

United States Senate

WASHINGTON, DC 20510

July 31, 2009

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

Dear Secretary Gates:

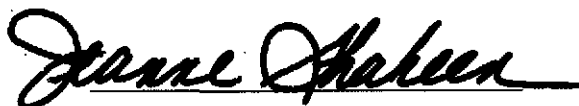
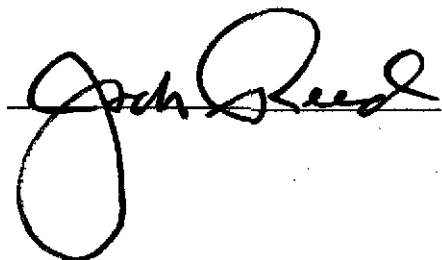
We are seeking your input on a proposal to expand income tax relief benefits, specifically the Combat Zone Tax Exclusion, to civilian federal employees serving in Iraq and Afghanistan.

We recognize that our uniformed personnel enjoy certain benefits that are not extended to civilians serving abroad. Given the nature of operations in Iraq and Afghanistan, your employees frequently confront the same dangers and risks as our uniformed forces. Currently, the Combat Zone Tax Exclusion allows military personnel serving in direct support of operations in designated combat zones to receive their compensation free of federal income tax.

As the need for reconstruction and stabilization operations increases, we must strengthen the corps of civilian experts, like public health officials, city planners, port operators, and agronomists, who have the vital skills necessary for these operations to succeed. In order to successfully accomplish the important diplomacy and development tasks ahead, we must rely on the participation of members of your department to fill these critical missions in Iraq and Afghanistan.

As such, we would appreciate knowing if such benefits would assist you in providing an appropriate reward for employees' service, and aid in ensuring a consistent supply of qualified individuals to fill these important positions. Additionally, since it is our understanding that providing such benefits requires legislative action, we also would appreciate your views on proposals to accomplish this goal such as S. 1166, which Senator John Warner introduced in the 110th Congress. We have also reached out to your counterparts in the Departments of State, Agriculture, Homeland Security, Health and Human Services, Justice, Commerce, and Treasury.

Thank you for your attention to this matter, and we look forward to hearing from you.



OSD 08849-09



Ted Kampfer

Tom Coble

Paul Beards

United States Senate

WASHINGTON, DC 20510

June 24, 2010

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

Dear Mr. Secretary:

We write to express our support for the President's budget request for additional non-dual status technicians for the National Guard. Specifically, the Department of Defense budget request for fiscal year 2011 includes an increase on the statutory limit on non-dual status technicians for the Army National Guard from 1,600 to 2,520.

It is our understanding that an increase in non-dual status technicians in the National Guard is required because our National Guard has transformed over the last two decades from a rarely-deployed strategic reserve to a frequently deployed operational force. The frequent deployments of dual status technicians, who both serve as citizen-soldiers and civilian employees of the National Guard, has affected the National Guard's ability to support critical on-going functions in each of our states. This provision of the President's budget request was intended to remedy this situation and ease the strain on our Guardsmen by allowing the hiring of additional non-dual status technicians, or permanent civilian employees who do not deploy.

As you may know, the House and Senate Armed Services Committees have so far diverged in their treatment of this issue. Although the House bill, H.R. 5136, increased the limit to 2,520, the Senate Armed Services Committee (SASC) did not take similar action when marking up its bill, S. 3454. The SASC bill would provide you new authority to temporarily hire civilian employees to fill vacancies caused by deployments, but the Committee deferred taking further action on this issue pending the receipt of a report on the topic mandated by Section 417 of the National Defense Authorization Act for FY10 (Public Law 111-84).

In anticipation of full Senate's consideration of the bill and the eventual Conference Committee to resolve differences between the House and Senate versions, we ask that you ensure that the report required by Section 417 of the NDAA for FY10 is submitted to the House and Senate Armed Services Committees in a timely manner. We believe that it is important for the National Guard to be adequately manned, and hope that this report will set for the clear reasons for why the requested level of 2,520 non-dual status technicians will meet that critical goal.

OSD 08144-10



We thank you for your attention to this request and for your continued service.


Sincerely,


Joseph I. Lieberman
UNITED STATES SENATOR



Scott P. Brown
UNITED STATES SENATOR


Patrick J. Leahy
UNITES STATES SENATOR


Christopher S. Bond
UNITES STATES SENATOR


Robert C. Byrd
UNITES STATES SENATOR


Saxby Chambliss
UNITES STATES SENATOR


Barbara Boxer
UNITES STATES SENATOR


Lisa Murkowski
UNITES STATES SENATOR


Christopher J. Dodd
UNITES STATES SENATOR


Robert F. Bennett
UNITES STATES SENATOR


Charles E. Schumer
UNITES STATES SENATOR


Chuck Grassley
UNITES STATES SENATOR


Mary L. Landrieu
UNITES STATES SENATOR


Kay Bailey Hutchison
UNITES STATES SENATOR

John D. Rockefeller IV
UNITES STATES SENATOR

Orrin G. Hatch
UNITES STATES SENATOR

Tom Harkin
UNITES STATES SENATOR

James M. Inhofe
UNITES STATES SENATOR

Dianne Feinstein
UNITES STATES SENATOR

Lamar Alexander
UNITES STATES SENATOR

Jeff Bingaman
UNITES STATES SENATOR

Jim Bunning
UNITES STATES SENATOR

Michael F. Bennet
UNITES STATES SENATOR

David Vitter
UNITES STATES SENATOR

Roland W. Burris
UNITES STATES SENATOR

George V. Voinovich
UNITES STATES SENATOR

Mark Udall
UNITES STATES SENATOR

James E. Risch
UNITES STATES SENATOR

Mark Begich
UNITES STATES SENATOR

Al Franken
UNITES STATES SENATOR


Bill Nelson
UNITES STATES SENATOR


Richard Burr
UNITES STATES SENATOR


Bernie Sanders
UNITES STATES SENATOR


Evan Bayh
UNITES STATES SENATOR


Kay R. Hagan
UNITES STATES SENATOR


Patty Murray
UNITES STATES SENATOR


Robert Menendez
UNITES STATES SENATOR


Blanche L. Lincoln
UNITES STATES SENATOR


Frank R. Lautenberg
UNITES STATES SENATOR


Johnny Isakson
UNITES STATES SENATOR


Edward E. Kaufman
UNITES STATES SENATOR

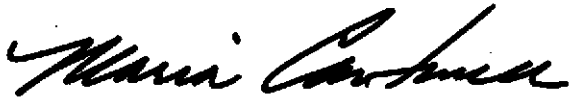

Kirsten E. Gillibrand
UNITED STATES SENATOR


Ron Wyden
UNITES STATES SENATOR


Amy Klobuchar
UNITED STATES SENATOR


Daniel K. Akaka
UNITES STATES SENATOR


John Barrasso
UNITES STATES SENATOR



Maria Cantwell
UNITES STATES SENATOR



Susan Collins
UNITED STATES SENATOR



Claire McCaskill
UNITES STATES SENATOR



George B. LeMieux
UNITES STATES SENATOR



Richard J. Durbin
UNITES STATES SENATOR

United States Senate

WASHINGTON, DC 20510

September 23, 2011

The Honorable Leon E. Panetta, Secretary
U.S. Department of Defense
1400 Defense Pentagon
Washington, DC 20301-1400

Dear Mr. Secretary:

We are gravely concerned about recommendations proffered by the Defense Business Board with regard to America's military retirement, primarily those recommendations altering and/or cutting the military retirement benefits which our career military members who are currently serving our great nation have been promised and are relying upon to assist with their retirement needs.

While deficit reduction is essential, balancing the budget and curbing costs in the U.S. Department of Defense by cutting retirement benefits to those now serving is patently unfair to our military members and their families and puts in jeopardy the recruitment and retention of our nation's future all-volunteer force. We have heard from countless veterans and constituents asking that Congress do the right thing by ensuring that these important benefits are not pulled out from under those who are working hard for what they have been promised.

The current retirement system is a considerable enticement in preserving a career voluntary military force, and any proposed changes must be calculated in that light. Many of our constituents have stated that the current retirement system was a major factor in their decision to choose to serve, or to continue serving in uniform. Contrary to the belief of some, military service is not comparable to the private sector; and a retirement system that works for a civilian career may not necessarily be appropriate for the military.

On this subject, you have said, "People who have come into the service, who have put their lives on the line, who have been deployed to the war zones, who fought for this country, who have been promised certain benefits for that - I'm not going to break faith with what's been promised to them." We believe, as do our constituents, that we must follow your lead and ensure that our government upholds the promises we have made to our military.

Certainly, Congress will be looking to you regarding cuts in defense spending; yet it is our worry that some members will also look to these recommendations by the Defense Business Board. We encourage you then to ensure the security of America's military by relaying to Congress your deep commitment that our nation not undertake any detrimental changes or reductions in military retirement for those who are serving. While our nation must cut spending and balance the budget, we simply cannot do it on the backs of America's military and their families.

Thank you for your consideration in this matter. Please be assured we will assist you in this effort in any way that we can.

Sincerely,

OSD 11608-11





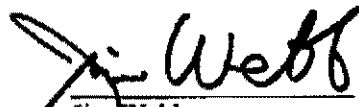
E. Benjamin Nelson
United States Senator



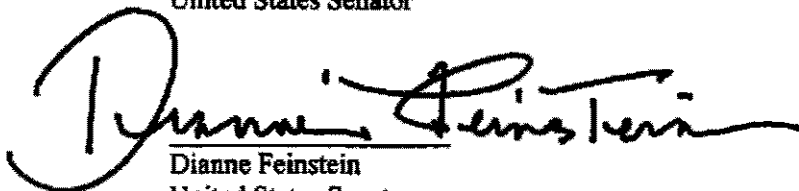
James Inhofe
United States Senator



Sherrod Brown
United States Senator



Jim Webb
United States Senator



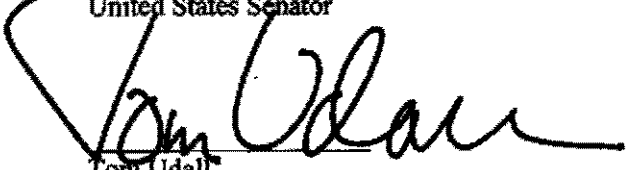
Dianne Feinstein
United States Senator



Richard Durbin
United States Senator



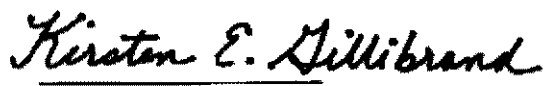
Mark Begich
United States Senator



Tom Udall
United States Senator



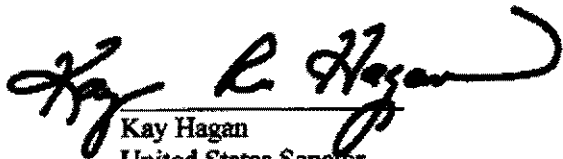
Richard Blumenthal
United States Senator



Kirsten Gillibrand
United States Senator



Claire McCaskill
United States Senator



Kay Hagan
United States Senator



Robert Casey
United States Senator



Daniel Akaka
United States Senator



Jeanne Shaheen
United States Senator

United States Senate
WASHINGTON, DC 20510

March 30, 2012

The Honorable Leon E. Panetta
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20310-1000

Dear Secretary Panetta:

We are writing to express our opposition to the Department of Defense's Fiscal Year 2013 budget request of \$400.9 million for the tri-national Medium Extended Air Missile Defense System (MEADS).

MEADS has been plagued by scheduling delays, cost overruns, and an inability to meet performance requirements since the program's inception in the 1990s. As a result, in February 2011, the Office of the Secretary of Defense (OSD) terminated procurement of the system yet decided to continue funding development of the program through a proof of concept phase. Unfortunately, DOD has spent over \$2 billion on a failed system that will never be used by our military.

To prevent wasteful spending on MEADS, Congress included Section 235 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-329). Section 235 of Public Law 112-329 mandates not more than 25 percent of the funds authorized for MEADS can be obligated or expended until the Secretary of Defense submits to the Congress a plan to use such funds as "final obligations." This law is clear the Fiscal Year 2012 funds for MEADS are to be used to close out or terminate the program. We are dismayed by DOD's Fiscal Year 2013 request, which is in direct violation of this law.

Further, while some suggest that the termination liability for MEADS would cost more than the proof of concept; the Senate Armed Services Committee was provided a NATO MEADS information paper by DOD in April 2011 which established termination liability to be less than the proof of concept proposal. We therefore request a full accounting of all of the funds expended by the United States on MEADS to date as well as an explanation of unilateral termination and multi-lateral termination liability as of March 31, 2012.



OSD003830-12

Secretary Panetta

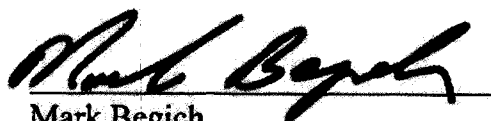
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March 30, 2012

In closing, the DOD is facing cuts of \$487 billion over the next decade. We simply cannot afford to waste more than \$400 million to develop a system the warfighters will never use. We must ensure each dollar spent advances our national security priorities and provides for members of our military. Eliminating wasteful spending on MEADS will allow for investment in modernization capabilities our warfighters require today.

We look forward to our continued efforts together to curb wasteful spending while ensuring that we maintain a strong national defense.

Sincerely,



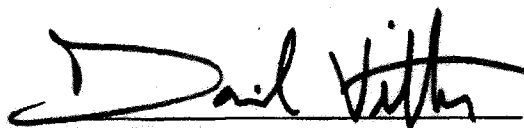
Mark Begich
United States Senator



Kelly A. Ayotte
United States Senator



Jeanne Shaheen
United States Senator



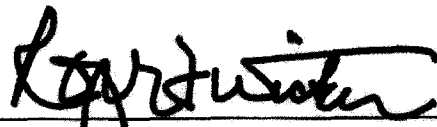
David Vitter
United States Senator



Mark Udall
United States Senator



Scott P. Brown
United States Senator



Roger W. Wicker
United States Senator

United States Senate

WASHINGTON, DC 20510

October 4, 2012

The Honorable Leon E. Panetta
Secretary of Defense
1000 Defense Pentagon
Washington DC 20301-1000

Dear Secretary Panetta:

As the Department of Defense (DOD) begins operations under the Continuing Resolution (CR), we write to strongly encourage the Department's adherence to the law and the Congressional guidance pertaining to the Medium Extended Air Defense System (MEADS).

Section 235 of the Fiscal Year (FY) 2012 National Defense Authorization Act (NDAA) clearly states this year's funds would be the "final obligations" of funding for MEADS. This law is clear that no additional funds for MEADS can be legally obligated in FY 2012 and 2013. Disregarding Congressional direction and intent, DOD included in the President's Budget an additional \$401 million for this one program the Department does not even intend to procure. We understand the requested funding is mainly designated for activities in Germany and Italy in support of jobs overseas.

We urge you to consider that the DOD must still cut a minimum of \$487 billion from its budget in the coming years. With a national debt surpassing \$16 trillion, we can no longer afford to waste taxpayer money developing weapons programs the warfighter will never use. In March 2010 it was widely reported the Army found "the system will not meet U.S. requirements or address the current and emerging threat without extensive and costly modifications." The program has been plagued with cost overruns of nearly \$2 billion and is 10 years behind schedule. With budget constraints and well-documented development problems with MEADS these modifications are not a feasible option.

In recognition of the Section 235 of the FY 2012 NDAA and our nation's budget constraints, the Senate and House Committees on Armed Services and the House Defense Appropriations Committee all excluded the requested funding for MEADS in their FY 2013 DOD appropriations and authorization bills. Until Congress completes action on FY 2013 defense authorization and appropriations it is our expectation DOD will adhere to previously passed legislation and to historic precedence from past CRs by not allocating any FY 2013 funds for MEADS.



OSD012389-12

Honorable Panetta
October 4, 2012
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It is critical at this moment in our nation's history that the Department support Congress' continued efforts to provide guidance through the legislative process for a strong and fiscally responsible national security. We appreciate your time and look forward to your reply.

Sincerely,



Mark Begich
United States Senator



Kelly Ayotte
United States Senator



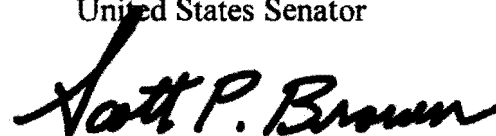
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United States Senator



David Vitter
United States Senator



Mark Udall
United States Senator



Scott Brown
United States Senator