

# United States Senate

WASHINGTON, DC 20510

July 12, 2011

The Honorable Hillary Clinton  
Secretary of State  
U.S. Department of State  
2201 C Street NW  
Washington, DC 20520

The Honorable Leon Panetta  
Secretary of Defense  
U.S. Department of Defense  
1400 Defense Pentagon  
Washington, DC 20301

Dear Secretary Clinton and Secretary Panetta:

We write with concern over recent reports that the Administration may be nearing completion of a bilateral agreement with the Turkish Government to base a U.S. AN/TPY-2 (X-Band) radar in Turkey.

As you know, an analysis conducted by the Missile Defense Agency (MDA) found the South Caucasus region to be the optimum placement for an X-Band radar to defend the United States from an Iranian ballistic missile attack. Specifically, Georgia and Azerbaijan were determined to be the best locations for the radar. As former MDA Director General Henry Obering recently wrote to us, “we wanted to place the radar close enough to maximize our detection area but not so close that we would miss tracking through some of its critical phases of flight.” Like General Obering, we do not know of any factors that have changed since MDA conducted its analysis that would yield a different conclusion with regard to optimum radar placement for the defense of the United States.

During a May 12, 2011, meeting with Dr. James Miller, Principal Deputy Under Secretary of Defense for Policy, we were pleased to hear a senior MDA representative agree that a forward-deployed X-Band radar in either Georgia or Armenia would have significant advantages for the missile defense of the United States. However, despite a written request on May 16, 2011, for a follow-up briefing on the best location for such a radar, including the analysis conducted by the previous Administration that led it to plan to deploy a TPY -2 radar in the Caucasus, we have received no further briefings or a response to our letter.

At this point, we are concerned that the Administration may be making decisions based on analysis that is not well understood or is based on an objective other than the missile defense of the United States.

The basing of an X-Band radar in Turkey raises other concerns as well. According to news reports, Turkey has demanded that no data collected by a radar based in Turkey be shared with non-NATO members, specifically Israel. Likewise, we are aware of reports that Turkish entities continue to assist the Islamic Republic of Iran in circumventing U.S. and international sanctions, particularly in the banking sector, and that the Turkish government is playing a counterproductive role in the U.S. strategy to counter the Islamic Republic of Iran's illicit nuclear weapons program as well as its support for terrorism.

Therefore, before you enter into any agreement with the Turkish Government to base a U.S. X-Band radar in Turkey, we request your written assurances that:

- 1) the Administration will deploy an X-Band radar to a location that will ensure the best defense of the United States against the Iranian long-range ballistic missile threat;
- 2) data collected by an X-Band radar based in Turkey will be made available, in real time, to the state of Israel to be fully integrated into its battle management command and control;
- 3) Turkish entities are not engaged, or suspected of engaging, in any of the prohibited activities listed in the Iran Sanctions Act, the Comprehensive Iran Sanctions, Divestment and Accountability Act, the Iran, North Korea and Syria Nonproliferation Act, Executive Order 13224, Executive Order 13382 or the Iran Transactions Regulations, or that the Administration has designated all entities known to be in violation of such activities; and
- 4) the radar will only be operated by U.S. personnel and be kept active and operational 24 hours a day, 7 days a week except for routine maintenance and other periods as determined only by the United States.

We look forward to your prompt reply with the written assurances we seek and a response to our May 16<sup>th</sup> letter to Dr. Miller. The Administration's plans for missile defense will require the cooperation of the Congress; the prospects for such cooperation are jeopardized if the Congress is not provided the information it requests.

Sincerely,



Jon Kyl  
United States Senator



Mark Kirk  
United States Senator