

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.

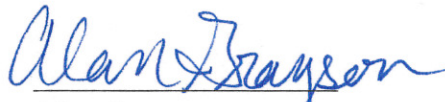
Sincerely,



Pedro R. Pierluisi
Member of Congress



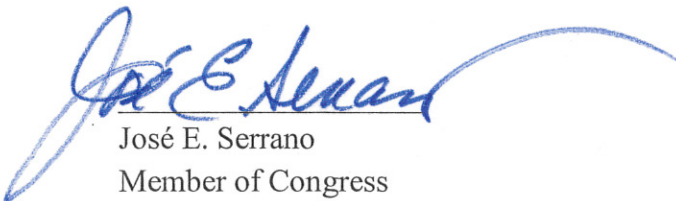
Kirsten E. Gillibrand
United States Senator



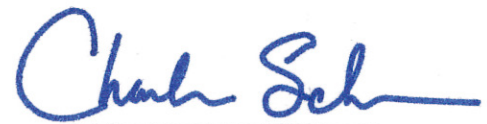
Alan Grayson
Member of Congress



Richard Blumenthal
United States Senator



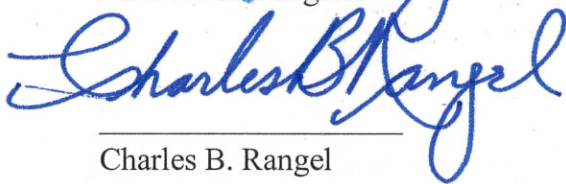
José E. Serrano
Member of Congress



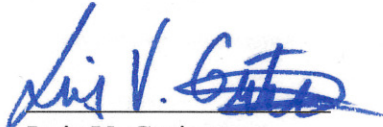
Charles E. Schumer
United States Senator



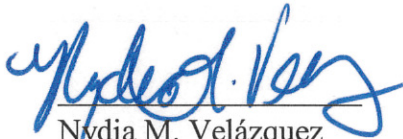
Don Young
Member of Congress




Charles B. Rangel
Member of Congress



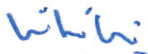
Luis V. Gutierrez
Member of Congress



Nydia M. Velázquez
Member of Congress



Eleanor Holmes Norton
Member of Congress



Gregorio Kilili Camacho Sablan
Member of Congress



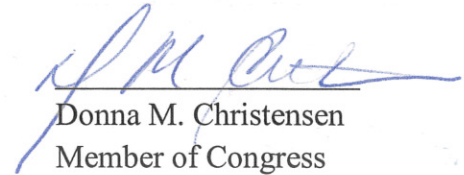
Robert Menendez
United States Senator



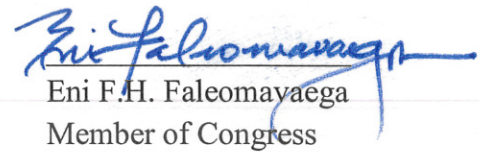
Debbie Wasserman Schultz
Member of Congress



Earl Blumenauer
Member of Congress



Donna M. Christensen
Member of Congress



Eni F.H. Faleomavaega
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