RICHARD BLUMENTHAL
CONNECTICUT

United States Senate

WASHINGTON, DC 20510

February 11, 2011

The Honorable Robert Gates, Secretary
Assistant Secretary of Defense for Legislative Affairs
U.S. Department of Defense
1300 Defense Pentagon
Washington, DC 20301-1300

Dear Secretary Gates:

I write in support of an application submitted by Wraith Technologies, LLC for funding from the DARPA BAA 10-83 for support of an autonomous deployable system to convert Atmospheric CO2 to liquid fuels (JP-8) on-site. If awarded, Wraith Technologies will use these funds to design and test a full scale pilot plant that can produce 15,000 gallons of fuel in a 24 hour period.

This technology will provide a deployable system that the U.S. Military forces can use to produce military grade fuel (JP-8) in combat theaters or battlefield environments, as well as at hurricane or earthquake sites, or can be used to produce electricity. This process produces clean and inexpensive energy, removing CO2 from the air. Additionally, Wraith Technologies consists of four local companies, retaining and creating high-level engineering and manufacturing jobs in the state of Connecticut, further supporting the economy.

The DARPA BAA 10-83 support will greatly aid in Wraith Technologies' development of the autonomous deployable system, which, in turn, will change how the military views fuel logistics in terms of cost and remote site availability. Therefore, I fully support Wraith Technologies' application and urge your serious consideration of this worthwhile project.

Sincerely,

RICHARD BLUMENTHAL
United States Senator

United States Senate

WASHINGTON, DC 20510

March 12, 2012

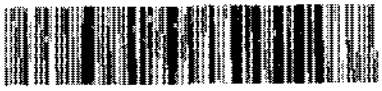
The Honorable Leon E. Panetta
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Panetta:

We write to express our grave concern regarding the Department of Defense's ongoing business dealings with Rosoboronexport, the same Russian state-controlled arms export firm that continues to provide the Syrian government with the means to perpetrate widespread and systematic attacks on its own people. According to the United Nations, over 7,500 Syrian civilians have reportedly been killed in the attacks by the desperate regime of Syrian President Bashar al-Assad, and we continue to receive grisly accounts that his government forces are summarily executing, imprisoning, and torturing demonstrators and innocent by-standers.

Russia remains the top supplier of weapons to Syria, selling reportedly $1 billion or more worth of arms to Syria in 2011 alone. Its arms shipments to Syria have continued unabated during the ongoing popular uprising there. According to Thomson Reuters shipping data, since December 2011, at least four cargo ships have travelled from the Russian port used by Rosoboronexport to the Syrian port of Tartus. Another Russian ship that was reportedly carrying ammunition and sniper rifles, weapons which Syrian forces have used to kill and injure demonstrators, reportedly docked in Cyprus in January and then went on to deliver its cargo directly to Syria. In addition, recent reports from human rights monitoring organizations confirm that Russian weapons such as 240mm F-864 high explosive mortars have been found at the site of ongoing atrocities committed against civilians in Homs, Syria. In January of this year, Rosoboronexport reportedly signed a new deal with the Syrian government for 36 combat jets.

Even in the face of crimes against humanity committed by the Syrian government during the past year, enabled no doubt by the regular flow of weapons from Russia, the United States Government has unfortunately continued to procure from Rosoboronexport. It is our understanding that the DoD, through an initiative led by the U.S. Army, is currently buying approximately 21 dual-use Mi-17 helicopters for the Afghan military from Rosoboronexport. This includes the signing of a no-bid contract worth $375 million for the purchase of aircraft and spare parts, to be completed by 2016. Media reports indicate that the contract included an option for $550 million in additional purchases, raising the contract's potential total to nearly $1 billion.



While it is certainly frustrating that U.S. taxpayer funding is used to buy Russian-made helicopters instead of world-class U.S.-made helicopters for the Afghan military, our specific concern at this time is that the Department is procuring these assets from an organization that had for years been on a U.S. sanctions list for illicit nuclear assistance to Iran and in the face of the international community's concern is continuing to enable the Assad regime with the arms it needs to slaughter innocent men, women, and children in Syria. Other options are very likely available as demonstrated by the fact that the first four Mi-17 helicopters that the U.S. Navy purchased for Afghanistan came through a different firm. We ask that the DoD immediately review all potential options to procure helicopters legally through other means.

U.S. taxpayers should not be put in a position where they are indirectly subsidizing the mass murder of Syrian civilians. The sizeable proceeds of these DoD contracts are helping to finance a firm that is essentially complicit in mass atrocities in Syria, especially in light of Russia's history of forgiving huge amounts of Syria's debt on arms sales, as occurred in 2005 during President Assad's state visit to Moscow.

President Obama has called on President Assad to step down, and he has declared that "Preventing mass atrocities and genocide is a core national security interest and a core moral responsibility of the United States." As such, we urge you to use all available leverage to press Russia and Russian entities to end their support of the Assad regime, and that includes ending all DoD business dealings with Rosoboronexport, which is within your authority as Secretary of Defense. Continuing this robust business relationship with Rosoboronexport would undermine U.S. policy on Syria and undermine U.S. efforts to stand with the Syrian people.

This is a serious policy problem, and we ask for your personal attention to help solve it. Thank you for your service to our nation and your dedication to the members of our Armed Forces.

Sincerely,

JOHN CORNYN
United States Senator

RICHARD J. DURBIN
United States Senator

KIRSTEN E. GILLIBRAND
United States Senator

KELLY AYOTTE
United States Senator

RICHARD BLUMENTHAL
United States Senator

ROBERT MENENDEZ
United States Senator

JAMES E. RISCH
United States Senator

ROGER F. WICKER
United States Senator

DAVID VITTER
United States Senator

ROBERT P. CASEY, JR.
United States Senator

SHERROD BROWN
United States Senator

MARK KIRK
United States Senator

CHUCK GRASSLEY
United States Senator

RON WYDEN
United States Senator

MARCO RUBIO
United States Senator

BENJAMIN L. CARDIN
United States Senator

JON KYL
United States Senator

CC: The Honorable Hillary Rodham Clinton
Secretary of State
2201 C Street N.W.
Washington, DC 20520

United States Senate

WASHINGTON, DC 20510

April 25, 2012

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

Dear Secretary Panetta:

Thank you for your leadership of the Department of Defense (DoD) during these challenging times. We are proud to support DoD installations that employ military, civilian, and contractor personnel who make invaluable contributions towards ensuring our national security.

We understand that the defense budget must be adjusted to take into account new national security risks and budgetary realities. However, we are concerned that while the size of the civilian workforce is proposed to be cut back to FY 2010 levels, no comparable constraints were imposed on workforce hired through contractors.

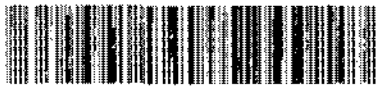
We are concerned that this would incentivize managers to use contracting firms rather than civilian employees even when the latter costs less. We also believe that there are a number of sensitive roles that should be performed by direct employees. When determining whether services should be performed by employees or contractors, DoD's sourcing decisions should be made on the basis of the law, cost, policy, and risk, and not because DoD managers simply have fewer civilian employee slots.

That is why, as the federal government's largest employer, the DoD must comply with sourcing and workforce management laws, both those that are longstanding as well as those that were included in the FY 2012 National Defense Authorization Act (NDAA). Specifically, we expect DoD to:

1. **Eliminate the arbitrary cap on the civilian workforce or provide a waiver.** If there is work to be done and the funding to pay for that work, managers should not be arbitrarily prevented from using civilian employees (10 USC 129). Commercial functions should be shifted on the basis of costs (10 USC 129a). The FY2010 cap on the civilian workforce should be lifted or a waiver be provided so that sourcing decisions can be based on merit, rather than arbitrary constraints.

2. **Embrace the Total Force Management approach.** Instead of managing civilian personnel by arbitrary constraints, we expect the Department to embrace the Total Force Management approach necessary to ensure that the Department looks at its military, civilian, and contractor workforces holistically.

3. **Cap spending on service contracts.** Until the cap on the civilian workforce is lifted, we expect the Department, particularly the Comptroller's office, to comply with the FY 2012 NDAA that caps spending on service contracts at FY 2010 levels. If the Department insists on capping the civilian workforce at FY 2010 levels, a similar cap must be applied to the service contractor workforce levels.



OSD004962-12

4. **Conduct cost comparisons when making outsourcing decisions.** DoD cannot convert a function last performed by civilian employees to contractors without conducting a formal cost comparison (10 USC 2461). We are pleased that the Department issued guidance in December in order to enhance compliance with this prohibition. We expect you to place the highest priority on implementing these reforms.

5. **Implement an inventory of contract services.** We appreciate that DoD has come to an agreement on implementing an inventory of contract services. We expect the Department to be aggressive in overcoming any procedural concerns related to the Paperwork Reduction Act so that the inventory can be implemented in such a way that it allows for the identification and control of costs, including identifying and preventing over-execution of spending, as well as distinguishing base spending from Overseas Contingency Operations spending. Finally, we expect the Department to respect the decision reached by conferees to the FY 2012 NDAA that "the appropriate use of public-private competition is predicated on a sound planning process and the availability of accurate information, including the information that would be supplied by a compliant inventory."

6. **Prohibit outsourcing of inherently governmental work.** We expect the Department to comply with the FY 2012 NDAA requirement that no inherently governmental work be privatized and that reliance on contractors for the performance of work closely associated with inherently governmental functions should be incrementally reduced. Finally, we expect the Department to adhere to the insourcing laws that were reaffirmed in the FY 2012 NDAA and make insourcing decisions on the basis of the historically based criteria of the law, cost, policy, and risk, instead of arbitrary targets or constraints.

As you lead the Department in adjusting to budgetary realities, it is imperative that the Department and the Services build upon and fully integrate the remarkable work done by our civilian personnel. The best way for the Department to accomplish this is by ensuring that it is fully compliant with all relevant sourcing and workforce management laws.

Thank you for your consideration.

Sincerely,

Howard Berman

Kirsten E. Gillibrand

Barbara Mikulski

Patrick Leahy

Patty Murray

Tom Harkin

United States Senate

WASHINGTON, DC 20510

July 9, 2012

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

Dear Secretary Panetta,

We write to you concerning the acquisition of a small attack aircraft for the Air Force's Light Air Support (LAS) program. As this acquisition proceeds, we ask your assistance in bringing transparency and understanding to the requirements development process for the LAS acquisition.

According to the most current Section L (Amendment 9) from the LAS Request for Proposal, "The United States Government (USG) has identified a need for a Light Air Support (LAS) aircraft. This aircraft will serve as both an advanced aircrew trainer and a light attack aircraft to support air interdiction and close air support training and operations for current and future Building Partnership Capacity (BPC) customers." Therefore, procurement of this aircraft would also fulfill the "Building Partnership Capacity of Partner States" mission area of the 2010 Quadrennial Defense Review, which states "the Air Force will field light mobility and light attack aircraft in general purpose forces to increase their ability to work effectively with a wider range of partner air forces."

Given the potential for this program of record to fulfill a wide array of roles in as many as 27 nations, the potential value of this competition could be as high as $10 billion – well above the Major Defense Acquisition Program threshold. Additionaly, according to an April 17, 2012 LAS contractor brief, this program will accommodate future US and FMS requirements although no US requirement presently exists. Therefore, it is critically important that the requirements development process for the LAS aircraft followed a discernible and established procurement process that ensures commonality and interoperability for all users. This is true even when the procurement is declared "non-developmental."

Due to the potential size and award of this program, we ask for your assistance in answering the following questions and providing the requested documents used by the Air Force for the LAS program:

1) What were the acquisition processes used for the LAS program? Were these formal DOD acquisition processes?

2) Was the Joint Capabilities Integration Development System (JCIDS) used during LAS program development?

3) Does a Joint Urgent Operational Need (JUON) exist for the LAS program?

4) What development safeguards were utilized during LAS program development? Where any development safeguards not considered or eliminated during LAS program development?

5) Will the LAS program be used solely for Afghanistan or will it also be used for current and future BPC customers?

6) Will the LAS program be considered for US military use?

7) Will the weapons required for LAS require USAF certifications or are they also considered "non-developmental" and not incur additional cost of any kind?

8) Please provide the following documents:

   a. MOR #10-E1A-603 9 September 2009 Memorandum of Request (MOR) for CONUS Purchase of Equipment for the Afghanistan National Army Air Corps (ANAAC).

   b. MOR #10-EIA-603A 9 January 2010 Amendment A to Case G5-D-SAE Memorandum of Request (MOR) for CONUS Purchase of Equipment for the Afghanistan National Army Air Corps (ANAAC).

   c. MOR #10-EIA-603B 28 April 2010 Amendment B to Case G5-D-SAE Memorandum of Request (MOR) for CONUS Purchase of Equipment for the Afghanistan National Army Air Corps (ANAAC).

   d. MOR #10-EIA-603C 18 July 2010 Amendment C to Case G5-D-SAE Memorandum of Request (MOR) for CONUS Purchase of Equipment for the Afghan Air Force (AAF).

We appreciate your assistance and attention to this matter. If you have any questions please contact Anthony Lazarski at (202)224-4721, Mara Boggs at (202)224-3954, Ethan Saxon at (202) 224-2823, and Joseph Lai at (202) 224-6253.

James M. Inhofe
United States Senator

Joseph Manchin III
United States Senator

Roger Wicker
United States Senator

Richard Blumenthal
United States Senator

RICHARD BLUMENTHAL
CONNECTICUT

UNITED STATES SENATE
WASHINGTON, D.C. 20510

July 11, 2012

Dear Ash,

As I mentioned when we spoke briefly, your letter had profound meaning, and I'm deeply grateful.

The truth is that you were already working to provide this protective underwear gear to our troops even before I raised the issue. Your diligence on ballistic underwear reflects the extraordinary skill and dedication you've given our nation. I'm proud to work with you.

Many thanks.

Best,
Dick

RICHARD BLUMENTHAL
UNITED STATES SENATE
WASHINGTON, D.C. 20510

The Hon. Ashton Carter
Deputy Secretary
Department of Defense
Washington, D.C.

United States Senate

WASHINGTON, DC 20510

December 31, 2012

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

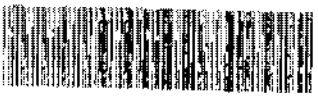
Dear Secretary Panetta,

We write to bring your attention to provisions in the recently passed National Defense Authorization Act (NDAA) for Fiscal Year 2013 to strengthen the adoption, care, and recognition of retired military working dogs. As you know, these canine heroes not only serve with our troops in Afghanistan and elsewhere, saving countless lives by detecting bombs and intruders, but they also continue to provide companionship for our veterans and other Americans after they retire. We are pleased that the NDAA and accompanying Senate report recognize the service of military working dogs, and we encourage you to work with the secretaries of each military department to implement the statutory changes in the NDAA.

First, Section 371(a) authorizes each military secretary to transfer retired dogs to the 341st Training Squadron at Lackland Air Force Base or another suitable location to facilitate the dogs' adoption. We have heard from many of our constituents, including former handlers of the dogs and other veterans, who would like to adopt the dogs but cannot afford to transfer them from overseas upon their retirement. We urge you to take advantage of this statutory authority to ensure that all retired dogs are transferred to suitable locations for adoption.

Second, Section 371(b) authorizes you to establish and maintain a system to provide for the veterinary care of retired military working dogs. Given that the Department of Defense is familiar with the specific medical issues associated with the service of military working dogs, it can provide valuable guidance to improve the quality and lower the costs of veterinary care. We encourage you to implement this statutory change in a manner that allows for the participation of nonprofit organizations capable of assisting in the execution of this provision.

Third, the Senate Armed Services Committee report accompanying the NDAA recognizes the outstanding contributions and value of military working dogs and encourages the Department of Defense to honor the service of all military working dogs, especially those who perform exceptionally meritorious service. We suggest that you provide a letter of commendation to each military working dog that identifies its meritorious service and provide additional recognition as appropriate.



While not included in the NDAA, we also encourage you to reexamine the current classification of military working dogs as "equipment." As cosponsors of the Canine Members of the Armed Forces Act, we believe these dogs deserve a designation befitting their extraordinary service. A provision on reclassification of military working dogs was included in the House passed-version of the NDAA. While we understand that dogs are not treated the same as guns or tanks, we feel that classifying them as "canine members of the armed forces" would reflect the human lives they have saved and the contributions they have made to our military operations.

We look forward to working with you to strengthen the care of these amazing animals. Please do not hesitate to contact us to discuss these details further. Thank you for your continued service to our country.

Sincerely,

Richard Blumenthal
United States Senate

John Kerry
United States Senate

Olympia Snowe
United States Senate

Patty Murray
United States Senate

Bernard Sanders
United States Senate

Kirsten E. Gillibrand
United States Senate

United States Senate

WASHINGTON, DC 20510

March 8, 2013

The Honorable Charles T. Hagel
Secretary Of Defense
1000 Defense Pentagon
Washington, D.C. 20301-0001

Dear Secretary Hagel,

We respectfully request that you reconsider the precedence that the Department of Defense has given to the newly created Distinguished Warfare Medal.

While we support the Defense Department's decision to authorize a new decoration – the Distinguished Warfare Medal – as a way to recognize silent warriors, such as drone pilots and cyber warriors, we adamantly oppose the decision to elevate this award above those earned in direct combat. We recognize that military awards should be updated as the tactics of warfare change. Yet, we maintain that heroism and personal courage in combat do not change from generation to generation, and should be held sacred and awarded accordingly.

We believe that medals earned in combat, or in dangerous conditions, should maintain their precedence above non-combat awards. Placing the Distinguished Warfare Medal above the Bronze Star and Purple Heart diminishes the significance of awards earned by risking one's life in direct combat or through acts of heroism. Moreover, the Distinguished Warfare Medal's placement directly above the Soldier's Medal – an award for bravery and voluntary risk of life not involving conflict with an armed enemy – diminishes the precedence given to acts of individual gallantry in circumstances other than combat.

We have listened to the many Veterans in our states that have contacted us about the precedence of this award and agree that combat awards are sacred, and their precedence is best left undisturbed to preserve the legacy of service in combat and bravery.

The United States Senate previously recognized the importance of the Purple Heart. In 1985, the Senate approved an amendment that changed the precedence of the Purple Heart – elevating its precedence directly above the Meritorious Service Medals. For almost 30 years, that precedence has been left unchanged.

With your direct combat experience, you know too well that generations of Americans have risked their lives in combat, and many have paid the ultimate sacrifice. The precedence of combat awards recognizes these acts of heroism and should remain our military's highest honors.

Thank you for your consideration into this matter.

Sincerely,

JOE MANCHIN III
United States Senator

JON TESTER
United States Senator

DEAN HELLER
United States Senator

JOHN BOOZMAN
United States Senator

KELLY AYOTTE
United States Senator

MARK BEGICH
United States Senator

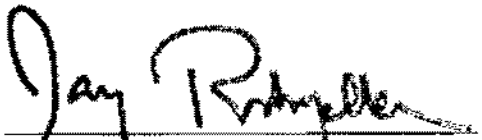
ANGUS S. KING JR.
United States Senator

JOE DONNELLY
United States Senator

PATRICK LEAHY
United States Senator

BERNARD SANDERS
United States Senator

CLAIRE McCASKILL
United States Senator



JOHN D. ROCKEFELLER IV
United States Senator

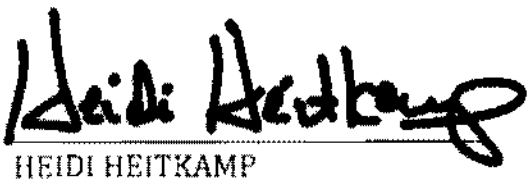
MARK R. WARNER
United States Senator

JEANNE SHAHEEN
United States Senator

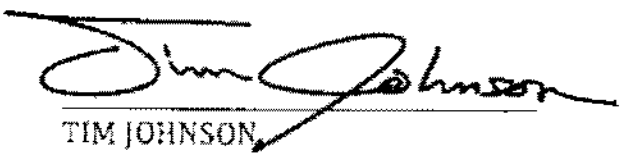
MARY L. LANDRIEU
United States Senator

LISA MURKOWSKI
United States Senator

DEBBIE STABENOW
United States Senator

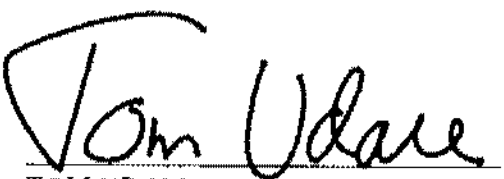


HEIDI HEITKAMP
United States Senator



TIM JOHNSON
United States Senator

SHELDON WHITEHOUSE
United States Senator



TOM UDALL
United States Senator

RICHARD BLUMENTHAL
United States Senator

United States Senate

COMMITTEE ON VETERANS' AFFAIRS

WASHINGTON, DC 20510

March 25, 2013

The Honorable Chuck Hagel
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301

Dear Secretary Hagel:

We are writing to highlight an issue of vital importance to our nation's veterans. As a veteran yourself, a former Deputy Administrator of the Veterans Administration, and an advocate for veterans during your tenure as a Senator, we are confident that you thoroughly understand and appreciate the challenges facing the veteran population today.

One of the largest challenges confronting the Department of Veterans Affairs is its continuing struggle to provide timely and accurate claims decisions. The Senate Committee on Veterans' Affairs recently held a hearing to examine VA's efforts to transform the compensation claims system. The relationship between VA and DoD was discussed numerous times during the hearing. These discussions emphasized the absolute need for continued collaboration, cooperation, and commitment between these two agencies. As VA continues to move forward with implementation of its plan to transform the compensation claims system, DoD's role becomes increasingly vital.

We appreciated hearing that DoD and VA have recently reached an agreement to speed the delivery of evidence necessary for the adjudication of compensation claims. Under this agreement, DoD will be responsible for gathering service treatment records, validating the completeness of the records, and providing the complete package of records to VA. Our understanding is that sueh packages are still transferred to VA in paper format, but that DoD has accelerated the development of its Healthcare Artifact and Image Management Solution to facilitate the electronic transfer of service treatment records by December 2013.

We request that you ensure DoD makes smart investments in the resources and manpower necessary to expedite the transition from paper to electronic records transfer. Ultimately, a common overarching information technology solution must be created to provide seamless electronic transmission of the information necessary to speed the processing of benefit decisions. We would also request that DoD work closely with VA to ensure that Guard and Reserve records are included in this process. It is imperative that DoD and VA work collaboratively to ensure a seamless transition process.

Moving forward, we ask that you work to strengthen DoD's existing partnership with VA as it continues to transform its compensation claims system into one fit for the 21st century. We look

forward to working together to ensure that the brave men and women who have put their lives on the line to defend our country receive the benefits that they undoubtedly earned and deserve.

Sincerely,

Bernard Sanders
Chairman

Richard Burr
Ranking Member

John D. Rockefeller IV

Johnny Isakson

Patty Murray

Mike Johanns

Sherrod Brown

Jerry Moran

Jon Tester

John Boozman

Mark Begich

Dean Heller

Richard Blumenthal

Mazie Hirono

cc: The Honorable Eric Shinseki

United States Senate

WASHINGTON, DC 20510

April 1, 2013

The Honorable Charles T. Hagel
The Secretary of Defense
Washington, D.C. 20301-1155

Dear Mr. Secretary:

We respectfully request your assistance with obtaining a better understanding of the view of the Department of Defense concerning the decontamination of former federal property on Culebra, Puerto Rico. In 1974, after 70 years of training activities conducted by the Navy, Congress enacted the Military Construction and Reserve Forces Facilities Authorization Act (P.L. 93-166), which directed the Navy to cease operations on Culebra. The Department of the Army took the position that Section 204(c) of P.L. 93-166 prohibits the use of federal funds to decontaminate the most heavily-bombarded areas on Culebra, and that Section 204(c) is not superseded by federal cleanup authorities subsequently enacted by Congress. We believe that later acts of Congress do, in fact, supersede Section 204(c), and therefore ask you to examine the Army's legal interpretation to reconsider its reasoning and conclusion.

Section 204(c) of the 1974 Act states that the "present bombardment area" on Culebra "shall not be utilized for any purpose that would require decontamination at the expense of the United States." Navy records indicate that, at the time of enactment of the 1974 Act, the bombardment area included the island's Northwest Peninsula and most of Flamenco Beach. In 1982, the federal government conveyed 935 acres of former Navy land on Culebra to the government of Puerto Rico for use as a public park or for public recreation. The property conveyed included 438 acres within the former bombardment area.

Congress did not enact specific authorities for the Department of Defense to clean up former military lands until years after the training ranges on Culebra were decommissioned. In 1980, Congress enacted the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA; P.L. 96-510), authorizing the President to clean up contamination resulting from the release of a hazardous substance, pollutant, or contaminant into the environment within the United States (including Puerto Rico). As originally enacted, CERCLA did not specify whether these authorities applied to federal facilities, including current and former military lands.

In 1986, Congress enacted the Superfund Amendments and Reauthorization Act (SARA; P.L. 99-499), which clarified that federal facilities are subject to the cleanup requirements of CERCLA and authorized the Secretary of Defense to establish a Defense Environmental Restoration Program to clean up contaminated military sites. SARA specified that military sites subject to CERCLA under this program include not only those currently under the jurisdiction of

the Secretary of Defense, but also those that were under the jurisdiction of the Secretary at the time of the actions that lead to the contamination.

The National Defense Authorization Act for Fiscal Year 2002 (P.L. 107-107) provided more specific authorities for the cleanup of unexploded ordnance, discarded munitions, and munitions constituents on former military training ranges in the United States (including Puerto Rico).

Although the above statutes generally provide authorities for the Secretary of Defense to clean up current and former military lands, the Department of the Army asserted that Section 204(c) of the 1974 Act is an exception to CERCLA and SARA, and that it is therefore not authorized to expend federal funds to decontaminate the Northwest Peninsula and most of Flamenco Beach.

We have not seen anything in writing from the Department of the Army explaining the basis for its legal interpretation of the statutory scheme, and we are aware of no litigation or judicial rulings on the dispute. We note that the Army's interpretation leads to an anomalous result, namely that of the thousands of formerly used defense sites that have been conveyed out of federal ownership and contain contamination from past military activities. However, these areas of Culebra are the only sites the Department of the Army claims it is not authorized to decontaminate.

We believe that Section 204(c) of the 1974 Act—and the provisions of the 1982 deed that are based on Section 204(c)—are superseded by more recent legislation, and believe the Army's legal interpretation to the contrary to be incorrect. Thank you for your consideration of this request and we look forward to receiving your reply.

Sincerely,

RICHARD BLUMENTHAL
United States Senate

KIRSTEN E. GILLIBRAND
United States Senate

United States Senate

WASHINGTON, DC 20510

June 6, 2013

The Honorable Charles T. Hagel
Secretary
United States Department of Defense
1000 Defense Pentagon
Washington, District of Columbia 20301

Dear Secretary Hagel,

As members of the Senate Armed Services Committee and the Senate Veterans Affairs Committee, we appreciate your continued work on behalf of our nation's service men and women. We write to express our concerns about the ongoing project between the Department of Defense (DoD) and the Department of Veterans Affairs (VA) to develop a single, common, integrated electronic health records (iEHR) system that will provide a seamless care transition for servicemembers as they move from active duty service to veteran status.

On May 22, 2013, your Department announced that it is seeking bids for a new software program for servicemembers' electronic health records. However, we are concerned that this development is a step in the wrong direction. Two separate health records systems at DoD and VA will not adequately address the serious challenges that our nation's veterans face today.

As older veterans continue to encounter barriers to the benefits that they deserve, and as so many new veterans enter the VA health system for the first time, a single iEHR would better optimize the care and services that these individuals receive than separate, interoperable systems. We urge you to act swiftly and work with Secretary Shinseki to keep the iEHR project on track to meet the Administration's goal of full operability by 2017.

We look forward to continuing to work with you on this critical issue, and would appreciate receiving a reply from you by June 30, 2013. Thank you for your attention to this request.

Sincerely,

Richard Blumenthal
United States Senator

Roger Wicker
United States Senator

OSD006604-13

Congress of the United States
Washington, DC 20515

March 21, 2014

The Honorable Chuck Hagel
Secretary of Defense
The Pentagon
Washington, DC 20301-1155

Dear Secretary Hagel:

We write regarding Vieques and Culebra, two island municipalities in Puerto Rico that were used as military training ranges for many years and are now being decontaminated by the Department of Defense. The cleanup of Vieques is being conducted by the Navy under the Defense Environmental Restoration Program (DERP), while the cleanup of Culebra is being carried out by the U.S. Army Corps of Engineers pursuant to the Formerly Used Defense Sites (FUDS) program.

Although it has been a decade since the military stopped using Vieques for training purposes and nearly 40 years since the military stopped using Culebra for training purposes, there remain meaningful gaps in information about the types and amounts of ordnance used on both islands, as well as about potential links between the past exercises and present threats to public health. We trust you share our view that the 3.6 million U.S. citizens of Puerto Rico—particularly residents of Vieques and Culebra that were required to sacrifice so much for our national security—have a compelling interest in knowing, with a reasonable degree of precision, which weapons were employed (and to what degree they were employed) in these two jurisdictions.

To this end, and as a result of bicameral efforts, the joint explanatory statement accompanying the *Fiscal Year 2014 National Defense Authorization Act* encourages the Department of Defense to provide documents prepared by the Department in connection with its military and cleanup activities in Vieques and Culebra to the public. See P.L. 113-66, Joint Explanatory Statement, pages 548-49. Therefore, we request an update from the Department about how it intends to implement this congressional language, and strongly urge the Department to collect, organize and publish the relevant documents on the Internet in a single location and in a user-friendly format. This would demonstrate the Department's commitment to transparency.

In addition, we take this opportunity to emphasize that Congress, in the Joint Statement of Managers accompanying the *Fiscal Year 2014 Defense Appropriations Act*, encourages the Department to accelerate cleanup efforts on Vieques and to keep Congress informed regarding its progress. See P.L. 113-76, Joint Statement of Managers, page H618. We urge the Department, in preparing its annual DERP budget, to program the amount of funding necessary to complete the cleanup of Vieques as expeditiously as possible.

Finally, we note that there is a serious public safety threat in Culebra that requires prompt resolution. The Department has interpreted a 1974 law (Section 204(c) of P.L. 93-166) in order to deny federal funding to decontaminate a 570-acre parcel in Culebra—approximately 400 acres of which were conveyed to the government of Puerto Rico in 1982—that constitutes the former bombardment zone. As a result of this legal interpretation, Culebra is the only former defense site—of several thousand across the United States—that the Department contends it is barred by statute from decontaminating. The current state of affairs poses a direct threat to human safety, since this parcel includes popular beaches, pedestrian walkways and campgrounds.

In 2011, Congress directed the Department to conduct a study to assess the amount of unexploded ordnance remaining on the 400-acre parcel, the risk it poses to safety and the environment, and the cost of its removal. The Department reported that, since 1995, there have been 70 incidents in which members of the public encountered unexploded munitions that could have caused grave harm. Indeed, since the report was transmitted to Congress, there have been additional incidents. In March 2013, a young girl visiting a Culebra beach suffered burns after she picked up an artillery shell containing white phosphorous. And, in January of this year, local authorities were required to close the same Culebra beach when a 100-pound unexploded bomb was discovered underwater close to shore.

In the last several years, the Department has consistently opposed congressional efforts to repeal or relax the relevant provision of the 1974 law, thereby frustrating attempts to eliminate this public safety threat. We urge the Department to reverse its position.

Thank you for your attention to these important matters, and we look forward to your response.

Sincerely,

Pedro R. Pierluisi
Member of Congress

Kirsten E. Gillibrand
United States Senator

Alan Grayson
Member of Congress

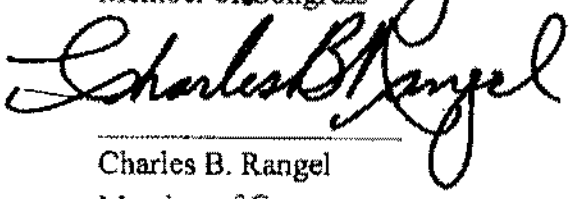
Richard Blumenthal
United States Senator

José E. Serrano
Member of Congress

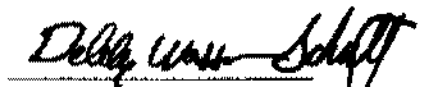
Charles E. Schumer
United States Senator

Don Young
Member of Congress

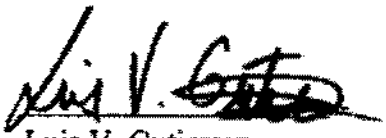
Robert Menendez
United States Senator



Charles B. Rangel
Member of Congress



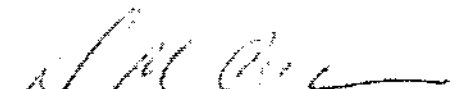
Debbie Wasserman Schultz
Member of Congress



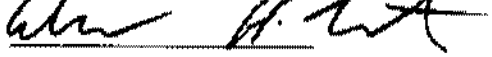
Luis V. Gutierrez
Member of Congress

Earl Blumenauer
Member of Congress

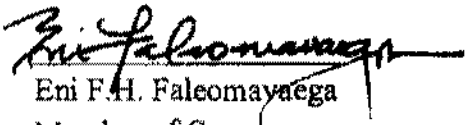
Nydia M. Velázquez
Member of Congress



Donna M. Christensen
Member of Congress



Eleanor Holmes Norton
Member of Congress



Eni F.H. Faleomavaega
Member of Congress

Gregorio Kilili Camacho Sablan
Member of Congress

cc: Mr. John Conger, Acting Deputy Under Secretary of Defense, Installations & Environment
Mr. Mathy Stanislaus, Assistant Administrator, Environmental Protection Agency, Office of Solid Waste and Emergency Response