

United States Senate

WASHINGTON, DC 20510

March 8, 2013

Honorable Dick Durbin
Chairman
Subcommittee on Defense
Senate Appropriations Committee
Senate Dirksen Building, 122
Washington, DC 20510

Honorable Thad Cochran
Ranking Member
Subcommittee on Defense
Senate Appropriations Committee
Senate Dirksen Building, 122
Washington, DC 20510

Dear Chairman Durbin and Ranking Member Thad Cochran:

I write to express my support for passage of an appropriations bill for the Department of Defense for the remainder of Fiscal Year 2013 after the current continuing resolution expires on March 27, 2013. As you know, because continuing resolutions are temporary measures carrying over previous year funding without new start, transfer and reprogramming authority, they create significant uncertainty and disruption in federal agencies' ability to execute taxpayer dollars in the best interest of the nation.

Additionally, uncertainty associated with temporary continuing resolutions prevents strategic, long-term planning and budgeting. Passing annual appropriations bills are necessary to ensure Congress exercises its Constitutional responsibilities to appropriately allocate taxpayer funds and provide federal agencies with the ability to create smart, effective budgets extending into future fiscal years.

As you work on providing funding for the remainder of Fiscal Year 2013 for the Department of Defense, I respectfully request your inclusion of the items listed below. The funding requested for the national programs is to be spent at the Department of Defense's discretion within the existing budget line and is not intended for any specific business, state, community or other entity.

1. A prohibition on Air Force funds to be used for the relocation of the F-16s from Eielson Air Force Base as proposed in the Fiscal Year 2013 Budget Request. The intent of the proposal was to achieve cost savings by decreasing base support services by 2015. However, preliminary analysis has shown the cost savings and feasibility of this proposal are questionable, and to date the Air Force has not yet completed an Environmental Impact Statement.

Proposed bill language: "None of the funds appropriated by the Act shall be used for the realignment or transfer of the F-16 Aggressor Squadron from Eielson Air Force Base, Alaska."

2. A prohibition on the transfer, retirement or divestiture of the C-23 aircraft by the Army. In recognition of the capability gap retirement of the Sherpa aircraft will have on the National Guard's ability to conduct Title 32 and Title 10 missions, the current continuing resolution and House proposed Department of Defense appropriations bill contain a prohibition on retirement of the platform.

Proposed bill language: "None of the funds made available by this Act shall be used to retire the C-23 Sherpa aircraft."

3. Inclusion of language specifying none of the funds appropriated in the bill may be used for procuring malt beverages, wine and other alcoholic beverages in a state other than the state a military installation is located in a case in which the state is non-contiguous. This language has been included in Department of Defense appropriations bills since 1986 and is included in H.R. 933, the House proposed *Department of Defense Appropriations Bill and Full-Year Continuing Appropriations Act for Fiscal Year 2013*.

Proposed bill language: See attached.

4. **Title:** Civil Air Patrol Procurement

Program Description: The Civil Air Patrol (CAP) is a congressionally chartered non-profit corporation that serves as the Auxiliary of the Air Force. CAP uses federally provided resources to provide assistance requested by the Department of Defense, federal, state or local government authorities and non-governmental organizations to perform emergency or non-emergency public purpose missions and activities. Pursuant to US Code (Title 10 & 36) the purpose of CAP Corporation is to encourage and aid citizens of the US in contributing their efforts, services and resources in developing aviation and in maintaining air supremacy; and to encourage and develop by example the voluntary contribution of private citizens to the public welfare. CAP provides aviation education and training, as well as encourages and fosters civil aviation in local communities. CAP also provides an organization to assist in meeting local emergencies and assists the Department of the Air Force in non-combat programs and missions.

Rationale: Additional funding will provide for more-capable modern aircraft for efficient and effective missions to ensure a reliable CAP. Current CAP platforms are in need of replacement.

Fiscal Year 2013 President's Budget Request: \$2.498 million

Additional Amount Requested: +\$9.2 million

Budget Account: APAF, Line 19, Civil Air Patrol Aircraft

Recipient: Department of the Air Force

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5. Title: Civil Air Patrol Operations

Program Description: The Civil Air Patrol (CAP) is a congressionally chartered non-profit corporation that serves as the Auxiliary of the Air Force. CAP uses federally provided resources to provide assistance requested by the Department of Defense, federal, state or local government authorities and non-governmental organizations to perform emergency or non-emergency public purpose missions and activities. Pursuant to US Code (Title 10 & 36) the purpose of CAP Corporation is to encourage and aid citizens of the US in contributing their efforts, services and resources in developing aviation and in maintaining air supremacy; and to encourage and develop by example the voluntary contribution of private citizens to the public welfare. CAP provides aviation education and training, as well as encourages and fosters civil aviation in local communities. CAP also provides an organization to assist in meeting local emergencies and assists the Department of the Air Force in non-combat programs and missions.

Rationale: CAP operations and maintenance costs are underfunded for Fiscal Year 2013. Reduced funding would cripple volunteer operations in every state. Specific reductions include: 35% cut in emergency response support to the Air Force, DOD, FEMA and other federal, state and local agencies, 35% cut to training, 20% cut to CAP's aircraft fleet, 20% cut to cadet activities. Additional funding will ensure CAP is able to carry out support of authorities.

Fiscal Year 2013 President's Budget Request: \$23.904 million

Additional Amount Requested: +\$4.6 million

Budget Account: OMAF 3400F, BA-4 Administration and Service Wide Activities, 430 Service Wide Activities, SAG 042I Civil Air Patrol

Recipient: Department of the Air Force

Thank your consideration of these requests. Please do not hesitate to contact my staff member, Lindsay Kavanaugh; at (202) 224-3004 should you have any questions.

Sincerely,



Mark Begich
United States Senator

1 SEC. 8066. None of the funds appropriated by this
2 Act shall be used for the support of any nonappropriated
3 funds activity of the Department of Defense that procures
4 malt beverages and wine with nonappropriated funds for
5 resale (including such alcoholic beverages sold by the
6 drink) on a military installation located in the United
7 States unless such malt beverages and wine are procured
8 within that State, or in the case of the District of Colum-
9 bia, within the District of Columbia, in which the military
10 installation is located: *Provided*, That in a case in which
11 the military installation is located in more than one State,
12 purchases may be made in any State in which the installa-
13 tion is located: *Provided further*, That such local procure-
14 ment requirements for malt beverages and wine shall
15 apply to all alcoholic beverages only for military installa-
16 tions in States which are not contiguous with another
17 State: *Provided further*, That alcoholic beverages other
18 than wine and malt beverages, in contiguous States and
19 the District of Columbia shall be procured from the most
20 competitive source, price and other factors considered.

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 8067. Of the amounts appropriated in this Act
23 under the heading "Operation and Maintenance, Army",
24 \$133,381,000 shall remain available until expended: *Pro-*
25 *vided*, That notwithstanding any other provision of law,