboratory (AFRL) at Tyndall Air Force Base, FL will be executing and administering the grant. I am hopeful the first increment will be in place within the next thirty days."*

- In September of 2005 a final SoW was submitted to Eglin for what VVMF was told would be final processing. In November of 2005 the SoW was rejected by Eglin because the officials processing the grant stated that it did not conform to their mission.

- On December 1, 2005 the head of the Joint Robotics Task Force decided to pull the money from Eglin and have the Medical Command at Fort Detrick, MD process the Project RENEW grant. By mid-December of 2005, the Joint Robotics Task Force informed VVMF that VVMF could expect to get the first installment of the grant ($1 million) before the New Year. By mid-January of 2006, VVMF was again informed by DoD that things were still on track and that by the end of January Fort Detrick would be contacting VVMF to finalize the grant.

- From late-January to early-February, no one at DoD returned repeated phone calls from VVMF inquiring about the grant. VVMF learned in mid-February of 2006 that the head of the Joint Robotics Task Force had left his position in January of 2006 because of personal issues. No one at DoD informed VVMF of this leadership change and no one at DoD took responsibility for processing the grant. On February 13, 2006 VVMF received a phone call from the Medical Command at Fort Detrick informing them that Fort Detrick would not be able to process the Project RENEW grant because there was not enough military relevance.

- VVMF worked with other officials at the Joint Robotics Task Force to get Fort Detrick to reconsider its decision. In mid-March of 2006 VVMF was informed that Fort Detrick would not reconsider. From mid-March through June of 2006, the Joint Robotics Task Force tried to find another entity within DoD to process the funding. On June 7, 2006 a top ranking Vietnamese official wrote to then-Ambassador Marine expressing concern over the delay in funding. On June 13, 2006 VVMF was informed by the Joint Robotics Task Force that, after reviewing several options, there was no way DoD could execute a grant for Project RENEW.

- On June 14, 2006, VVMF wrote to then-Secretary of Defense Rumsfeld seeking assistance. VVMF never received a response from the Secretary's Office.

- In July of 2006 VVMF was informed by the Special Operations and Low Intensity Conflict (SO/LIC) that there was a chance that VVMF could secure a very small portion of the funding provided by the Congress for Project RENEW if it entered into a partnership or subcontractor relationship with an existing DoD contractor doing R&D work for DoD related to de-mining and UXO removal. Based on that information, VVMF entered into an agreement with the Golden West Humanitarian Fund through which Golden West modified an existing contract with DoD to have Project RENEW work as a subcontractor to perform R&D work for Golden West. As a result of this agreement, Golden West ended up receiving some of the $5 million set aside by Congress for Project RENEW. Close to $2 million either went unspent or was spent by the various entities within DoD that attempted to process the funding. Only about $100,000 will end up going to Project RENEW's main programs. Most significantly, none of funds were spent as intended by Congress, namely to expand Project RENEW in Quang Tri Province and bring Project RENEW to other provinces in Vietnam.

# Congress of the United States
## House of Representatives
## Committee on Appropriations
## Washington, DC 20515-6015

March 13, 2008

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

Dear Mr. Secretary:

I recently read an advertisement in the March 5, 2008 edition of the *New York Times* that I understand is part of a new Air Force public awareness campaign titled "Above All."

The underlying purpose of this campaign, which began on 24 February is not to recruit airmen but rather is intended to reinvigorate the public's regard for the Air Force, highlight the service's wartime effort and generate support for additional funding to buy new aircraft and advanced technology.

My staff informs me that $25 million has been obligated to date on this campaign, which includes not only the production but placement of advertisements in television and the print media. Furthermore, I understand the Air Force has requested $55 million in Fiscal Year 2009 so that it may better compete with the other services for "America's admiration" and for increased funding.

Mr. Secretary, this is outrageous. At a time when the Department is unable to fully fund important family advocacy programs and other important programs in support of our servicemen and their families, I find it unconscionable that a service could find over $80 million for a campaign of this sort.

In addition, I request that you report whether this campaign is a violation of the law. I am sure that you are aware that the 2008 Appropriations Act contains a provision that prohibits the use of any Department of Defense funds from being used to influence congressional action on any legislation or appropriation matters pending before the Congress.

I would like the Department to cease all efforts for this campaign until you and the Committee can conduct a thorough review.

Sincerely,

John P. Murtha
Chairman
Defense Subcommittee

# Congress of the United States
## House of Representatives
## Committee on Appropriations
## Washington, DC 20515–6015

March 13, 2008



The Honorable Robert Gates
Secretary of Defense
Washington, DC 20301

Dear Mr. Secretary:

This week, the Committee received a briefing on the KC-X tanker replacement contract award. Several issues came up at the time that I would request further clarification on to include communications between members of Congress, the proposal offerors and the Department of Defense that may have led to altering the final Request for Proposal. To allow the Committee to address these issues, I request your response to the following items:

1. Copies of letters to and from members of the Congressional Defense Committees (as defined by Department of Defense Appropriations Act, 2008, Section 8027) pertaining to the KC-135 tanker replacement and eventual award dating back to January 1, 2001.

2. Copies of letters to and from the offerors concerning the possibility of withdrawing from the competition if certain criteria were not altered.

3. Copies of letters to and from the offerors concerning changes in the criteria used in the Combined Mating and Ranging Planning System (CMARPS) model and Integrated Fleet Aerial Refueling Assessment.

Mr. Secretary, your prompt response to these questions by March 17, 2008, will allow the Committee and me to address this very important matter in an effective and forthright way.

Sincerely,

John P. Murtha
Chairman
Defense Subcommittee

# Congress of the United States
## House of Representatives
## Committee on Appropriations
## Washington, DC 20515-6015

April 29, 2008

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

Dear Secretary Gates:

The Department of Defense has presented an increasing number of reprogramming requests for congressional approval. The volume and dollar value of these reprogrammings is of concern to me, and indicates that the Department has failed to implement budget process changes recommended by the Committee in the report accompanying the fiscal year 2008 DoD Appropriations Act. Since the Department instituted budget process changes in 2003, the budget justification has become progressively less informative. For example, the budget justification that the Committee recently received for the FY 2008 Supplemental budget request was not formal, it was not vetted and was simply a suggestion of what the bill might include. The Military Services were informed after the fact of what was included in it. Similarly, the Department recently sent background information related to the FY 2009 bridge fund. Again, this information was not provided by any formal means, and apparently was not coordinated with the Military Services.

Also since the budget process changes were instituted in 2003, the budget decisions conveyed in the President's budgets do not appear to have the same level of consistency and logic as had been the case. Beginning in 2003, the resource allocation process was significantly altered requiring that the program and budget reviews occur simultaneously. The process changes were ill-conceived and have had significant and lasting adverse implications.

Today, sequential steps to plan adequately or refine a plan into budget-level detail do not exist. Further, conducting a simultaneous program and budget review eliminates the inherent discipline in the process which forces resource allocation decisions to occur deliberatively. As a consequence, we find unnecessary confusion and wasted effort. The time and attention required to harmonize simultaneous program and budget reviews detracts from the Department's ability to carefully scrutinize fiscal requirements.

Report language that accompanied the FY 2008 Defense Appropriations Act directs the Department to correct flaws in the resource allocation process which have arisen since the changes made in 2003. Since the elimination of a deliberative planning, programming and budgeting process, difficult decisions are not made in the budget. Rather, they are left to be sorted out in the year of budget execution. I've observed that:

(1) Transfers of funds within DoD have exploded. In 2002 there were 16 prior approval reprogramming requests and last year there were 41;
(2) Supplemental requests have grown and, increasingly resemble the base budget in the amounts requested; and
(3) Congress is forced to make increasingly difficult tradeoffs to balance funding needs among programs.

I believe that we are obliged to ensure that the taxpayers' dollars are used effectively and efficiently. Further, I believe that a disciplined budget process matters. Please respond by informing the Committee of the steps you are taking to improve the budgeting process, and describe the metrics of improvement that you are employing to ensure that the Department is using tax-payer dollars in the most effective and efficient manner possible. Also please describe changes in law or internal DoD policy that you see as necessary to support a rigorous Defense resource allocation process. Please prepare a response to my staff at your earliest convenience.

Respectfully,

John P. Murtha
Chairman
Defense Subcommittee

# Congress of the United States
## House of Representatives
## Committee on Appropriations
## Washington, DC 20515–6015

May 8, 2008

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

Dear Secretary Gates:

I am very concerned by recent reports about the living conditions some of our troops must endure. I ask that you personally ensure that no member of our Military Services returns from combat to face the deplorable living conditions that have recently been documented in some our barracks. This situation must be corrected immediately.

My Committee has provided billions of dollars over the years for barracks and facilities repair. In the fiscal year 2008 bill, the Committee added over $600 million above the funds requested for the Army and Marine Corps to maintain and repair facilities, including barracks. In addition, this Committee recently strengthened the guidance to ensure that funds appropriated for facilities maintenance are indeed used for that purpose, and not transferred elsewhere without express congressional approval.

Given the Committee's actions, I have come to the view that present circumstances demonstrate a serious weakness in Department of Defense and Army leadership. A weakness demonstrated by an apparent indifference to the living conditions provided for the members

of America's armed forces. Unfortunately, the Department of Defense has a long history of neglecting facilities that have the most immediate and direct effect on the quality of life of U.S. Service personnel. For example, just one year, ago the Department was embarrassed by public revelations about the terrible conditions at Walter Reed Army Medical Center.

Given the Department's history, I am convinced that the Department of Defense, does not have a firm command of the facts concerning the state of barracks and other facilities affecting the quality of life of Service personnel. As a result, I ask that at your earliest convenience, you provide this Committee with the results of a survey of barracks at all Department of Defense installations. This survey should document the extent to which barracks meet the established DoD standards, the extent to which barracks fail to meet such standards (as well as the reasons for such failure), and an estimate for each Military Service of the funding required to bring barracks into compliance with DoD Standards.

If your staff has questions, they may call Ann Reese of my Committee staff. I look forward to your response.

Respectfully,

John P. Murtha
Chairman
Defense Subcommittee

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

Dear Mr. Secretary:

I am writing to urge you to take swift action to impose appropriate internal accounting controls over the disbursement of contingency funds in support of on-going operations in Iraq and Afghanistan. As Congress provides the Department of Defense (DoD) another $165 billion in emergency funds for the Global War on Terror, the American people have a right to expect that these funds are being managed responsibly and spent appropriately.

According to a report issued this morning by the DoD Inspector General (IG), $7.7 billion of the $10.7 billion in commercial and miscellaneous payments made by the Army between 2001 and 2006 in Iraq, Kuwait and Egypt lacked either the minimum supporting documentation for a valid payment or did not comply with other statutory and regulatory requirements. The Defense Criminal Investigative Service has determined that the Department has conducted only a limited review of the completeness, accuracy and propriety of these payments and that the potential exists for fraud, waste and abuse. This is unacceptable.

After almost seven years of operations in Afghanistan and five years in Iraq, it is well-past time for the Department to put in place systematic internal controls over funds disbursed in a contingency environment. The IG has recommended a series of steps the Department should take to manage these payments with a reasonable assurance that they are appropriate and properly accounted for. Please provide me with your strategy for implementing the IG's recommendations, including a timetable for implementation and discussion of any of the recommendations you believe should not, or can not be put in place.

I thank you for your continued service on behalf of our nation and for your attention to this matter.

Sincerely,

John P. Murtha
Chairman
Defense Subcommittee

# Congress of the United States
## House of Representatives
## Committee on Appropriations
## Washington, DC 20515-6015

June 12, 2008

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

Dear Secretary Gates,

I am in receipt of the June 6, 2008, letter from you requesting that I reconsider the denied funding of $1.6 billion for Intelligence, Surveillance and Reconnaissance (ISR) capabilities and full funding for the Commander's Emergency Response Program (CERP).

In your letter, there are several issues that concern me. Your letter indicates that you are requesting $1.6 billion spread over fiscal years 2008 and 2009. Based on a further breakdown of the funding, it appears that the fiscal year 2008 portion is $350 million for classified programs and an ISR sensor though neither of these programs were formally requested in either the original fiscal year 2008 request dated February 5, 2007 or any of the amendments to the fiscal year 2008 request. The only information provided by the Department on the two programs was a draft document provided in March 2008 with very few details. Additionally, the Committee has not yet received any budget justification for the fiscal year 2009 ISR funding in the amount of $1.3 billion beyond a single page listing a total dollar value for the individual efforts. The Committee's responsibility to the taxpayer is to provide oversight for these large amounts of funding. A significant piece of that oversight is to be well versed in the details of programs prior to

appropriating such large amounts of funding. Surely you would agree that the detail provided on a single page is insufficient. Further, the information was received on May 2, 2008. The Committee had essentially completed work by this date.

Additionally, Congress is providing $1.7 billion for the Commander's Emergency Response program in fiscal year 2008. This is $500 million more than the amount requested by the President. Although your letter indicates we are not fully funding the program, I am not aware of any other outstanding requests for CERP that need further funding.

The Department's lack of fiscal responsibility continues to concern me. In my letter dated April 29, 2008, I raised concerns over the lack of discipline in the budget process since fundamental changes occurred in 2003. The ISR and CERP issues are yet further examples of those very same practices which are the cause of my concern.

Secretary Gates, I truly appreciate your advice on the subject but as you are aware, Congress has a fiduciary responsibility to provide oversight to Department of Defense appropriation requests to ensure that the taxpayers' dollars are used effectively and efficiently. I assure you that we will work together to provide the required funding for our troops.

Respectfully,

John P. Murtha
Chairman
Defense Subcommittee

# Congress of the United States
## House of Representatives
## Committee on Appropriations
## Washington, DC 20515–6015



September 14, 2008

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

Dear Mr. Secretary:

I am writing to request an immediate briefing from your office on the Department's intentions and plans for implementing the congressional directive to establish a reconstruction cost-sharing arrangement between the United States and Iraq.

The Iraqi economy is flourishing, to the point that the Government of Iraq is seeking contract bids to build the world's largest Ferris wheel to attract tourists to Baghdad. At the same time, U.S. tax payers are supporting CERP projects of dubious urgency, such as two murals costing $1.1 million for the Baghdad airport. While Congress understands that the Commander's Emergency Response Program (CERP) has been an effective part of the U.S. counter-insurgency effort in Iraq, it is time for the Government of Iraq to assume responsibility for reconstruction of that country.

The Fiscal Year 2008 Emergency Supplemental directed your office to "immediately begin to develop the processes and procedures necessary to institute an equal cost sharing between the United States and Iraq for all reconstruction projects greater than $750,000." It also stated that implementation of this new cost sharing arrangement "shall begin no later than October 1, 2008." Two weeks remain before the end of the fiscal year, and the Department has yet to explain how it will implement this requirement in time to meet the deadline.

I am concerned that the Department has repeatedly refused to provide this information to the Subcommittee. Please be advised that I hereby object to the Department's intent to obligate

$1,500 million from the Iraq Security Forces Fund to support the Iraq Security Forces pending your response on how the reconstruction cost-sharing arrangement will be implemented.

I look forward to hearing from you shortly.

Regards,

John P. Murtha
Chairman

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

Dear Mr. Secretary:

I am writing to convey my reservations over your decision to release $1,500,000,000 from the Iraq Security Forces Fund (ISFF) in light of the concerns expressed in my October 27, 2008, letter regarding the Commander's Emergency Response Program (CERP). From your letter of November 21, 2008, I am aware that the Department of Defense has made efforts to increase reconstruction cost-sharing with the Government of Iraq. However, the Department has still not submitted to the Congress a plan to implement a reconstruction cost-sharing program as required by the Fiscal Year 2008 Supplemental Appropriations Act.

During my recent visit to Afghanistan, I heard first-hand from our military commanders the importance of CERP as a critical tool of U.S. counter-insurgency operations. In order to preserve this program as a robust resource for our forces in Afghanistan, we must decrease Iraqi reliance on U.S. CERP funds, and have procedures in place for all CERP projects to ensure that funds are being spent effectively and transparently. I have a number of concerns in this regard, including: the possibility of abuse of program funding; whether projects are well-chosen and serve the needs of local populations; and the overall cost of the program. The Department's response to my concerns about CERP have failed to address the prospects for reducing reliance on U.S. CERP funds in Iraq or ensuring the effectiveness of the projects this program supports.

From the beginning of this discussion on the cost-sharing requirement, I have been open to considering a proposal from the Department that would allow some flexibility in how this directive is implemented consistent with the imperative for proper congressional oversight. The Department's approach to this matter is disappointing. The Subcommittee will continue to assess the impact of these actions as we prepare to consider the Department's supplemental

funding request for Fiscal Year 2009. I look forward to your prompt transmission of the report as required by the FY 2008 Supplemental Appropriations Act.

Sincerely,

John P. Murtha
Chairman
Defense Subcommittee