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.

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 Brown
United States Senator