

Congress of the United States

Washington, DC 20515

02 FEB 14 09:17

February 14, 2002

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

General Richard B. Myers
United States Air Force
Chairman of the Joint Chiefs of Staff
The Pentagon
Washington, DC 20318-9999

Dear Secretary Rumsfeld and General Myers,

We are writing in regard to the administration's pending proposal of a homeland defense command, or Commander-in-Chief (CINC) Northern Command. The purpose of the CINC Northern Command would be command oversight of air, land and sea forces and anti-terrorist teams charged with protecting the United States. We would urge the administration's support in locating the proposed CINC Northern Command to Peterson Air Force Base (AFB), headquarters of the North American Aerospace Defense Command (NORAD), located in Colorado Springs, Colorado.

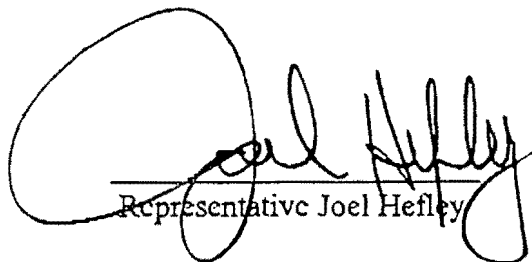
As you know, NORAD is a binational U.S. and Canadian organization charged with the missions of aerospace warning and aerospace control for North America. Since 1958, NORAD has served the citizens of the United States and Canada as the first line of defense against an air attack on their homelands. NORAD has acted as a clear deterrent to any aggressor through its space warning capabilities. Through outstanding cooperation and cohesiveness, NORAD has proven itself effective in its roles of watching, warning and responding.

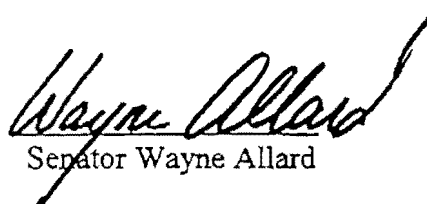
By adapting to the changing world, NORAD will continue to play an important role in the defense of the U.S. and Canada. The events of September 11, 2001 provide evidence of NORAD's responsiveness and continued relevance to North American security. By quickly adapting its traditionally outward-looking focus to meet new threats posed by terrorists to the interior of the continent, NORAD provides a potent military response capability to civil authorities to counter domestic airspace threats.

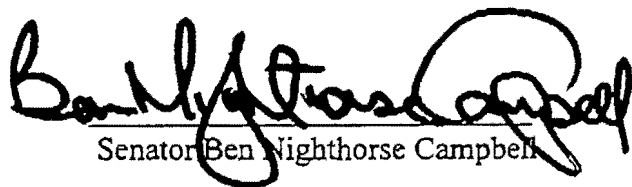
Additionally, NORAD already has in place critical communication lines and other vital command support infrastructure which can more easily absorb the needs of a new CINC. Moving NORAD, or parts of NORAD, may prove to be cost prohibitive. More importantly though, we are concerned that moving NORAD could pose a threat in disrupting its current operations.

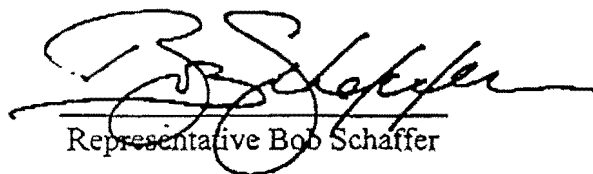
We recognize that future homeland defense/security organizations are still being formulated by the national leadership of both the U.S. and Canada. We believe NORAD's proven abilities, unique capabilities and existing infrastructure will be a vital part of homeland security and defense.

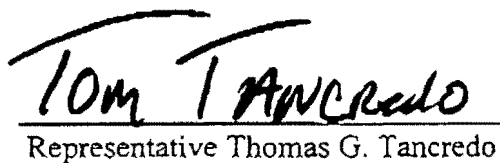
Sincerely,

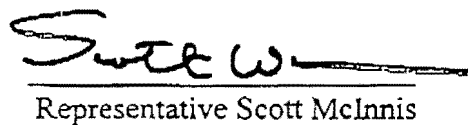

Representative Joel Hefley


Senator Wayne Allard

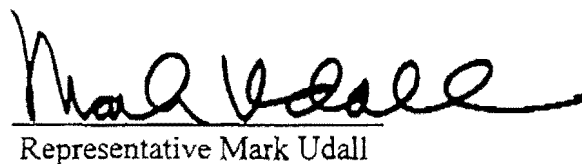

Senator Ben Nighthorse Campbell


Representative Bob Schaffer


Representative Thomas G. Tancredo


Representative Scott McInnis


Representative Diana L. DeGette


Representative Mark Udall

Congress of the United States

Washington, DC 20515

SECRET

2003 MAR 31 AM 7:33

March 10, 2003

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

The Honorable Tommy G. Thompson
Secretary
Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Secretary Rumsfeld and Secretary Thompson,

We write to bring to your attention the case of RxKinetix Inc., a biopharmaceutical company in Louisville, Colorado that has developed a prototype for a single-dose anthrax vaccine.

RxKinetix acting chief executive officer Dr. Harry Ross has met with a number of us and our staff, and last month he sent Rep. Udall the attached letter describing some of the challenges his company faces in developing this technology.

In his letter, Dr. Ross notes that current available vaccine technology is unable to provide adequate protection against anthrax because it is difficult to stockpile, it requires a series of doses over a period of months, it doesn't afford immediate protection from exposure, and its production is limited to a single manufacturer who is having difficulty meeting demand.

Dr. Ross tells us that RxKinetix appears to have resolved many of these issues with its new single-dose delivery system. The Department of Defense (DOD) and the National Institutes of Health (NIH) encouraged Dr. Ross to apply for funding to study the vaccine with live anthrax disease at a DOD lab. Indeed, NIH was sufficiently impressed with the work that it offered RxKinetix access and license to recombinant anthrax antigen.

Yet despite high marks received from the Defense Advanced Research Projects Agency (DARPA), U.S. Army Medical Research and Material Command (USAMRMC), the National Institute of Allergy and Infectious Diseases (NIAID), the Army's Joint Acquisition Program (JVAP), the Office of Homeland Security, and DOD's Executive Office for Chemical/Biologic Defense, RxKinetix has been told that no significant funding for development is available.

We know the threat of anthrax is real. Anthrax has already been used against Americans here at home, and our military could be exposed to anthrax and other biological and chemical agents in a war with Iraq. We think it well might be a matter of priority to spend some of our homeland security and defense dollars on developing an effective, simple, and fast-acting anthrax vaccine.

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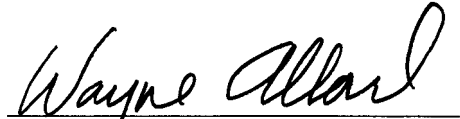
We would appreciate your reviewing ways in which DOD and NIH might help RxKinetix to develop its vaccine. Although we would like to think its use isn't necessary, we believe an effective vaccine should be available for those American citizens and soldiers in need.

Thank you for your consideration of this request. We look forward to a prompt response.

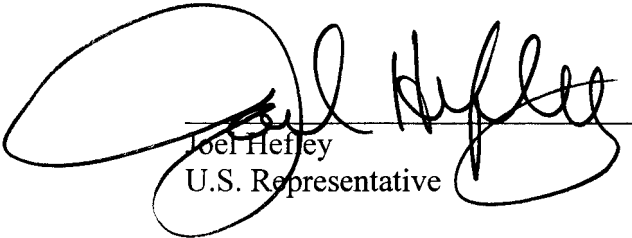
Sincerely,



Mark Udall
U.S. Representative



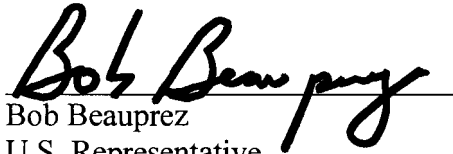
Wayne Allard
U.S. Senator



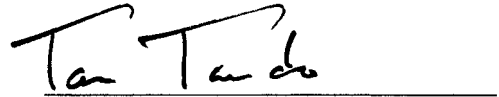
Joel Hefley
U.S. Representative



Diana DeGette
U.S. Representative



Bob Beauprez
U.S. Representative



Tom Tancredo
U.S. Representative

Cc: Dr. Anthony Fauchi, Director, National Institute of Allergy and Infectious Diseases
Dr. Elias Zerhouni, Director, National Institutes of Health
Dr. Anthony Tethar, Director, Defense Advanced Research Projects Agency



Dear Congressman Udall,

I write to ask for your assistance.

I am Chairman and CEO of RxKinetix, a private pharmaceutical company based in Louisville, Colorado. RxKinetix has been working for the last three years – partially funded under the National Institutes of Health/SBIR program – to demonstrate proof of concept in animal models for a new vaccine technology applicable to anthrax.

The United States is currently unprepared for a biologic attack from anthrax. Current available vaccine technology is unable to provide adequate protection to either the military or civilian populations for the following reasons:

- Difficult to stockpile in stable or sufficient quantities
- Requires series of 6 doses over 18 months for presumed long-term immunity
- Protection not conferred for months after start of immunization process
- Limited to single manufacturer who has had difficulty meeting demand

Given these shortcomings, no protection would be available for individuals who had not started the vaccination process long before exposure. In the event of exposure, an unimmunized population would receive minimal to no benefit from current vaccines.

RxKinetix appears to have resolved many of these issues. RxKinetix's initial work has demonstrated:

- Single dose vaccination achieves long-term protective immune responses
- Protective immunity is conferred within weeks of immunization
- Simple cost effective manufacturing
- Potential for alternative routes (nasal spray) of administration
- Stable formulations easily stockpiled for extended periods

With the exception of a recently awarded \$225,000 SBIR grant, all work has been self-funded by the company. NIH was sufficiently impressed with the work that they have offered the company access and license to recombinant anthrax antigen. The National Institute of Allergy and Infectious Diseases (NIAID) has informed the company that unfortunately no new funding is available for this work. A USAMRMC/DARPA grant submissions received excellent review scores, but also the explanation that no funding was available. Meetings with the Office of Homeland Security were very encouraging, but the company was told that they provide no funding. Meetings with the DOD Program Executive office for Chemical /Biologic Defense were likewise very encouraging but they also provide no direct or financial support. DynPort (the DOD prime contractor for

development of new bioterrorism vaccines and exclusive recipient of JVAP/Joint Vaccine Acquisitions Program) is pursuing collaboration with the company for other bioterrorism vaccines. Unfortunately, their mandate does not allow them to develop a new anthrax vaccine.

While RxKinetix has received excellent and enthusiastic reports from all of the above, no significant funding for development appears available. Funding appears to be directed toward either very early-stage academic work or late stage manufacture by large government contractors. There do not appear to be resources available for mid stage companies such as RxKinetix, which are well beyond basic research but not in final production. The need for an effective, quick acting, reduced dose anthrax vaccine, with durable immunity, has been confirmed in a recent report by the Institute of Medicine. RxKinetix is successfully working toward this need but is greatly hindered by lack of resources. The company can no longer afford to fund bioterrorism vaccine development on its own. Without additional resources, this project will unfortunately need to be shelved.

I enjoyed meeting you recently in your office and would appreciate any assistance you might be able to offer. I believe that RxKinetix has developed important vaccine technology that could be of great significance to the nation.

Sincerely,

HARRY ROSS

Harry Ross, M.D.
Chairman/CEO
RxKinetix

THOMAS TANCREDO



OFFICE SECRETARY OF THE CLERK
2003 AUG - 4 10:25

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1130 LONGWORTH HOUSE OFFICE BUILDING
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MAIN: (202) 225-7882
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MAIN: (720) 283-9772
FAX: (720) 283-9776

LITTLETON OFFICE:
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LITTLETON, CO 80120-2021
MAIN: (720) 283-7575
SENIORS: (720) 283-9026

CASTLE ROCK OFFICE:
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CASTLE ROCK, CO 80104-2439
MAIN: (303) 688-3361

**Congress of the United States
House of Representatives
Washington, DC 20515-0606**

August 1, 2003

Deputy Secretary of Defense Paul D. Wolfowitz
Department of Defense
Office of the Secretary
The Pentagon
Washington, DC 20301-1155

Dear Deputy Secretary Wolfowitz:

We write to you today out of deep concern about the impending obligation of fiscal year 2003 International Military Education and Training (IMET) funds to be used by the Indonesian military.

As you are aware, on August 31, 2002, Rick Spier, a resident of Colorado's Sixth Congressional District, and the entire staff of the International School of Tembagapura in West Papua, Indonesia, were attacked on their way home from a picnic outing. The attack occurred in the middle of the day, less than a half mile from an Indonesian military position, and lasted for approximately 45 minutes. In addition to Mr. Spier, another American teacher, Ted Burgon, was also killed. Other victims, including Mr. Spier's wife, Patricia, were shot, severely wounded and left to fend for themselves.

The Indonesian police began an investigation of the attack and issued a report concluding that there was a strong possibility that it had been carried out by members of the Indonesian National Army Force. Subsequently, the case was turned over to the Indonesian military police, which exonerated the military of any involvement.

We appreciate the efforts put forth by the FBI, the State Department and the Administration regarding this case, and we are aware that FBI agents have been to Indonesia to investigate this crime. However, we are concerned about the signal that will be sent to the Indonesian government if the United States continues to fund the Indonesian military. This is the time to add pressure to the Indonesian government to cooperate in the investigation, not to continue to educate and train its forces.

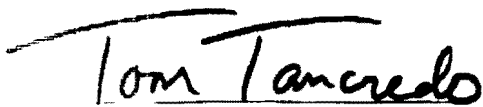
Last week, Representative Joel Hefley introduced an amendment to H.R. 2800, the Foreign Operations, Export Financing, and Related Programs Appropriations Act, on the floor of the House of Representatives, removing \$600,000 from the IMET account to

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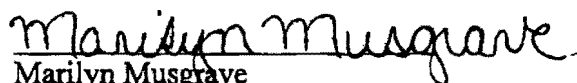
prevent Indonesia from receiving IMET funding in fiscal year 2004. This amendment passed the House by voice vote. Prior to this, Representative Hefley offered a similar amendment to H.R. 1950, the Foreign Relations Authorization Act for fiscal years 2004 and 2005, that would prevent Indonesia from participation in IMET until the President certifies to Congress that Indonesia is conducting a full investigation into the attack and the people responsible for the attack are brought to justice. This amendment also passed the House by voice vote.

Congress has clearly stated its opposition to giving IMET funds to Indonesia by voting not once, but twice, to limit Indonesia's participation in this funding. We respectfully request that the voice of the House of Representatives be heard on this matter, and that any funds not yet obligated from fiscal year 2003 be withheld from the Indonesian military. We look forward to your prompt response.

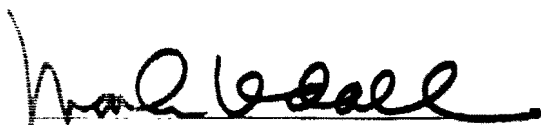
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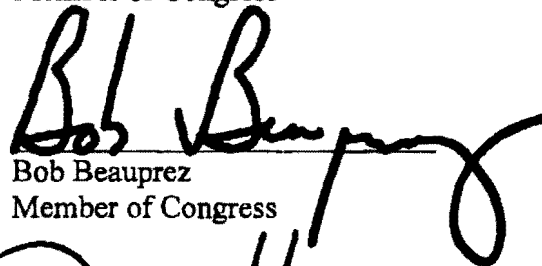
Tom Tancredo
Member of Congress



Marilyn Musgrave
Member of Congress



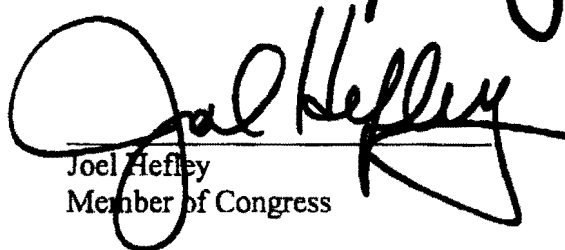
Mark Udall
Member of Congress



Bob Beauprez
Member of Congress



Scott McInnis
Member of Congress



Joel Hefley
Member of Congress

cc: Secretary of Defense Donald H. Rumsfeld
Secretary of State Colin L. Powell

Congress of the United States
Washington, DC 20515

December 16, 2003

OFFICE OF THE
SECRETARY OF DEFENSE
203 DEC 24 AM 11:51

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

Dear Secretary Rumsfeld,

On November 24, 2003 President George Bush signed into law the National Defense Authorization Act (NDAA) for FY 2004. In an effort to improve cooperation between the Department of Defense (DOD) and the Department of Veterans Affairs (VA), section 583 of the act expanded the responsibilities of the Department of Defense-Department of Veterans Affairs Joint Executive Committee beyond health care matters.

In the spirit of this provision, we write to call your attention to a unique DOD-VA sharing opportunity provided for in the FY04 NDAA and Military Construction Appropriations Acts. Since the end of WWII, the Denver Veterans Medical Center (VAMC), University of Colorado Health Sciences Center (UCHSC) and the University of Colorado Hospital (UCH) have been in partnership at the University's campus in Denver. This partnership has included the sharing of resources, including physician faculty, house staff, facilities, equipment, supplies and services, and the long-term mission of education, research, patient care and community service.

The UCHSC and UCH recently decided to build a new facility at the former Fitzsimons Army Medical Center in Aurora, Colorado. As a result, the Department of Veterans Affairs is now considering moving the Denver VAMC, and constructing a new facility at Fitzsimons, in order to maintain its cooperative arrangement with the UCHSC and UCH.

This turn of events presents a truly unique opportunity for DOD-VA health care cooperation. It is our understanding that DOD intends to construct a military treatment facility to meet the needs of Buckley Air Force Base. Given the close proximity of Buckley AFB to the Fitzsimons location, and the likelihood that facility sharing with VA would result in significant efficiencies, we urge you to reach an agreement with the VA to jointly construct and fund a DOD-VA facility at the Fitzsimons location.

In support of this effort, the FY04 NDAA and Military Construction Appropriations Acts included \$25.2 million (\$4.2 million more than the President's request) for the Office of the Secretary of Defense Planning and Design Account as well as \$18.6 million for the TRICARE Management Activity Planning & Design Account. As recommended by the House Armed Services Committee and the House Appropriations Committee, we urge you to utilize \$4 million of these funds to support DOD's share of planning and design costs for a joint DOD-VA medical treatment facility at Fitzsimons.

These funds are a critical step toward ensuring that the VA and the DOD leverage their resources through joint projects that meet both of their requirements. Constructing a VA-DOD facility at Fitzsimons will serve as a model for future efforts to serve the medical needs of

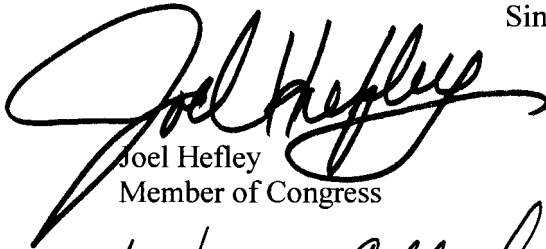
U21313 /03

America's service members and veterans alike. And, we would like to point out that inpatient care for the veterans and the DOD will be located in the same federal tower as the veterans ambulatory care, but will be connected to the University of Colorado Hospital to share expensive facilities such as operating rooms and medical imaging.

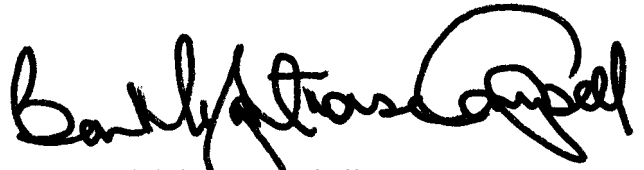
Having said that, you may also be interested to know that on December 6, President Bush signed in law S. 1156, the Department of Veterans Affairs Long-Term Care and Personnel Authorities Enhancement Act of 2003, or Public Law 108-170. Section 213 of this legislation authorizes the Secretary of Veterans Affairs to enter into a contract in the amount \$26 million, the VA's share of planning and design costs, for a joint DOD-VA facility.

Congress has a duty to provide quality medical care to our nation's service members and to its veterans, and we must strive to do so in the most cost-effective manner possible. Co-location of DOD and VA medical treatment facilities at Fitzsimons will result in significant cost sharing efficiencies while providing comprehensive, "cutting edge" modern medicine to veterans and service members alike. We look forward to working with your department in achieving these goals.

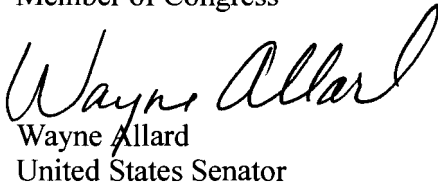
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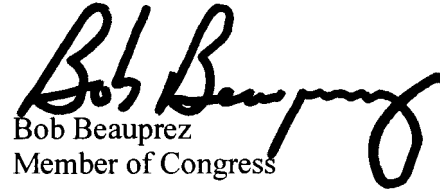
Joel Hefley
Member of Congress



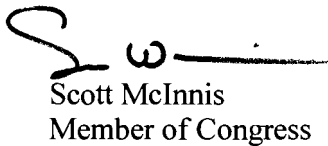
Ben Nighthorse Campbell
United States Senator



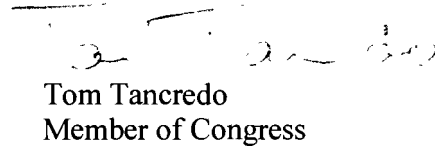
Wayne Allard
United States Senator



Bob Beauprez
Member of Congress



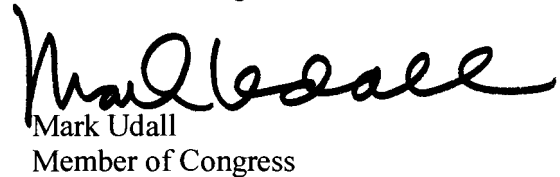
Scott McInnis
Member of Congress



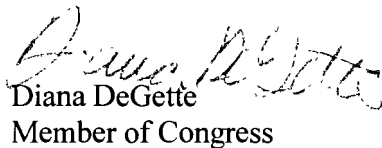
Tom Tancredo
Member of Congress



Marilyn Musgrave
Member of Congress



Mark Udall
Member of Congress



Diana DeGette
Member of Congress

CC: The Honorable Anthony Principi
Secretary of Veterans Affairs

CHRIS VAN HOLLEN
8TH DISTRICT, MARYLAND

COMMITTEE ON
EDUCATION AND THE WORKFORCE

COMMITTEE ON GOVERNMENT REFORM

OFFICE OF THE
SECRETARY OF DEFENSE

2004 APR 14 AM 11:47

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

1419 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-5341

DISTRICT OFFICES:
51 MONROE STREET, #507
ROCKVILLE, MD 20850
(301) 424-3501

3409 RHODE ISLAND AVENUE
MOUNT RAINIER, MD 20712
(301) 927-5223

www.house.gov/vanhollen

March 29, 2004

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

Dear Secretary Rumsfeld:

We are writing to express our serious concerns about the proposal for a new Department of Defense (DoD) labor relations system that has been distributed to congressional staff and employee groups.

In the National Defense Authorization Act (NDAA), which was enacted last November, the Department was authorized to modify the procedures for resolving labor-management disputes for the next six years. However, Congress stated that any new procedures would have to protect fundamental labor rights, such as the right of employees to join unions, the right of unions to bargain collectively, and the duty of unions and management to bargain in good faith. Congress also stated that the current labor relations system could be modified only in furtherance of the Department's "national security mission."¹

In hearings that preceded the passage of the NDAA, DoD officials repeatedly stated that they were not trying to eliminate collective bargaining rights.² A majority of House members from both parties voted for the bill with the assurance that fundamental labor rights would be protected. Thus, we were very troubled to learn that DoD has submitted a proposal for a new labor relations system that abrogates these rights and goes well beyond what Congress intended in the NDAA.

¹ National Defense Authorization Act (NDAA) for Fiscal Year 2004 (P.L. 108-136), § 9902(m)(1).

² Testimony of Deputy Secretary of Defense Paul Wolfowitz before the House Government Reform Committee (May 6, 2003) ("My understanding is that collective bargaining will still be an essential part of the process"); Testimony of Undersecretary of Defense David Chu before the House Subcommittee on Civil Service and Agency Organization (Apr. 29, 2003) ("And there's no proposal here to -- for anyone to lose his or her collective bargaining rights").

OSD 05398-04

Under this proposal, good-faith collective bargaining would be virtually eliminated and replaced by “consultation” with unions over proposed personnel changes. DoD could unilaterally decide what personnel changes are “significant” enough to be subject to collective bargaining. If DoD and its unions could not reach agreement, the Department could unilaterally implement the personnel changes and cut off all post-implementation negotiations. Moreover, DoD could unilaterally issue regulations to supersede existing collective bargaining agreements negotiated by the Department and its unions.

To the extent that any collective bargaining is permitted under the new labor relations system, labor-management disputes would be resolved by a newly created Defense Labor Relations Board (DLRB). This board would be located within the Department, with its members selected by the Secretary. We do not believe such a system satisfies the NDAA requirement that any labor relations system developed by DoD must provide for “independent third party review of decisions.”³

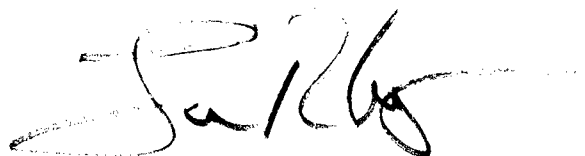
The DoD proposal also contains several provisions aimed solely at reducing union membership. Most notably, the proposal prohibits as many as 200,000 DoD employees – including some clerical employees, some professional employees, attorneys, and term-appointment employees – from joining unions.⁴ DoD has provided no justification for how such changes further the Department’s national security mission, as is required by the NDAA.

We strongly urge the Department to withdraw this proposal immediately and submit a new proposal that is consistent with the intent of Congress.

Sincerely,



CHRIS VAN HOLLEN
Member of Congress



FRANK WOLF
Member of Congress

³ NDAA at § 9902(m)(6).

⁴ *Union-Busting, DoD Style*, Federal Times (Feb. 16, 2004).

Jerry

Bob A Brady

Jay Fuller

John

John Smith

Michael H. Michel

Albert R. Allen

Jet Hoefel

Doni Cough

Jim Langerin

Alison E. Watson

Carolyn McCarthy

Janet Accardi-Vila

Ed Case

Tammy Baldwin

Ellen Taubman

Jim McDermott

W

Sam Carr
Tom Odell

Juan Davis
Ron Kind

Benz Bani
Raul M. Hujalva

Neil Abernombis
J. Lopez

C.A. Dutch Ruppel
Elyse Cunningham

Lois Capra
Michael M. Hand

Tom Allen
Barbara Lee

Hilda L. Adis
Dennis J. Kuenier

Stephane P. Jones
Carolyn C. Kelpatnik

Dale E. Cieder Peter de Fijn

George Miller

Michael R. W. Mully

Marty Mehar

Zou

Robert Nemendf

Janet Moran

Barney Frank

McFinn

Ethel L. Engel

Rosa L. J. Pan

Bart Gordon

Margaret K. Ann

Robert J. Matoni

Carolyn B. Maloney

Jerold Radler

Margie Waters

Paul V. Cantor
Tom Lantos

Norm Ricks
Tom Hadd

Nancy Luker

Wynn

Alard Harting

Joe E. Smart

Alfred Hoek

Sten F. S.

Paul Jan

Wm. Lucy Clay

Mie Shampson

Cinda Rodriguez

Johi Carson

Nick Zeman

Scott R.

Karen McCarthy

Donald W. Pangel

Jane Evans

Gene Taylor

Jander Levi

Paul Huggell

Barry Syak

John Longyn

Corine Brown

Chet Edwards

Buffy

Henry A. Wapman

Mike Stark

Jim McInerney

Russ Holt

Louella Sanchez

Leonard L. Boswell

Dana DeBette

~~Janet H. H. H. H. H.~~

Mike Alcala

Billy McAllen

Main Bury

Jim Oberstar

Bob Dorn

Jim Schaboy

Joe Moran

Harold Ford

Stephen F. Lynch

Edward J. Markey

John F. Tierney

Bruce Craner

Jack Quinn

Lucretia J. Sanchez

Mike Caputo

Jim Davis

Patrick J. Kennedy

Frank Pallone Jr

Pete Dutch

Tim Lyon

Jed Strickland

John Lewis

Mike Doyle

Don Sest

Lynn Woolsey

Shel Burn

Harold D. Bishop Jr.

Robert E. Anderson

Martin D. Felt

~~John Payne~~

Mark Udall

Chuck A. McCall

Ben Card

Conrad Fattah

Bob Filmer

Sherry Bodden

David Wu

Tring Ng

Denny K. Davis

Grace D. Napoleitano

Allen Boyd

Alan B. Schiff

Frank W. Balla Jr.

Jim Patton

Shelley Buckley

Nita Lacey

Earl Blumenauer

Gregory T. Costello

Sol P. Day

Dennis G. Thompson

John B. Farr

Kendrick B. Meek

Anna M. Hunt

OFFICE OF THE
SECRETARY OF DEFENSE

2005 FEB 10 11 09 AM

Mr. Donald Rumsfeld
Secretary of Defense
The Pentagon
Washington DC, 20301-1000

February 9, 2005

Dear Secretary Rumsfeld:

Last Sunday's elections marked a historic milestone for a majority of the Iraqi people, who have taken courageous first steps toward self-governance despite a surge in violence and threats. While we deeply appreciate the contributions of the American military in bearing a heavy burden for Iraq's security, the recent election does not change the reality of an ongoing insurgency in Iraq. Given the continued violence and concerns about the performance of the Iraqi military, we were pleased with the recent deployment of General Gary Luck to assess the training of security forces in Iraq. As Congress considers a new \$80 billion spending request for Iraq – bringing the total allocated for the war to more than \$200 billion in the past two years – we believe Congress would benefit from General Luck's findings. Accordingly, we respectfully urge the Department of Defense to brief Members of Congress on General Luck's report and disseminate this information in writing prior to the upcoming appropriations vote.

Mr. Secretary, as U.S. casualties in Iraq continue to increase – surpassing 1,400 this past month – the American people deserve to hear the Administration's plans for a future U.S. military presence in Iraq. With the number of deployable military units stretched thin, it is incumbent upon the Department of Defense to take every measure to alleviate the significant burdens placed on the brave men and women in Iraq. Currently, American troops are facing extended tours, severely limited recuperation intervals and shortened visits home. We have instituted a "back-door draft" by deploying and maintaining an exorbitant number of Army Reservists and National Guard in Iraq, who now constitute nearly half of the total force. While American involvement is vital to Iraq's future, we implore you to re-evaluate and reconstitute the strategy for a continued U.S. presence in Iraq.

Since the President declared an end to major combat operations, the insurgency has exponentially increased, with no indication of subsiding in the aftermath of the election. According to the Pentagon's own estimates, the number of insurgents have quadrupled from at least 5,000 to more than 20,000 in the past year. At the same time, Iraqi intelligence services claim that number has further increased to 200,000, which includes full and part-time fighters, as well as civilians who aid and abet them. Unfortunately, attacks have continued both on Election Day and beyond, further demonstrating that our current military strategy alone will not lead to stability and security in Iraq.

OSD 02859-05

In his State of the Union Address, President Bush pledged that Iraqi security forces will "become more self-reliant and take on greater security responsibilities," allowing Coalition forces to serve increasingly in a "supporting role." But last week, Lt. Gen. James J. Lovelace, Director of Army Operations, affirmed that the Army plans to maintain its current presence of 120,000 troops in Iraq until 2007. The Iraqi security forces' skill level, loyalty to the transitional government and willingness to confront insurgents are clearly preeminent factors in shaping future U.S. policy choices in Iraq. While Secretary of State Condoleezza Rice recently testified before the Senate Foreign Relations Committee that the current Iraqi security and military forces stand at 120,000 strong, these numbers do not accurately reflect the number of currently-enlisted and capable Iraqi troops. At this critical juncture, Congress must be fully informed of Gen. Luck's findings on the status of Iraqi military, security services and police.

Mr. Secretary, America's mission in Iraq must be changed to place an increased emphasis on the training of Iraqi recruits as a means of both stabilizing Iraq and bringing our troops home. As we prepare to vote on the additional \$80 billion funding request, Congress will have abdicated its responsibility to the American people if we write a blank check without the necessary analysis, insight and information from the Department of Defense. General Luck's findings are essential to this process, and we look forward to your expeditious and detailed response.

Sincerely,

Robert Wexler
Robert Menendez
Ann Dunn
[Signature]
Ellen Tausscher

Mark Meek
Neil Aburambee
Tony Baldari
Jim Leahy
Jim McGowan

Bill Sand

Howard L. Berner

George Wilton

Shel Brown

Melvin Waters

Ken V. Cutler

Earl Blumenau

Pat Spitz

Julia Carson

Barbara Lee

Eric L. Engel

Margaret R. Owens

Arnold Payne

Lynn C. Woodley

Ann Angell

Carolyn B. Maloney

Jim Oberstar

Louise M. Slaughter

John Longenecker

Sam Tan

Fred Sanders

Russ Holt

Rose L. Lee

Hendrick B Meek

Charm E. Watson

Mike Shomper

Mark Udall

Gr Burnett Jr.

Joseph [Signature]

Stephane P. [Signature]

Richard J. [Signature]

Jim [Signature]

Shelley [Signature]

Steph [Signature]

Carolyn McCoarty

Co-signers:

- 1) Robert Wexler
- 2) Marty Meehan
- 3) Jim McDermott
- 4) Donald Payne
- 5) Carolyn Maloney
- 6) Diane Watson
- 7) Rush Holt
- 8) Maxine Waters
- 9) Stephanie Tubbs Jones
- 10) Howard Berman
- 11) Eliot Engel
- 12) Earl Blumenauer
- 13) Bernie Sanders
- 14) G.K. Butterfield
- 15) James McGovern
- 16) Neil Abercrombie
- 17) Robert Menendez
- 18) Sam Farr
- 19) Joe Crowley
- 20) Carolyn McCarthy
- 21) Mark Udall
- 22) Ellen Tauscher
- 23) Louise Slaughter
- 24) George Miller
- 25) Peter Defazio
- 26) James Oberstar
- 27) Kendrick Meek
- 28) Loretta Sanchez
- 29) Shelley Berkley
- 30) John Tanner
- 31) Tammy Baldwin
- 32) John Dingell
- 33) Barbara Lee
- 34) David Wu
- 35) Rosa DeLauro
- 36) Luis Gutierrez
- 37) Mike Thompson
- 38) John Conyers
- 39) Jan Schakowsky
- 40) Linda Sanchez
- 41) Stephen Lynch
- 42) Major Owens
- 43) Julia Carson
- 44) Lynn Woolsey
- 45) Sherrod Brown

MARK UDALL
2ND DISTRICT, COLORADO

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**Congress of the United States
House of Representatives
Washington, DC 20515-0602**

COMMITTEE ON RESOURCES
SUBCOMMITTEE ON WATER
AND POWER
SUBCOMMITTEE ON FORESTS
AND FOREST HEALTH

COMMITTEE ON SCIENCE
RANKING MEMBER
SUBCOMMITTEE ON SPACE
AND AERONAUTICS
SUBCOMMITTEE ON ENVIRONMENT,
TECHNOLOGY AND STANDARDS

COMMITTEE ON ARMED SERVICES
SUBCOMMITTEE ON READINESS
SUBCOMMITTEE ON
MILITARY PERSONNEL

August 11, 2005

<http://markudall.house.gov/HoR/Co02/memo>

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

Dear Secretary Rumsfeld:

I understand that the Department of Defense supported enactment of S. 397, a bill "to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others."

As you know, the Senate considered that bill last month and on July 29th passed it after adopting several amendments. The Senate-passed bill or similar legislation may be considered in the House of Representatives after the current August district work period.

In anticipation of House consideration of such legislation, I would like to know whether the Department of Defense continues to support S. 397 as approved by the Senate and would appreciate any analysis your Department may have about the effect of this legislation on national security.

Thank you for your attention to this request.

Sincerely,

Mark Udall

2005 AUG 16 11 46 AM
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OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES



Congress of the United States

House of Representatives

Washington, DC 20515

February 8, 2006

The Honorable Donald Rumsfeld
Office of the Secretary of Defense
1000 Defense Pentagon
Washington, D.C. 20301-1000

Dear Mr. Secretary:

The United States has the strongest military in the world due in large part to our commitment to an all-volunteer integrated force structure. The National Guard is an integral and vital component of our Global War on Terror. Anything less than a fully manned and equipped National Guard is unacceptable and during a time of war is perilous.

Approximately 25% of United States troops currently serving in Iraq and Afghanistan are members of the National Guard or Reserve. Cutbacks in current manpower or equipment levels would be detrimental to our military's ability to continue carrying out their missions and will inflict additional and unnecessary stress on our troops. Reducing National Guard numbers and levels of equipment during a time of war requires a comprehensive examination and justification.

In addition to the National Guard's significant role in defending the U.S. overseas, they are also tasked with an essential part of our response to domestic crises and natural disasters. We have grown to rely on them during our times of need. Our response, recovery and protection of our citizens would be significantly hindered should their numbers and equipment be reduced.

We are seriously concerned that the proposed cuts do not take into account our current operational and strategic needs. We ask that you reassess these proposals and present Congress with necessary justification before any decision to draw down National Guard manpower or equipment is finalized. We look forward to a continued dialogue on this important issue.

Sincerely,

OSD 02044-06

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Bill Shuster
Rep. Bill Shuster

Roy Blunt
Rep. Roy Blunt

Sam Graves
Rep. Sam Graves

Joe Wilson
Rep. Joe Wilson

Curt Weldon
Rep. Curt Weldon

Chris Van Hollen
Rep. Chris Van Hollen

Ellen Tauscher
Rep. Ellen Tauscher

Ron Kind
Rep. Ron Kind

Robert A. Brady
Rep. Robert A. Brady

Rob Simmons
Rep. Rob Simmons

Tim Murphy
Rep. Tim Murphy

Donna Christensen
Rep. Donna Christensen

Neil Abercrombie
Rep. Neil Abercrombie

Rahm Emanuel
Rep. Rahm Emanuel

Russ Holt
Rep. Russ Holt

Don Young
Rep. Don Young

Mike Simpson
Rep. Mike Simpson

David Price
Rep. David Price

Todd Platts
Rep. Todd Platts

Jim Gerlach
Rep. Jim Gerlach

Bob Etheridge
Rep. Bob Etheridge

Mike Fitzpatrick
Rep. Mike Fitzpatrick

Tom Osborne
Rep. Tom Osborne

Ron Lewis
Rep. Ron Lewis

Jim McDermott
Rep. Jim McDermott

John Boozman
Rep. John Boozman

Darlene Hooley
Rep. Darlene Hooley

Mike McIntyre
Rep. Mike McIntyre

Paul E. Kanjorski
Rep. Paul E. Kanjorski

Dan Burton
Rep. Dan Burton

Walter B. Jones
Rep. Walter Jones

Rosco Bartlett
Rep. Rosco Bartlett

Vigil Goode Jr.
Rep. Vigil Goode

Rodney Alexander
Rep. Rodney Alexander

Jim Costa
Rep. Jim Costa

John E. Peterson
Rep. John Peterson

Butch Otter
Rep. Butch Otter

Brad Miller
Rep. Brad Miller

Adam Smith
Rep. Adam Smith

Louise McIntosh Slaughter
Rep. Louise McIntosh Slaughter

Allison Schwartz
Rep. Allyson Schwartz

Susan Davis
Rep. Susan Davis

Chip Pickering
Rep. Charles Pickering

Stephen Tubbs Jones
Rep. Tubbs Jones

Steve Rothman
Rep. Steve Rothman

C. A. Dutch Rupperberger
Rep. Dutch Rupperberger

Shelley Moore Capito
Rep. Shelly Moore-Capito

Chris Shays
Rep. Chris Shays

Wendy Mink

Stephanie Herseth
Rep. Stephanie Herseth

Sue Kelly
Rep. Sue Kelly

Jerry Moran
Rep. Jerry Moran

Louie Gohmert

Peter J. King

Jim Cooper

Mark Udall

Bill DeLunt

Doc Hastings

Congress of the United States
Washington, DC 20515

June 19, 2006

Donald Rumsfeld
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Rumsfeld,

Recently, it has come to our attention that an Instruction within Department of Defense regulations regarding the mental health characterizations of service members is outdated. Instruction 1332.38 includes under the heading *Developmental Defects and Other Specific Conditions*, "Certain Mental Disorders including: ...Homosexuality." The Department of Defense issued this provision in 1996 and recertified it in 2003.


Our hope is that any inadvertent outdated language can be updated so that military regulations are consistent across the board and in keeping with the American Psychiatric Association's (APA) stance reaffirming that, "homosexuality per se implies no impairment in judgment, stability, reliability, or general social and vocational capabilities."

Currently, there are two Department of Defense regulations dealing with mental health, DoDD 6490.1 "Mental Health Evaluations of Members of the Armed Forces", and DoDI 6490.4 "Requirements for Mental Health Evaluations of Members of the Armed Forces." Consistent with the Diagnostic and Statistical Manual of Mental Disorders - Fourth Edition (DSM-IV), these Department of Defense mental health regulations do not include homosexuality on any list of psychological disorders.

We ask that you perform a complete review of DoD medical policies and regulations to ensure they reflect current psychological diagnostic and treatment standards. This is necessary to meet the mental health care needs of all of our service men and women, including the estimated 65,000 lesbian, gay and bisexual service members serving in our Armed Forces today.

We look forward to a dialogue with you on this matter as well as an update on the status of this Instruction from Under Secretary Chu. Thank you in advance for your prompt attention to this matter.

Respectfully,


MARTIN MEEHAN
Member of Congress

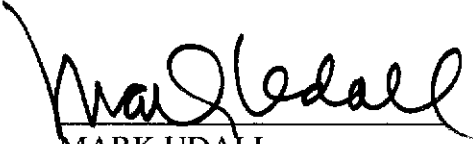

NEIL ABERCROMBIE
Member of Congress



SUSAN DAVIS
Member of Congress



ELLEN TAUSCHER
Member of Congress



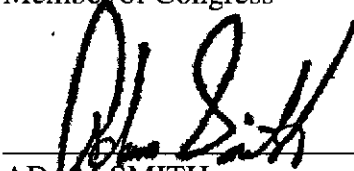
MARK UDALL
Member of Congress



LANE EVANS
Member of Congress



JAMES LANGEVIN
Member of Congress



ADAM SMITH
Member of Congress



STEVE ISRAEL
Member of Congress

Congress of the United States
Washington, DC 20515

August 29, 2006

Donald H. Rumsfeld
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Rumsfeld,

We are writing to inquire about your comments Sunday at Fort Greeley, Alaska that you would like to see a full test of the U.S. missile defense capability. You stated that you wanted to have a test "where we actually put all the pieces together; that just hasn't happened." We could not agree with you more regarding the need to perform a full end-to-end test of the existing limited missile defense system in operationally realistic conditions.

As you know, in the 10 previous tests of interceptors based in California and Alaska, only 5 have successfully intercepted a target. The Ground-Based Midcourse Defense system was last tested in December 2005 without a live target. In December 2004 and February 2005, the interceptor rocket failed to lift off the launch pad. Tests have been highly scripted with unrealistic countermeasures; the time of the enemy launch was known; and the threat only came from a single enemy missile. The next test, planned for this week will not actually seek to defeat an incoming target but simply to determine if the kill-vehicle can recognize an incoming warhead.

On July 4th, North Korea test fired seven missiles including its long range Taepodong 2 missile for the first time. While the latter failed within a minute of launch and the missile's range is unknown, it marked North Korea's break with a unilateral moratorium it has observed since 1999. Documents supporting the Missile Defense Agency's fiscal year 2007 budget request, observe that "Without major technical hurdles, an adversary could choose to launch a missile at the United States from a forward-based sea platform within a few hundred kilometers of U.S. territory."

We support your call for an operationally realistic test of our current missile defense system to know the actual state of our capabilities. Since the Strategic Defense Initiative (SDI) was launched in the mid 1980s, the United States has spent nearly \$100 billion on missile defense programs and studies with little to show for it. You have asked the American people to pay for over \$10 billion in missile funding in the 2007 fiscal year.

Unfortunately, after reviewing the Missile Defense Agency's test schedule, we see no evidence of the comprehensive and realistic end-to-end test of the limited missile defense

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system that you called for at Fort Greeley. When is such a test planned? As supporters of fielding a limited missile defense capability that works, we would also like to know when you believe that the American people can be sure that this limited system will truly defend our country against a threat such as North Korea.

We look forward to your timely response,

Sincerely,

Ellen Sanchez

Joe Patton

Neil Abernethy
Mark Udall

W. G. ...

John ...

Louie Sanchez

Congress of the United States

Washington, DC 20515

July 24, 2007

Mr. Peter F. Verga
Acting Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs
Department of Defense
2600 Defense Pentagon
Washington, DC 20301-2600

Dear Mr. Verga:

We write to urge you to ensure that a vital fire fighting mission remains with the 302nd Airlift Wing (302nd AW) at Peterson AFB.

The Mobile Airborne Fire-Fighting System (MAFFS) is a critical resource for fighting fires in Colorado, the Western region, and across the country. It is able to deliver high volumes of fire retardant or water to remote areas quickly, safely, and efficiently. We strongly support efforts to upgrade and modernize the system with the MAFFS II, which we understand is scheduled for delivery beginning later this year.

Given the proximity of Peterson AFB to areas with high fire danger and the experience of the 302nd AW in operating the MAFFS, we firmly believe that when MAFFS II systems are delivered, Peterson AFB should remain the host installation for the mission. With a history of notorious forest fires such as the Missionary Ridge Fire and the Hayman Fire, Colorado remains a setting for potentially devastating forest fires in the future, making Peterson AFB an ideal location for the MAFFS mission. But beyond that, for a host of additional reasons, moving the mission from Peterson AFB to a new location simply does not make sense and could potentially lead to harmful, unintended consequences.

In addition to the strategic benefits of maintaining MAFFS capabilities at Peterson AFB, the 302nd AW has a long track record of success in operating the system. More dangerous than many combat missions, the 302nd has been flying MAFFS missions at 150 feet off the ground through narrow mountainous valleys under adverse conditions for over 20 years without incident. With their exceptional knowledge of the current system, as well as their perfect safety record, the 302nd AW is the unit best prepared to operate the new system.

While some might argue that delivery of the MAFFS II is a chance to move the mission to a new location, such a move would not be prudent. Training new air crews would require a significant amount of time and money, not to mention a serious reduction in fire fighting capabilities during training. Because the training and maintenance components of MAFFS are extensive, moving the mission would not be a matter of simply redeploying the outfitted C-130's to a new location. All of the training, maintenance facilities, and personnel would have to be redeployed as well, an expensive if not impossible proposition. Training for MAFFS missions is unlike training for combat, because all the standard rules for aviation are turned on their head, so that any disruption or loss of training expertise and personnel could have tragic consequences.

The 302nd AW is currently fully trained and prepared to fight fires anywhere in the United States and has been doing so for quite some time. In addition, Peterson AFB's central location in the Western region allows the 302nd to help any state in that region within hours. In fact, the 302nd has performed

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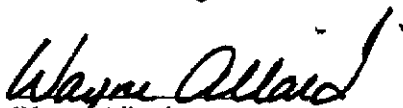
aerial fire fighting in Colorado, Wyoming, North Dakota, South Dakota, Montana, Utah, Texas, New Mexico, Nevada, Arizona, California, Oregon, and Washington. While the fire danger in the West moves and changes each season, Peterson AFB has proven, year in and year out, to be an excellent home for the MAFFS system. Every year, fires break out in new regions of the West, and it would be extremely shortsighted to start making basing decisions based on where the latest fires happened to break out.

Thank you for taking the time to review this mission-critical issue. We appreciate your help and know that you will do what is appropriate and necessary to ensure that the most highly-trained personnel will continue to perform missions involving the protection of our homeland.

Sincerely,



Doug Lamborn
Member of Congress



Wayne Allard
Senator



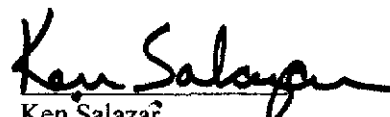
Tom Tancredo
Member of Congress



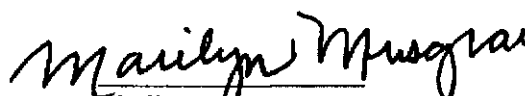
Diana DeGette
Member of Congress



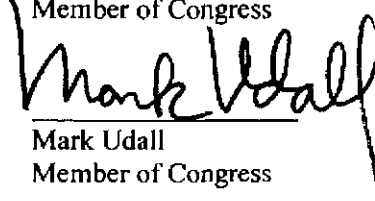
Ed Perlmutter
Member of Congress



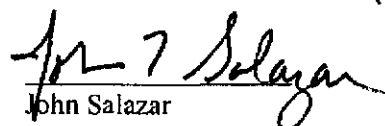
Ken Salazar
Senator



Marilyn Musgrave
Member of Congress



Mark Udall
Member of Congress



John Salazar
Member of Congress

Cc: The Honorable Robert M. Gates, Secretary of Defense ✓
The Honorable Michael Wynne, Secretary of the Air Force
The Honorable Kenneth Krieg, Under Secretary of Defense (Acquisitions, Technology, and Logistics)
The Honorable Tina Jonas, Under Secretary of Defense (Comptroller/Chief Financial Officer)
The Honorable Mark E. Rey, Undersecretary of Agriculture (Natural Resources and Environment)
General Victor Renuart, Jr., Commander, United States Northern Command
The Honorable Thomas Hall, Jr., Assistant Secretary of Defense (Reserve Affairs)
Mr. William Haynes, II, General Counsel of the Department of Defense
Lieutenant General H. Stephen Blum, Chief, National Guard Bureau

MARK UDALL
2ND DISTRICT, COLORADO

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Congress of the United States
House of Representatives
Washington, DC 20515-0602

February 19, 2008

COMMITTEE ON ARMED SERVICES
SUBCOMMITTEE ON READINESS
SUBCOMMITTEE ON TERRORISM AND
UNCONVENTIONAL THREATS

COMMITTEE ON SCIENCE AND
TECHNOLOGY

CHAIRMAN
SUBCOMMITTEE ON SPACE
AND AERONAUTICS
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AND POWER

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FORESTS, AND PUBLIC LANDS

<http://markudall.house.gov/HoR/Co02/home>

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

Dear Secretary Gates:

As you consider the way ahead for the US Government's (USG's) next generation imagery architecture, I urge you to consider an increased role for the U.S. commercial imagery data providers.

Commercial data providers (CDPs) contribute a great deal to our national military and intelligence, especially as their capabilities continue to evolve to take advantage of the latest technology and remain competitive in the international marketplace. For example, as you may know, DigitalGlobe has just launched its next generation WorldView-1 satellite with WorldView-2 planned for launch in first half of 2009, and GeoEye will be launching its GeoEye-1 satellite this year. My understanding is that both of these satellites rival our national systems in many ways and are expected to meet a large part of the nation's mapping and geospatial intelligence needs.

I think the U.S. Government could greatly benefit from an increased reliance on data from a robust commercial imagery industry. Specifically, my understanding is that --

- CDPs operate a larger constellation than is needed to meet solely the government's requirements, so the government gets the benefits of redundancy and revisit.
- Cost efficiencies are gained because CDPs spread the cost of the entire system (space, ground, launch, insurance, etc.) over multiple customers and so the government alone does not bear the full cost.
- The CDPs use proven end-to-end (space to ground) designs and infrastructure, so there is low design and implementation risk

OSD 02338-08



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And, increased reliance on CDPs will help maintain a robust commercial data provider industry, which in turn supports the basic national policy goals of protecting national security by ensuring U.S. global scientific and technical leadership.

As the Administration nears finalization of a business model for the next generation architecture, I urge you to recognize the benefits the commercial imagery data providers bring to bear and ensure they are incorporated into the approach set forth by the Administration.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink that reads "Mark Udall". The signature is written in a cursive, flowing style.

Mark Udall

cc: General James E. Cartwright
The Honorable John M. (Mike) McConnell
Mr. Scott F. Large
VADM Robert B. Murrett

THOMAS G. TANCREDO

6TH DISTRICT, COLORADO

COMMITTEE ON NATURAL RESOURCES

COMMITTEE ON
FOREIGN AFFAIRS



Congress of the United States
House of Representatives
Washington, DC 20515-0606

May 8, 2008

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

21-05-08A07:31 RCV D

Mr. Secretary,

We are writing today to respectfully request that the Department of Defense conduct a review of the file of Petty Officer 2nd Class Danny P. Dietz and his heroic actions to save the lives of his fellow SEAL team members before his death by enemy action in Afghanistan.

In June of 2005 Dietz was a member of a Navy SEAL team tasked with reconnaissance in the form of locating a high ranking Taliban official in the mountains near Asadabad. On June 28th, their team was identified by Taliban sympathizers and their location reported to the enemy. In the face of superior forces both in numbers and strategic position, the SEAL team radioed for reinforcements. The responding Chinook helicopter was subsequently shot down by the enemy. Dietz proceeded to advance on the enemy positions in an attempt to reach a suitable location to re-establish radio communications with his command.

Although wounded, Petty Officer Dietz continued to engage the enemy. Understanding full well that his actions would most likely cost him his life, he chose to make the ultimate sacrifice so that his fellow team members could have a chance to escape.

We believe that Petty Officer Dietz should be posthumously awarded the Medal of Honor for his heroism. This recognition of his bravery would be consistent with the awarding of the Medal of Honor for his team leader, Lieutenant Michael P. Murphy, who lost his life under similar circumstances.

Thank you in advance for your consideration.

Sincerely,

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MAIN: (720) 283-8772
FAX: (720) 283-9776

LITTLETON OFFICE:
1800 WEST LITTLETON BOULEVARD
LITTLETON, CO 80120-2021
MAIN: (720) 283-7575
SENIORS: (720) 283-9026

CASTLE ROCK OFFICE:
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CASTLE ROCK, CO 80104-2439
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FAX: (303) 688-3524

OSD 06831-08



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CO School Safety Hotline:
(877) 542-SAFE

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Tom Tancredo

Tom Tancredo

Member of Congress

Diana DeGette

Diana DeGette

Member of Congress

Mark Udall

Mark Udall

Member of Congress

John Salazar

John Salazar

Member of Congress

Marilyn Musgrave Doug Lamborn

Marilyn Musgrave

Member of Congress

Doug Lamborn

member of Congress

Ed Perlmutter

Ed Perlmutter

Member of Congress

MARK UDALL
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Congress of the United States
House of Representatives
Washington, DC 20515-0602

COMMITTEE ON ARMED SERVICES
SUBCOMMITTEE ON READINESS
SUBCOMMITTEE ON TERRORISM AND
UNCONVENTIONAL THREATS

COMMITTEE ON SCIENCE AND
TECHNOLOGY
CHAIRMAN
SUBCOMMITTEE ON SPACE
AND AERONAUTICS
SUBCOMMITTEE ON ENERGY AND
ENVIRONMENT

COMMITTEE ON
NATURAL RESOURCES
SUBCOMMITTEE ON WATER
AND POWER
SUBCOMMITTEE ON NATIONAL PARKS,
FORESTS, AND PUBLIC LANDS

June 20, 2008

<http://markudall.house.gov/MoR/Co02/home>

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

Dear Mr. Secretary:

I am writing with regard to the classified draft GAO report assessing costs and vulnerabilities of the relocation of the nation's air and space defense command from Cheyenne Mountain to the new NORAD/NorthCom command center at Peterson Air Force Base in Colorado Springs, Colorado.

As you know, information from a classified draft GAO report was recently leaked to a Colorado Springs newspaper, which reported on GAO's findings on June 16. I have since been briefed on the draft GAO report, and I am appalled at what I've learned.

As a member of the House Armed Services Committee, I have long been concerned about the potential vulnerability of the new command center to attack. Since I first learned about the proposed move in a conversation with Admiral Keating in June 2006 – during which he claimed significant cost savings and efficiencies and made no mention of potential security vulnerabilities – NORAD/NorthCom has provided limited and inadequate information to Congress explaining the rationale for and benefits of the move from Cheyenne Mountain. As the Colorado Congressional delegation wrote in a letter to Admiral Keating in July 2006, "We believe that the decision to relocate personnel from the Cheyenne Mountain Complex to Peterson AFB must be done with the support of, and in coordination with, Congress, and more specifically, the Colorado congressional delegation." This has not happened.

Despite repeatedly expressed concerns, I have never heard an explanation of how Peterson AFB would be as secure a place for these critical systems. Furthermore, General Renuart has repudiated the apparent savings that Admiral Keating touted as the initial impetus for this move. That's why I worked last year with the House Armed Services Committee to pass language in the Defense Authorization bill that would prohibit further funding for the move conditional on the receipt of a report analyzing security-related costs and anticipated operational benefits from the move, as well as final plans for the relocation of the command center. The Senate would not agree to the language, as you know, which allowed NORAD/NorthCom to continue with the move.

OSD 08288-08

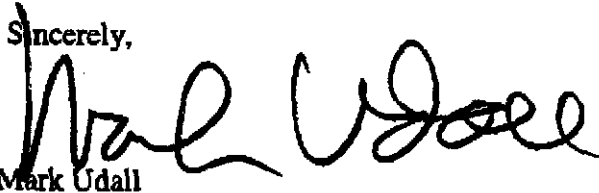


The Honorable Robert M. Gates
June 20, 2008
Page Two

I was pleased that additional legislation was once again included in the House version of the Defense Authorization bill to prohibit further movement from Cheyenne Mountain to Peterson Air Force Base, and I look forward to working with the conferees to further strengthen this provision in conference. However, I believe that the degradation of our command and control capabilities should warrant immediate action.

I hope you agree that the revelations in the draft GAO report are serious enough to demand your urgent attention. The security vulnerabilities addressed in the report simply must be addressed -- and addressed immediately, which may entail transferring air and space surveillance missions back to the Mountain from Peterson AFB. To delay action or ignore the GAO findings is to put our national security further at risk, as well as to potentially endanger the Colorado Springs community.

I look forward to your response.

Sincerely,

Mark Udall

AUG. 8. 2008 1:19PM

MARK E. UDALL

NO. 397 P. 2

MARK UDALL
2ND DISTRICT, COLORADO

100 CANNON HOB
WASHINGTON, D.C. 20515
(202) 225-2161
(202) 228-7840 (FAX)

8801 TURNPIKE CIRCLE, #208
WESTMINSTER, CO 80031
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291 MAIN ST.
P.O. BOX 325
MONTURK, CO 81646
(970) 827-4164
(970) 827-4128 (FAX)



Congress of the United States
House of Representatives
Washington, DC 20515-0802

August 8, 2008

COMMITTEE ON ARMED SERVICES
SUBCOMMITTEE ON READINESS
SUBCOMMITTEE ON TERRORISM AND
UNCONVENTIONAL THREATS

COMMITTEE ON SCIENCE AND
TECHNOLOGY

CHAIRMAN
SUBCOMMITTEE ON SPACE
AND AERONAUTICS
SUBCOMMITTEE ON ENERGY AND
ENVIRONMENT

COMMITTEE ON
NATURAL RESOURCES
SUBCOMMITTEE ON WATER
AND POWER

SUBCOMMITTEE ON NATIONAL PARKS,
FORESTS, AND PUBLIC LANDS

<http://markudall.house.gov/MeR/Co02/home>

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

Dear Secretary Gates:

As you know, the Army has proposed expanding the Pinon Canyon Maneuver Site, in Colorado, through acquisition of lands adjacent to the existing site.

Section 409 of the fiscal 2008 military construction appropriations act provides that "None of the funds appropriated or otherwise made available in this Act may be used for any action that is related to or promotes the expansion of the boundaries or size" of the Pinon Canyon site, and similar language is included in the corresponding appropriations bill for fiscal year 2009 recently passed by the House of Representatives.

However, section 2831 of the National Defense Authorization Act for fiscal 2008 requires the Army to prepare and submit to Congress a report analyzing the adequacy of the existing site and the extent to which it could support additional training activities as well as a description of additional training activities that could be conducted by units stationed at Fort Carson "if, through leases or acquisition from consenting landowners," the existing site were expanded.

On August 6th, the possible expansion of the existing Pinon Canyon Maneuver Site was discussed at a meeting in Trinidad, Colorado attended by Mr. Keith Eastin, Assistant Secretary of the Army, Installations and Environment, and Maj. General Mark Graham, the commander of Fort Carson. I was pleased to attend this meeting and appreciated that Mr. Eastin and Maj. General Graham came to Trinidad to meet with the community.

At the meeting, Assistant Secretary Eastin stated that the Army will not seek to use eminent domain to condemn any land for expansion of the existing Pinon Canyon site and instead will deal only with "willing sellers" in acquiring land for that purpose.

A majority in the Colorado Congressional Delegation are opposed to the use of eminent domain for this purpose. Mr. Eastin's assurances on this point were welcomed.



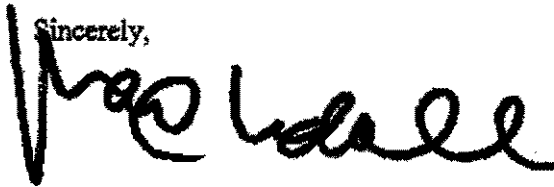
I have no reason to question the sincerity of Mr. Eastin's declaration and I am confident that he speaks with authority for the Army on the use of eminent domain, but you can imagine that many in the local community wonder whether this commitment is iron-clad. In this regard, I would like to make sure that Assistant Secretary Eastin's statement represents the official position of the Department of Defense.

Can you assert that it is the policy of the Department of Defense to refrain from any attempt to acquire the ownership or use of private lands for the purpose of expanding the Pinon Canyon Maneuver Site except through agreement with willing owners of the lands involved?

I believe that an official statement from your office on this point would be reassuring to the communities concerned about the Army's proposed expansion. It would also be helpful to Congress to have an official policy declaration from the highest office in the Pentagon on this question

Thank you for your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Udall", written in a cursive style.

Mark Udall

Congress of the United States

Washington, DC 20515

September 8, 2008

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

Dear Secretary Gates:

We are writing with regard to funding appropriated by Congress in FY07 and FY08 to help the University of Colorado develop the nation's first Homeland Defense Ph.D. program, which was a Department of Defense request.

The University of Colorado-Colorado Springs's (UCCS) Center for Homeland Security (CHS) provides education for and works collaboratively with NORTHCOM, which is responsible for defending the nation's homeland and is located in Colorado Springs. Additionally, nearby University of Colorado-Denver has a robust doctoral program in Public Affairs with emphasis on homeland security and emergency management. The value added to NORTHCOM is significant, ensuring that Homeland Defense doctoral research is aligned with its Homeland Defense and civil support missions.

UCCS has offered courses and a Certificate in Homeland Security since 2003 to meet the growing demand in the emerging discipline of Homeland Defense. UCCS is on track to become a national elite academic and research institute in this new discipline.

The 2006 National Defense Authorization Act asked that the Secretary of Defense make a recommendation to Congress for implementing legislation that would contribute to the development of strategic-level homeland defense education.

Tomorrow's technological advances and policy innovations require a commitment to doctoral-level research funding today. That's why Congress included funding of \$1.7 million and \$3.2 million in the FY07 and FY08 appropriations bills respectively for the University of Colorado Homeland Defense program.

On July 31, we were in receipt of correspondence from Robin Squatrito, Deputy Director and Chief, Legislative Liaison at NORAD and NORTHCOM, regarding the Ph.D. program funding. She wrote to alert us that none of the funds for the Ph.D. program had been awarded because the proposed program does not comport with DOD Instruction 1322.10 regarding DOD policies on graduate education for military officers. She wrote that a waiver of this policy can be granted, and apparently will be granted soon for the FY07 funding. She also explained that NORTHCOM is unable to use the \$3.2 million in FY08 funding because "it came with a limitation," and that these funds will have to be returned to the Air Force as non-executable funding.

OSD 11863-08



The intent of Congress was clear when it appropriated nearly \$5 million for a Homeland Defense Ph.D. program. With this in mind we have two questions we would like addressed:

1. As you know, the FY07 appropriation of \$1.7M has yet to be awarded and is contingent on NORTHCOM requesting a waiver that will be made to the DOD Instruction to permit the Ph.D. program to move forward. What is the status of the waiver process and when do you expect the \$1.7M to be awarded?
2. The FY08 appropriation of \$3.2M has also not been awarded, and because the end of the fiscal year is quickly approaching, we are concerned about the status of that appropriation mark. We would like to know what is being done to protect the appropriation and when you would expect it to be awarded.


The doctoral program is a critical component of the emerging Homeland Defense discipline, which is why it has the support of Congress and NORTHCOM. The excessive delay in awarding these funds is a serious concern and has prevented this important national educational program from moving forward. We request immediate action on the above issues and expect to hear from you as soon as possible regarding our questions.

Sincerely,


Wayne Allard


Mark Udall


Ken Salazar


Ed Perlmutter


Doug Lamborn

Cc: Honorable Michael Donley
Acting Secretary, Air Force

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

United States Senate

WASHINGTON, DC 20510

April 9, 2009

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

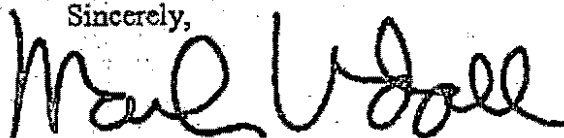
Dear Mr. Lynn:

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

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

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

Sincerely,

Mark Udall
U.S. Senator

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

OSD 03985-09



United States Senate

WASHINGTON, DC 20510

January 21, 2010

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

Dear Secretary Gates:

I write to request a transfer of \$4 million that I helped to secure in the recently approved FY2010 Department of Defense Appropriations bill for the Vet-Biz Initiative for National Sustainment (VINS) project. I requested funding for this project on behalf of the Pueblo Economic Development Corporation (PEDCO), based in Pueblo, Colorado, to match up qualified veteran-owned businesses with the parts and sustainment needs of the Department of Defense.

The funding was originally requested as a Navy Research Development Test and Evaluation (RDT&E) item, with Naval Air Systems Command's Aging Aircraft Integrated Product Team (AAIPT) as the project sponsor. Unfortunately, the AAIPT has since been dissolved. As a result, I understand that PEDCO and its contractor have been in touch with Army Research Laboratory (ARL) about the project and its applicability to Army parts needs, and ARL has agreed to take over sponsorship of the project. I certainly welcome this development as the close proximity of Fort Carson to Pueblo makes the Army a more logical partner for Colorado.

I ask that the \$4 million recently included in the FY2010 Department of Defense Appropriations bill for the Vet-Biz Initiative for National Sustainment be transferred from Navy RDT&E to Army RDT&E, R-1 Line 5, PE 0602105A Materials Technology. Please inform me as soon as this transfer has been completed.

Sincerely,



Senator Mark Udall

CC: Susan Marks, Army Research Laboratory

OSD 01189-10



MARK UDALL
COLORADOSUITE 5H-317
SENATE HART OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-5941

United States Senate

WASHINGTON, DC 20510

March 30, 2010

Ms. Elizabeth King
Assisant Secretary for Legislative Affairs
Department of Defense
1300 Defense Pentagon
Washington, Colorado 20301

Dear Ms. King,

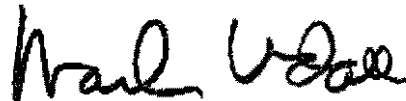
In recent weeks my office has received a number of inquiries from constituents regarding a notice of repayment of monies for severance pay, enlistment bonus, separation pay and other benefits previously paid to military personnel discharged or discharging from the service. The notice has either come from the Defense Finance and Accounting Service or from a collection agency.

Some of those contacting us have been involuntary separated for various reasons such as medical, or reduction of certain specialities and others have voluntary separated due to medical or other reasons (i.e. good the military).

I am requesting the policy for all branches of the services on the repayment of monies for these reasons and others. Is there a difference in the policy between involuntary and voluntary separations? What is the criteria? In some cases, the person is now receiving service-connected benefits from the Department of Veterans Affairs which indicates that he/she was injured while serving in the military. Their discharge is honorable but it was not for medical reasons and is this treated differently?

I appreciate your attention to my request and look forward to your response to my Denver office at 999 18th Street, N1525, Denver CO 80203. You may also contact Carolyn Boller in my Denver office at 303-650-7820.

Sincerely,



Mark E. Udall
U. S. Senator

MEU/ckb

OSD 04193-10



United States Senate

WASHINGTON, DC 20510

April 26, 2010

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

Dear Secretary Gates:

I write to request that the Department of Defense engage in “tribal consultations” as provided in Executive Order No. 13175 in the implementation of Section 811 of the National Defense Authorization Act of 2010 prior to any proposed or interim regulations being issued to implement that section.

For your reference, I have enclosed relevant correspondence – (1) from the National Congress of American Indians, the Native American Contractors Association, and the National Center for American Indian Enterprise Development, dated April 14, 2010, and (2) from Secretary of the Interior Ken Salazar to my colleague, Sen. Mark Begich, dated April 13, 2010. My understanding is that you have also received similar letters from Senators Baucus, Cantwell, Murkowski, Inhofe, Tester, Crapo and Risch as well as from Rep. Boren. I urge you to consider the information contained in that correspondence along with my request to you today for the Department to comply with the cited Executive Order in connection with Section 811 implementation.

As you know, EO 13175 calls for “meaningful consultation . . . with tribal officials in the development of Federal policies that have tribal implications.” Secretary Salazar states in his letter that “this order mandates that all agencies have an accountable process for meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.” Further, in a Memorandum for Heads of Executive Departments and Agencies dated November 5, 2009, President Obama stated that “History has shown that failure to include the voices of tribal officials in formulating policy affecting their communities has all too often led to undesirable and, at times, devastating and tragic results . . . Consultation is a critical ingredient of a sound and productive Federal-tribal relationship.”

OSD 05529-10



I ask that the Department of Defense implement Executive Order 13175 before taking any further regulatory agency action regarding Section 811. This matter is of vital importance to Indian Tribes, Alaska Natives and Native Hawaiians.

Sincerely,

A handwritten signature in black ink that reads "Mark Udall". The signature is written in a cursive, flowing style.

Mark Udall

cc: Hon. Daniel Inouye
Hon. Mark Begich

Enclosures: Letter from Secretary Ken Salazar to Sen. Mark Begich
Letter from NCAI, NACA, and NCAIED to Secretary Robert Gates

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

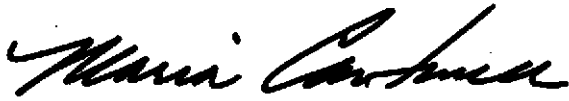

Kirsten E. Gillibrand
UNITED STATES SENATOR


Ron Wyden
UNITES STATES SENATOR


Amy Klobuchar
UNITED STATES SENATOR


Daniel K. Akaka
UNITES STATES SENATOR


John Barrasso
UNITES STATES SENATOR



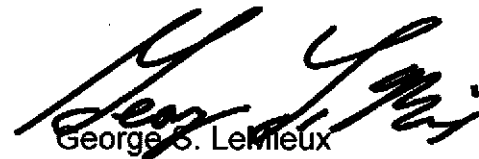
Maria Cantwell
UNITES STATES SENATOR



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

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

September 27, 2010

Dear Secretary Gates:

We are writing to urge you to request at least \$75 million for the Readiness and Environmental Protection Initiative (REPI) within the Operations and Maintenance, Defense-wide account in the FY 2012 President's Budget Request for the Department of Defense.

Both the Congress and key officials in the Department of Defense (DOD) have recognized that accelerating development, population growth, and loss of habitat on non-military lands pose a serious threat to the sustainability of key military installations, ranges, and airspace, and to the military's ability to conduct the realistic testing and training that are so critical to military readiness.

These challenges will only intensify in the near to mid-term. The "Grow the Force" initiative, the global restationing of forces, implementation of BRAC 2005, fielding of new weapons systems, and the pressing need to retrain forces as they redeploy from Iraq and Afghanistan will all significantly increase pressures on our remaining military installations and ranges. We must get ahead of these pressures if we are to preserve readiness over time.

In 2002, Congress provided you and the Secretaries of the Military Departments authority in section 2684a of title 10, US Code, to partner with state and local governments and conservation organizations to identify and protect key areas necessary to ensure the long-term sustainability of these vital installations, ranges, and airspace. Your department implemented this authority by establishing the Readiness and Environmental Protection Initiative (REPI). DOD and the Congress have worked together since 2002 to amend and improve section 2684a to make it an even more effective tool to protect and enhance readiness.

The REPI program has already proven to be a great success. In fiscal years 2005 through 2009, DOD used REPI authority to provide over \$130 million to support installation projects and leveraged in excess of \$150 million in partner contributions. Since FY 2005, REPI-funded projects have been or are being implemented at more than 50 installations and ranges throughout the country. Additional FY 2011 projects are expected to be initiated in the coming months, with more new projects anticipated in FY 2012.

DOD and RAND Corporation assessments have validated the effectiveness of REPI, but also concluded that the program needs additional resources to meet the challenges that encroachment is posing to military installations and ranges. The RAND report, entitled "The Thin Green

OSD 11791-10



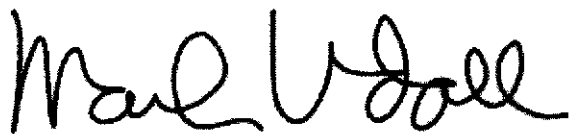
Line," concluded that the REPI program is underfunded, that opportunities for effective action to protect bases are being lost, and that the cost of effective action will only increase over time. RAND recommended a funding level of approximately \$150 million per year throughout the FYDP and beyond.

However, for the last three fiscal years, budget requests for the REPI program have remained flat, at a level of approximately \$40 million per year, only about one-third of the amount needed to meet requirements developed and validated by the Services and the OSD staff.

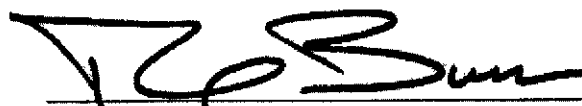
Despite these inadequate budget requests and in recognition of the success of the REPI program and the compelling need to protect our key installations, ranges, and airspace, since FY 2006 Congress has consistently increased funding for the REPI program significantly above the amounts requested in the President's Budget Request. We are currently considering an additional increase in FY 2011. However, Congress can't do this alone; we believe that it is past time for the Department of Defense to include an increase in the level of funding for the REPI program in the FY 2012 budget request.

In our view, REPI needs to be funded at a level of at least \$75 million in FY 2012 if it is to continue to be successful in addressing encroachment, preserving the readiness of our Armed Forces, ensuring the long range sustainability of our installations, ranges, and airspace. We respectfully urge you to request funding for the Readiness and Environmental Protection Initiative at this level for FY 2012, with steady funding over the FYDP until our key installations, ranges, and airspace are fully protected and the military's ability to conduct critical testing and training over time is assured.

Sincerely,



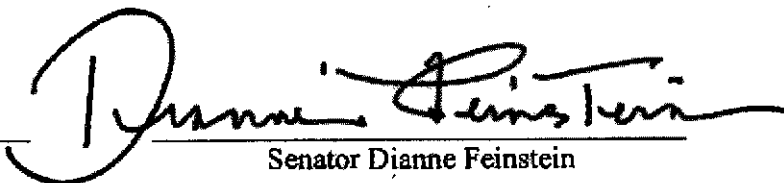
Senator Mark Udall



Senator Richard Burr



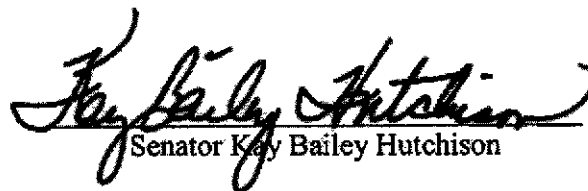
Senator Daniel Akaka



Senator Dianne Feinstein



Senator Patty Murray



Senator Key Bailey Hutchison



Senator Jim Johnson



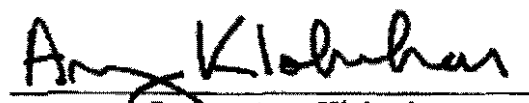
Senator Charles E. Schumer



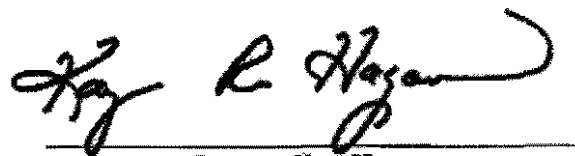
Senator Bill Nelson



Senator Ben Cardin



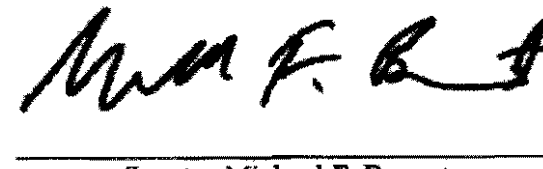
Senator Amy Klobuchar



Senator Kay Hagan



Senator Roland W. Burris



Senator Michael F. Bennet



Senator Kirsten Gillibrand



Senator Al Franken

Congress of the United States
Washington, DC 20515

February 4, 2011

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

Dear Secretary Gates:

As you may know, members of the Congressional Brain Injury Task Force, as well as other supportive Members of Congress, have written in the past in support of TRICARE covering cognitive rehabilitation for service members with brain injuries. In 2008, then-Senator Obama and then-Senator Bayh led letters with eight members of the Senate and over 65 House members. Two years later, the Department is still studying the issue and does not expect to make a decision on the results of a study mandated by the National Defense Authorization Act for Fiscal Year 2010 anytime soon.

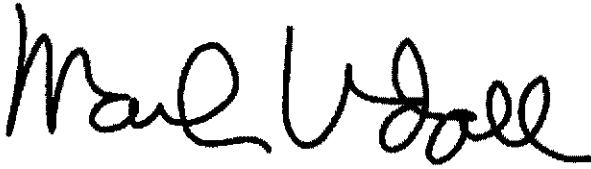
We hope you share our concern that service members returning from the battlefield today cannot wait to receive treatment for their injuries. Yet without a specific waiver applicable only under very unusual and limited circumstances, TRICARE does not cover cognitive rehabilitation – therapy programs that aid in the management of specific problems in thinking and perception – when billed as a separate service. Considering that our service members have been deployed in two conflicts for nearly a decade, it is our hope that there exists some contingency plan to provide cognitive rehabilitation for service members who are returning home today, particularly those with mild traumatic brain injuries. While TRICARE clearly pays for rehabilitation for physical injuries, brain injuries—the invisible wounds of this war—are not given the same therapy if not treated as part of a comprehensive brain injury rehabilitation program. Recent stories by NPR and ProPublica give examples of providers at civilian clinics who have tried to help soldiers with their cognitive rehabilitation, only to be informed by TRICARE that they cannot receive payment for their services.

As this issue is studied, we ask that you share with us your plans to ensure that our service members with brain injuries are not only identified, but also able to receive treatment such as cognitive rehabilitation to restore their cognitive functions. Cognitive rehabilitation is widely recognized as a proven treatment for traumatic brain injury by experts and groups, including the National Institutes of Health, the Brain Injury Association of America, and the National Academy of Neuropsychology. Many states pay for cognitive rehabilitation under their Medicaid programs, and most private insurers cover this service. In light of this consensus from a wide variety of organizations, experts and government agencies, we hope that TRICARE will find some way to provide access to cognitive rehabilitation for our returning service members who would benefit from this therapy – both those with more severe and mild traumatic brain injuries – and to ensure that care decisions are made consistently. We also respectfully request a meeting with appropriate officials at the Department to discuss TRICARE's plans to ensure treatment coverage for our service members with brain injuries.



Thank you for your consideration of this request. Please let us know how you plan to expedite new treatments for traumatic brain injured soldiers as soon as possible. We look forward to working with you to provide the best care to our service members.

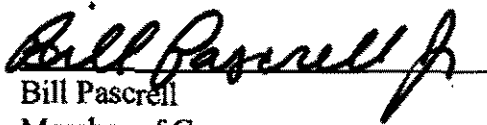
Sincerely,



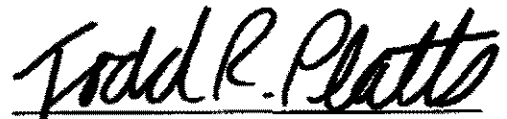
Mark Udall
United State Senator



James M. Inhofe
United States Senator



Bill Pascrell
Member of Congress



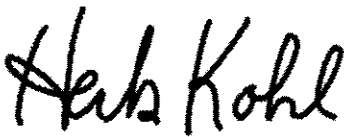
Todd Russell Platts
Member of Congress



Benjamin L. Cardin
United States Senator



Richard Burr
United States Senator



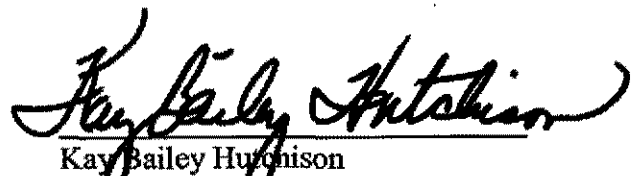
Herb Kohl
United States Senator



John Cornyn
United States Senator



Frank R. Lautenberg
United States Senator



Kay Bailey Hutchison
United States Senator




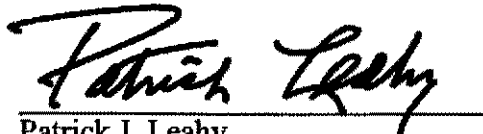
Michael F. Bennet
United States Senator

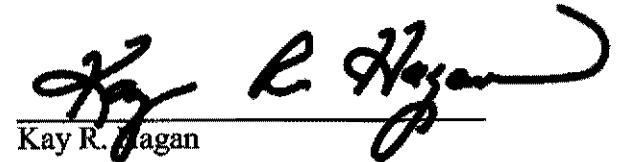


Scott P. Brown
United States Senator


Tim Johnson
United States Senator



Susan M. Collins
United States Senator


Patrick J. Leahy
United States Senator


Kay R. Hagan
United States Senator

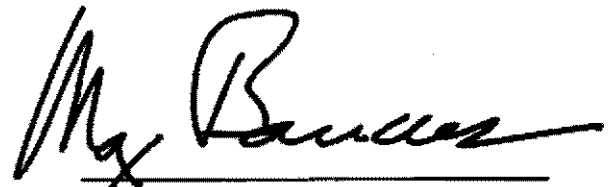

Kirsten Gillibrand
United States Senator



Ron Wyden
United States Senator


Barbara Boxer
United States Senator



Ben Nelson
United States Senator

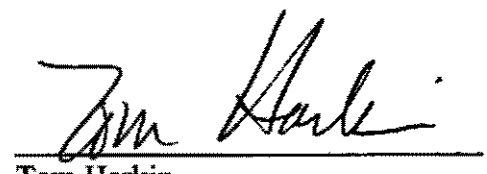

Claire McCaskill
United States Senator


Max Baucus
United States Senator


Joe Manchin III
United States Senator


Robert Menendez
United States Senator


Jon Tester
United States Senator


Tom Harkin
United States Senator

Tom Udall

Tom Udall
United States Senator

Larry Kissel

Larry Kissel
Member of Congress

Wally Herger

Wally Herger
Member of Congress

David Wu

David Wu
Member of Congress

Tammy Baldwin

Tammy Baldwin
Member of Congress

Joseph Crowley

Joseph Crowley
Member of Congress

Raul M. Grijalva

Raul M. Grijalva
Member of Congress

Laura Richardson

Laura Richardson
Member of Congress

Jim McDermott

Jim McDermott
Member of Congress

MSI

Mark S. Critz
Member of Congress

Pete Sessions

Pete Sessions
Member of Congress

Gerald E. Connolly

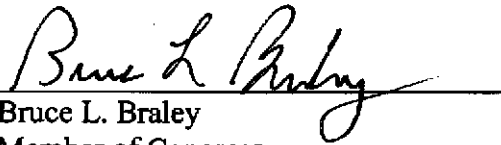
Gerald E. Connolly
Member of Congress

Jesse L. Jackson, Jr.

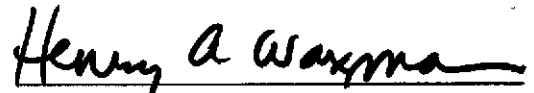
Jesse L. Jackson, Jr.
Member of Congress

Tim Ryan

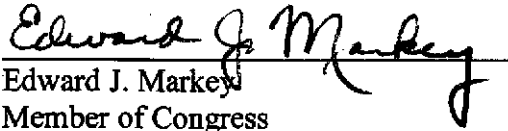
Tim Ryan
Member of Congress



Bruce L. Braley
Member of Congress



Henry A. Waxman
Member of Congress



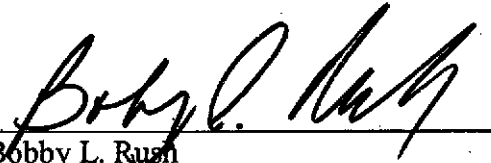
Edward J. Markey
Member of Congress



Henry C. "Hank" Johnson, Jr.
Member of Congress



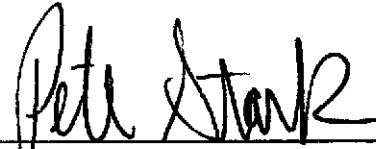
Mazie K. Hirono
Member of Congress



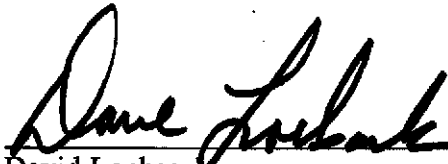
Bobby L. Rush
Member of Congress



Joe Baca
Member of Congress



Fortney Pete Stark
Member of Congress



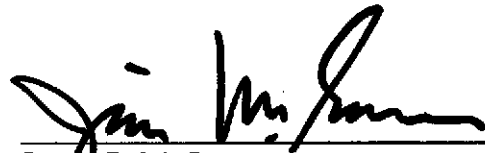
David Loebsack
Member of Congress



Betty Sutton
Member of Congress



Jason Altmire
Member of Congress



James P. McGovern
Member of Congress



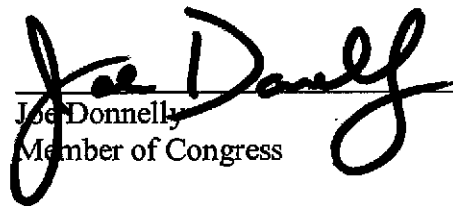
Bob Filner
Member of Congress



Paul Tonko
Member of Congress



Peter Welch
Member of Congress



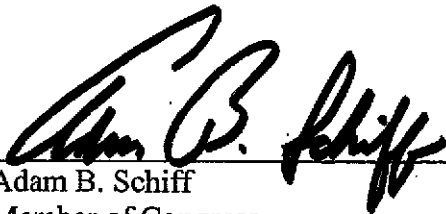
Joe Donnelly
Member of Congress



Gwen Moore
Member of Congress



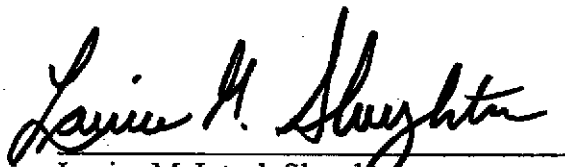
Brad Miller
Member of Congress



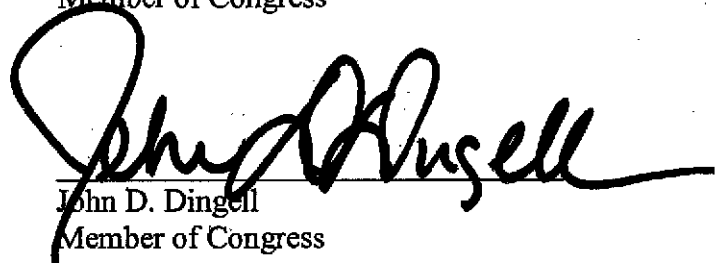
Adam B. Schiff
Member of Congress



Robert A. Brady
Member of Congress



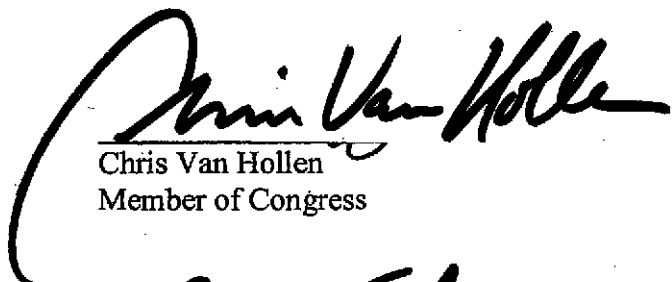
Louise McIntosh Slaughter
Member of Congress



John D. Dingell
Member of Congress



Howard L. Berman
Member of Congress



Chris Van Hollen
Member of Congress



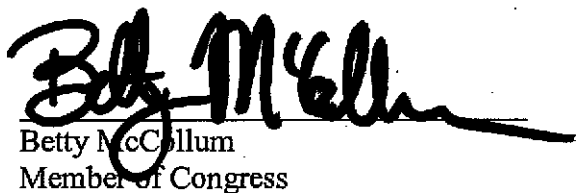
David N. Cicilline
Member of Congress



Barney Frank
Member of Congress



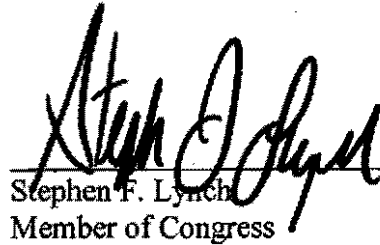
John B. Larson
Member of Congress



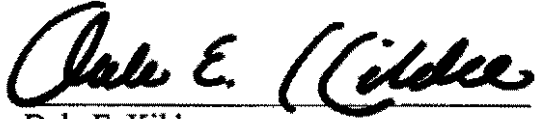
Betty McCollum
Member of Congress



Corrine Brown
Member of Congress



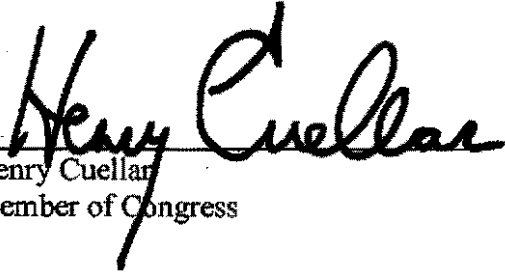
Stephen F. Lynch
Member of Congress



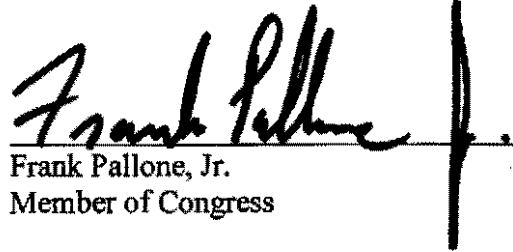
Dale E. Kildee
Member of Congress



Rush D. Holt
Member of Congress



Henry Cuellar
Member of Congress



Frank Pallone, Jr.
Member of Congress

United States Senate

WASHINGTON, DC 20510

February 25, 2011

The Honorable Robert Gates
U.S. Department of Defense
Office of the Secretary
The Pentagon
Washington, DC 20301-0001

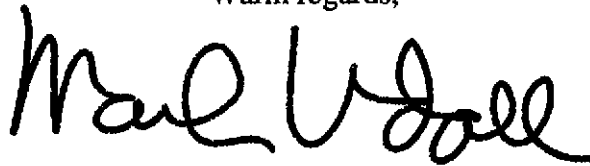
Dear Secretary Gates,

As we watch the historic events unfold across the Middle East, we are reminded about the fundamental importance of promoting democratic institutions. In America, it is our rich history of civic engagement across generations that has shaped our institutions. Now it is our generation's responsibility to continue the promotion of civic engagement at all levels. For that reason, I am honored to partner with Mesa State College in Grand Junction, Colorado, to organize a nonpartisan conference to offer Coloradans an opportunity to hear from thought-provoking leaders like you.

We would like to invite you to participate in the upcoming 2011 Colorado Capital Conference, to be held at the U.S. Capitol in Washington, D.C. The conference will start on Wednesday, June 15, and run through Friday, June 17. If your schedule permits, we invite you to address the 100 anticipated attendees by offering remarks for a period of 15 minutes and then participate in a 15-minute question-and-answer session.

Again, it would be an honor if you would consider participating in the 2011 Colorado Capital Conference, June 15-17, at the U.S. Capitol. Please feel free to contact my staff member John Bristol at john_bristol@markudall.senate.gov to confirm your availability or if you have any questions. I look forward to your response, and I thank you in advance for your kind consideration.

Warm regards,



Mark E. Udall
U.S. Senator

OSD 02482-11



United States Senate

WASHINGTON, DC 20510

April 18, 2011

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

Dear Secretary Gates:

We write to express our strong support for the Paralympic Military Program. Since 2001 the Paralympic Military Program has provided opportunities to our wounded warriors that not only give them hope for the future, but also improved quality of life for themselves and their families. The program enables our injured service members to participate in physical activities as part of their physical, mental and emotional rehabilitation. The twenty-one veteran and active duty wounded warriors who participated in the most recent Beijing and Vancouver Olympics, and the eleven medals they brought back with them are not only an honor for the United States, but an inspiration to Wounded Warriors everywhere.

Now that Congress has completed its work on funding the government through Fiscal Year 2011, we would like to express our support for this program and point out its value and recent accomplishments. The Paralympic Military Program has:

- Established paralympic recreational, rehabilitative, and competitive sports opportunities at four Department of Defense Medical Treatment Facilities, 29 Warrior Transition Units, seven Wounded Warrior Battalion Detachments, 19 VA Treatment facilities, and 126 communities throughout the United States.
- Worked with the four DOD Medical Treatment Facilities to plan competitions between facilities known as the Warrior Sports Series.
- Hosted the first Warrior Games, with plans underway for a second, to be attended by over 200 injured members of our armed services competing in an Olympic style environment.
- Served over 12,000 ill, injured or wounded service members and veterans.
- Provided significant physical activity rehabilitation programming for the Army Wounded Warrior Command, Marines and Special Operations
- Trained more than 4,000 local leaders to develop and implement community-based initiatives to enhance the rehabilitation of injured service members.

OSD 04884-11



While funding was not specifically designated for the Paralympic Military Program in H.R. 1473, the "Department of Defense and Full-Year Continuing Appropriations Act for FY 2011," this program does enjoy considerable support in Congress. The cessation of federal support for the Paralympic Military Program in FY 2011 would undermine all of these accomplishments and jeopardize current plans to expand services to our service members. We urge you to make the Paralympic Military Program, which is an essential element of our commitment to our wounded warriors, a Departmental priority and continue its funding through FY 2011 and beyond.

Sincerely,



Senator Amy Klobuchar



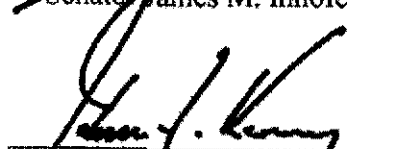
Senator John Boozman



Senator James M. Inhofe



Senator Mark Udall



Senator John F. Kerry



Senator Michael Bennet



Senator Richard Durbin



Senator Roy Blunt



Senator Kirsten E. Gillibrand



Senator Debbie Stabenow



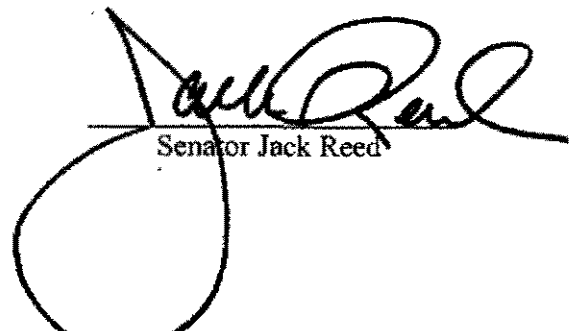
Senator Mark Pryor



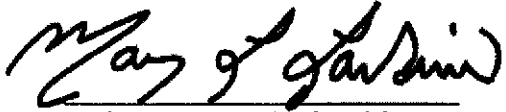
Senator John D. Rockefeller IV



Senator Patty Murray



Senator Jack Reed



Senator Mary L. Landrieu



Senator Joe Manchin

United States Senate

WASHINGTON, DC 20510

September 19, 2011

Honorable Leon Panetta
Secretary of Defense
Department of Defense
1000 Defense Pentagon
Washington, D.C. 20301

Dear Secretary Panetta:

We are writing to ask you for your support and leadership in ensuring that our nation continues to have reliable and affordable access to space. Over the past several years, the Department has devoted a significant effort to develop a more efficient, more cost-effective acquisition strategy for space launch. We applaud this effort and believe that a 40 vehicle block buy strategy is an appropriate and realistic approach to reduce costs while maintaining assured access necessary for critical national security missions. We urge you to consider moving forward with this strategy.

The Evolved Expendable Launch Vehicle (EELV) program has an impressive record of accomplishments, including achieving 100 percent mission success over 44 missions. While the EELV is a technical success, the current inefficient acquisition approach of procuring launch vehicles one-at-a-time, coupled with low market demand and low flight rates, have resulted in an inefficient, under-utilization of current capacity, a weakened industrial base, and cost growth. The new strategy is aimed at fixing these problems while retaining the proven technical excellence demonstrated to date.

Given the importance of space assets to national security, it is crucial that our space program build upon the successes and reliability of the current EELV program and seek real opportunities to increase efficiencies and cost effectiveness. We understand that the Air Force's current launch manifest for 2015 to 2019 is for 50 missions. If, in these difficult fiscal times, this remains the case, then a block buy of 40 launches could garner savings to the Department in the near-term while allowing for the use of competition as a method to further reduce costs in the future once potential competitors have fully demonstrated a reliable capability.

The value of competition is clear, so we encourage the Department to continue its efforts to provide opportunities to foster a healthy competitive environment. Still, we believe a block buy of 40 vehicles is the most effective means available today for maintaining proven reliability, preserving assured access to space, achieving economies of scale, and reducing the growth of launch costs.

OSD 11379-11



We request you provide us by September 30th with the Department's schedule and plans for implementing the block buy, consistent with all applicable laws and regulations. We look forward to working with you on this important matter.

Sincerely,



Mark Udall
U.S. Senator



Richard Shelby
U.S. Senator



Michael Bennet
U.S. Senator

Congress of the United States

Washington, DC 20515

November 22, 2011

The Honorable Leon E. Panetta
Secretary of Defense
1000 Defense Pentagon
Washington, D.C. 20301

The Honorable James R. Clapper, Jr.
Director of National Intelligence
Washington, D.C. 20511

Dear Secretary Panetta and Director Clapper:

We write to express our support for the National Geospatial-Intelligence Agency's (NGA) EnhancedView (EV) program. Under the "2 + 2" concept, the government initiated a public-private partnership in Fiscal Year 2010 to leverage commercial satellite imagery to cost-effectively complement national overhead capabilities. It is our understanding that the commercial sector's performance is right on target. The government gained immediate access to new, more capable assets resulting in significant day-to-day imagery collection, production, and services supporting the defense and intelligence communities.

The current administration, through presidential directives and national space policies, continues to express support for using commercial industry to the maximum extent practicable to meet government needs. This approach provides the United States and our allies a valuable source of shareable geospatial data to support coalition operations; grows an organic industrial base that creates high technology jobs; and maintains the U.S. industry as a premier commercial satellite imagery provider in the global marketplace.

The EnhancedView construct also allows the government to leverage private investment. The two U.S. commercial satellite imagery providers collectively committed over a billion dollars of private capital to fulfill their EV obligations, well in advance of being paid by the government, predicated on a stable, ten-year commitment by the government in the form of the EV contract. In this period of extreme fiscal restraint, this partnership represents a creative solution that should be applauded and emulated.

Despite these successes, it is our understanding that under budget pressures, the Department of Defense is considering major reductions that could potentially result in severe damage to the EV program. These potential impacts are greater given the investments both satellite imagery providers have already made to create new satellites, ground infrastructure, and operational capability to meet NGA's needs for improved collection capability, faster timelines, and increased security.

In addition, a change to the EnhancedView baseline could mean a lasting loss of credibility for the U.S. Government when it comes to any similar arrangement in the future, whether it is for commercial space launch, telecommunications, or any other area that requires industry to make up-front investments against a long-term need.

We appreciate the enormity of the challenge you face in attempting to balance projected funding with needed future capabilities. However, we seek your support to ensure that the Department and



Intelligence Community confront this difficult decision in a balanced and objective manner and ensure that the capability needed in the future is not irreparably lost.

We firmly believe the U.S. commercial remote sensing industry will continue to create jobs and remain globally competitive, if the government fulfills its commitment. A continued partnership with the government will allow the industry to rapidly and cost-effectively provide new, more capable assets to meet the government's needs in the defense and intelligence communities. We support the EnhancedView program and urge the Department and the Intelligence Community to sustain it as a critical complementary program in the nation's overhead architecture.

Sincerely,



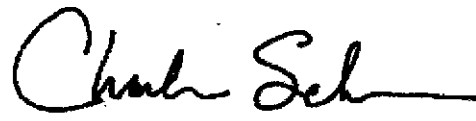
Senator Mark Udall



Senator Mark R. Warner



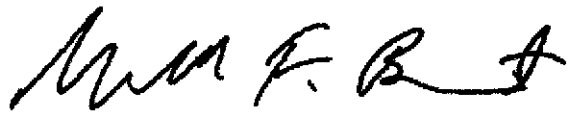
Senator Roy Blunt



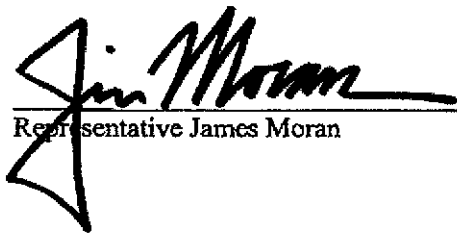
Senator Charles E. Schumer



Senator Kirsten E. Gillibrand



Senator Michael F. Bennet



Representative James Moran




Representative Cory Gardner


Representative Doug Lamborn


Representative Mike Coffman


Representative Ed Perlmutter


Representative Tom Reed NY29

United States Senate

WASHINGTON, DC 20510

February 15, 2012

The Honorable Leon E. Panetta
Secretary, Department of Defense
1000 Defense Pentagon, Room 3E880
The Pentagon, VA 20301-1155

Dear Secretary Panetta:

As you and your colleagues implement the new Defense Strategic Guidance, we appreciate your continued commitment to service members and their families.

Joining Forces is a national initiative that mobilizes all sectors of society to give service members and their families the opportunities and support they have earned. Our states strongly support Joining Forces and are actively engaged in making this initiative a reality.

Working with our respective Adjutant Generals, the National Guard established outreach and reintegration programs designed to assist service members in receiving the best services from the appropriate Federal, state or local agencies.

Through the FY11 Defense Appropriations, approximately \$16 million was distributed to continue state programs through your Yellow Ribbon Reintegration Program for 12 months; therefore, they will not have enough funding to finish the current fiscal year let alone continue into FY13. By May, without additional funding, these programs will begin to end.

The FY12 Defense Appropriations, Section 9010 allows continued funding, but only through "the amounts appropriated or otherwise made available by title IX." Due to the ongoing challenges faced by returning service members, continuity of these outreach and reintegration programs remains critical.

We ask that you provide the necessary funding to allow National Guard outreach and reintegration programs to continue the good work they are doing.

In our respective states, we see first-hand the unique challenges faced by our constituents who serve in the National Guard. Members of the National Guard confront unique professional and personal challenges with each deployment.

Through these programs, we continue to make great strides in supporting service members and their families throughout the deployment cycle, from preparing them for mobilization to transitioning them back into their communities. This assistance can be particularly helpful for service members and families who have little experience with the military-civilian transition process.



OSD002105-12

These local programs are designed to address such serious reintegration issues as health care, employment, financial, legal, housing, and suicide prevention. Much of this outreach is done through face-to-face meetings to better assess fundamental needs.

National Guard personnel are not the only service members who benefit from the extensive outreach and visibility of these programs. Reservists, as well as recently separated veterans returning to the states from active-duty service, are often referred to our programs for help. In light of the pending reductions in force structure, we anticipate more returning veterans will need assistance.

These programs interact with local communities by building strong working relationships with elected officials, employers, educators, social workers, veterans' service organizations, clergy and other interested parties. This empowers communities to better understand the specific needs, sacrifices and hardships of their military families and become more directly involved in solving those issues.

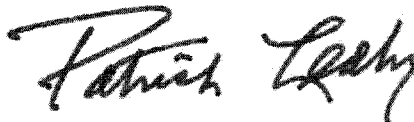
Finally, these programs complement the Yellow Ribbon Reintegration Program in that they deal with an array of day-to-day problems faced by service members between monthly drill weekends and the scheduled 30-day, 60-day and 90-day Yellow Ribbon events.

Mr. Secretary, thank you for your consideration of this request for continued funding for our states' National Guard outreach and reintegration programs.

Sincerely,



BERNARD SANDERS
U.S. Senator



PATRICK J. LEAHY
U.S. Senator



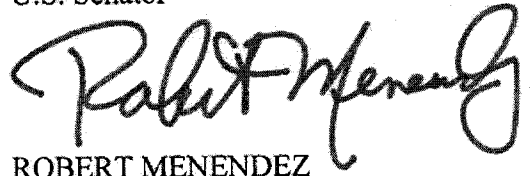
PATTY MURRAY
U.S. Senator



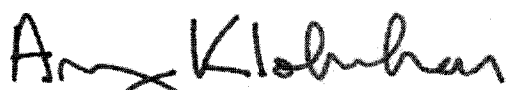
RON WYDEN
U.S. Senator



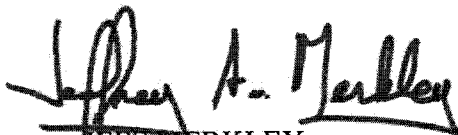
FRANK LAUTENBERG
U.S. Senator



ROBERT MENENDEZ
U.S. Senator



AMY KLOBUCHAR
U.S. Senator



JEFF MERKLEY
U.S. Senator



JEANNE SHAHEEN
U.S. Senator

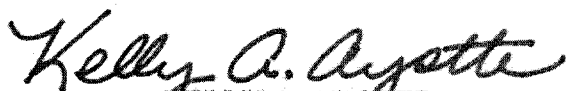
MARK E. UDALL
U.S. Senator



MICHAEL F. BENNET
U.S. Senator



AL FRANKEN
U.S. Senator



KELLY A. AYOTTE
U.S. Senator

cc: Mr. David L. McGinnis, Acting Assistant Secretary of Defense for Reserve Affairs
General Craig R. McKinley, Chief National Guard Bureau

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

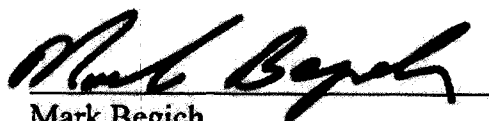
Page 2

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,



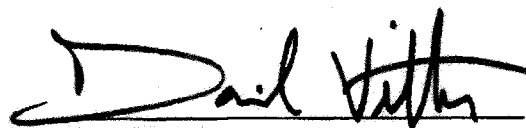
Mark Begich
United States Senator



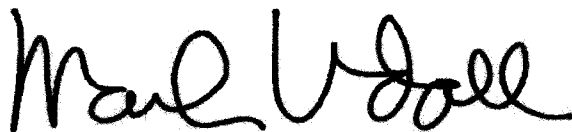
Kelly A. Ayotte
United States Senator



Jeanne Shaheen
United States Senator



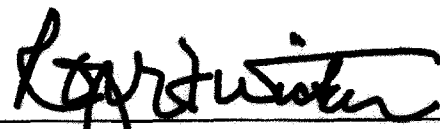
David Vitter
United States Senator



Mark Udall
United States Senator



Scott P. Brown
United States Senator



Roger W. Wicker
United States Senator

United States Senate

WASHINGTON, DC 20510

March 20, 2012

The Honorable Leon E. Panetta
Secretary of Defense
Office of the Secretary of Defense
United States Department of Defense
1000 Defense Pentagon, Room 3E880
Washington, DC 20301-1000

Re: Invitation to speak at the 2012 Colorado Capital Conference, June 5-7, 2012

Dear Secretary Panetta:

As we watch the historic events unfold around the world, we are reminded about the fundamental importance of promoting democratic institutions at home. In America, it is our rich history of civic engagement across generations that has shaped our institutions. Now it is our generation's responsibility to continue the promotion of civic engagement at all levels. For that reason, I am honored to partner with Colorado Mesa University and the University of Colorado to organize the nonpartisan 2012 Colorado Capital Conference in order to offer Coloradans an opportunity to hear from thought-provoking leaders like you.

I would like to invite you to participate in the upcoming 2012 Colorado Capital Conference, to be held at the U.S. Capitol in Washington, D.C. The conference will start on Tuesday, June 5, and run through Thursday, June 7. If your schedule permits, I invite you to address the one hundred anticipated attendees by offering remarks and then answering a few questions from the attendees.

Again, it would be an honor if you would consider participating in the 2012 Colorado Capital Conference, June 5-7, at the U.S. Capitol. Please feel free to contact my staff member John Bristol at john_bristol@markudall.senate.gov if you have any questions. I look forward to your response, and I thank you in advance for your kind consideration.

Sincerely,

Mark E. Udall
United States Senator



OSD004335-12

Leon, you would be a huge hit and warmly received by an involved group of Coloradans!

United States Senate

WASHINGTON, DC 20510-3205

April 25, 2012

The Honorable Leon E. Panetta
Secretary of Defense
United States Department of Defense
1400 Defense Pentagon
Washington, DC 20301

Dear Secretary Panetta,

When the repeal of Don't Ask, Don't Tell (DADT) took effect on September 20, 2011, then-Under Secretary of Defense for Personnel and Readiness Dr. Clifford Stanley issued a memorandum providing guidance to the military services regarding applications from veterans separated on the basis of their sexual orientation seeking changes to their discharge paperwork. The memorandum made clear that Discharge Review Boards (DRBs) "should normally grant requests to change the narrative reason for a discharge... [and that] requests to re-characterize the discharge to honorable and/or requests to change reentry codes to an immediately-eligible-to-reenter category" should be granted when the original discharge was based solely on DADT and there "were no aggravating factors in the record, such as misconduct." The guidance goes on to say that while "each request must be evaluated on a case-by-case basis," having "an honorable or general discharge should normally... indicate the absence of aggravating factors."

While this guidance was an important step in the right direction, it is insufficient for the vast majority of veterans discharged under DADT. The current process is protracted and overly burdensome for veterans who—according to Dr. Stanley's guidance—should be entitled to have their discharge documents corrected. Our understanding is that many veterans who meet the criteria outlined above must first gather their service-related paperwork, which many veterans do not possess. The veteran must then file an application with the supporting documentation to overcome the presumption of the DRB that the discharge was proper. To accomplish this, the veteran must argue that the discharge should be changed according to the standards of "propriety" or "equity," per DRB regulations. Only after overcoming this presumption will the DRB change the discharge paperwork.

We understand that changing discharge paperwork is not a small matter and that in most cases, a careful case-by-case evaluation is warranted. But as long as a former service member's Narrative Reason for a discharge is "Homosexual Conduct," "Homosexual Act" or "Homosexual Marriage," that service member is compelled to be "out" to any future civilian employer and anyone else who sees the document. Likewise, the negative reentry code serves as a barrier to employment opportunities.

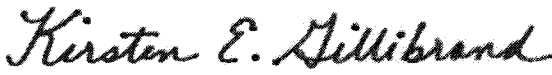
Therefore, the process should be streamlined for those veterans discharged under DADT who have honorable or general discharges and only seek changes to their narrative reason for discharge and their reentry code. We thus respectfully request that the Department clarify that DRBs shall correct discharge paperwork upon receipt of a basic DD Form 293 application, provided that



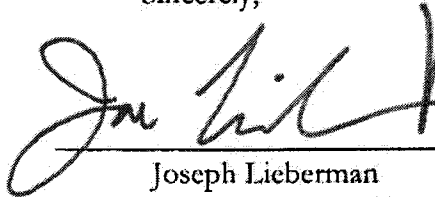
the DRB can then obtain the veteran's DD Form 214 and service record. The Department should further clarify that, where there are no aggravating factors in the service member's record, the presumption should be in favor of correction.

Veterans who were discharged under DADT should not be compelled to carry with them a narrative reason for separation that indicates their sexual orientation to anyone who sees their discharge document. In order to begin to put the regrettable policy of DADT fully behind us, the process of getting these documents corrected needs to be accessible and achievable for all. Thank you for your attention to this important matter.

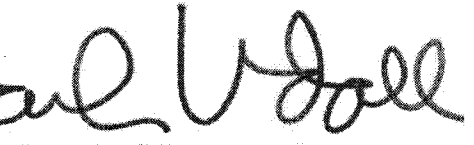
Sincerely,



Kirsten E. Gillibrand
Kirsten E. Gillibrand
United States Senator



Joseph Lieberman
Joseph Lieberman
United States Senator



Mark Udall
Mark Udall
United States Senator

CC:

The Honorable Jo Ann Rooney
Acting Under Secretary of Defense

The Honorable Jeh Johnson
General Counsel

Congress of the United States
Washington, DC 20515

May 3, 2012

The Honorable Leon Panetta
Secretary of Defense
1400 Defense Pentagon
Washington, DC 20301

Dear Secretary Panetta:

We write to inquire about the recent decision made by the Department of Defense (DOD) to change the TRICARE managed care provider that serves Active Duty military and retirees in the state of Colorado. As you know, the job of providing access to health care services for military beneficiaries in our state has been the responsibility of TriWest Healthcare Alliance since 1996. In April of this year, it came to our attention that the DOD awarded TRICARE's contract for the Western Region to United HealthCare through a bid process that is now under review by the U.S. Government Accountability Office. While we understand this review process is ongoing, we respectfully request additional information about this contract award as it relates to Colorado TRICARE beneficiaries.

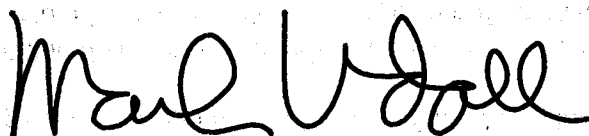
Our state is home to a number of installations critical to the security of our nation; including Fort Carson, Peterson AFB, Buckley AFB, Schriever AFB, Cheyenne Mountain Air Station, and the Air Force Academy. Coloradans embrace and support the men and women who serve at these bases, as well as their families. The Colorado congressional delegation works cooperatively to provide our uniformed personnel an unmatched quality of life, which includes the best possible healthcare.

Colorado has the largest referral hospital in the entire TRICARE West Region in Memorial Hospital of Colorado Springs, a significant number of installations, and a large population of military retirees who enjoy calling Colorado home. So naturally large numbers of constituents are asking us what this change will mean for their care. Because a change in TRICARE administrator will impact hundreds of thousands of Coloradans, we request that the Department provide our offices with a full briefing on this decision. Specifically, we would appreciate responses to the following questions:

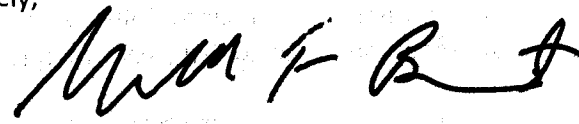
- What prompted a change from the current contract?
- What analysis was done to assess the qualifications of the competing applicants?
- How does DOD assess the impact on beneficiaries of a change in TRICARE administrator?
- What were the factors that convinced DOD that the recently announced contract awardee will better serve the nearly 200,000 Coloradans eligible for TRICARE benefits as compared to the current system?

We know you share our commitment to caring for the men and women who serve this nation and their families. Thank you in advance for your cooperation on this request.

Sincerely,



Mark Udall
United States Senator



Michael F. Bennet
United States Senator

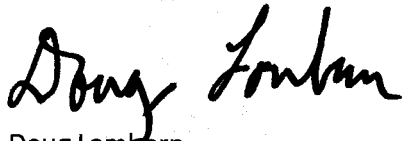




Ed Perlmutter
Member of Congress



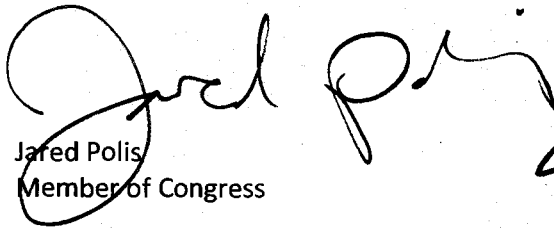
Diana DeGette
Member of Congress



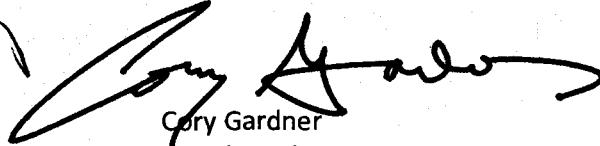
Doug Lamborn
Member of Congress



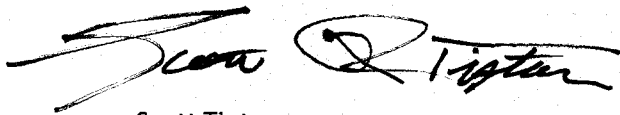
Mike Coffman
Member of Congress



Jared Polis
Member of Congress



Cory Gardner
Member of Congress



Scott Tipton
Member of Congress

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
Page 2

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



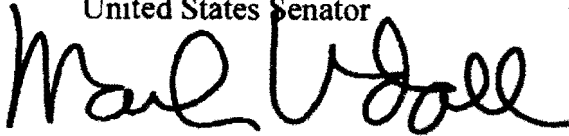
Kelly Ayotte
United States Senator



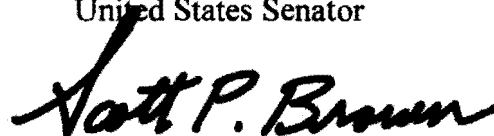
Jeanne Shaheen
United States Senator



David Vitter
United States Senator



Mark Udall
United States Senator



Scott P. Brown
United States Senator

United States Senate

WASHINGTON, DC 20510

October 15, 2012

The Honorable Leon Panetta
Secretary of Defense
1000 Defense Pentagon
Room 3E880
Washington, DC 20301-1000

Dear Secretary Panetta,


We understand there is a meeting planned either this week or next by the Senior Military Medical Advisory Committee to determine whether the NCAT (Neurocognitive Assessment Tool) project is to be cancelled. Cancelling the NCAT would leave the Army with the existing interim assessment management program—a system that reportedly cannot search data, does not provide 24/7 accessibility, cannot be accessed electronically from contingency operating theaters, cannot retrieve data to compare baseline assessments, and cannot access or download assessment software. We respectfully request that any decisions or votes by the Senior Military Medical Advisory Committee regarding the NCAT cancellation be postponed until we have had an opportunity to meet with you to discuss the issue.

Thank you for your attention to this matter.

Sincerely,



James M. Inhofe
United States Senator



Mark Udall
United States Senator



OSD012790-12