

**Congress of the United States**  
**Washington, DC 20515**

November 14, 2022

The Honorable Jack Reed  
Chairman  
Senate Armed Services Committee  
228 Russell Senate Office Building  
Washington, D.C. 20510

The Honorable Jim Inhofe  
Ranking Member  
Senate Armed Services Committee  
228 Russell Senate Office Building  
Washington, D.C. 20510

The Honorable Adam Smith  
Chairman  
House Armed Services Committee  
2216 Rayburn Office Building  
Washington, D.C. 20515

The Honorable Mike Rogers  
Ranking Member  
House Armed Services Committee  
2216 Rayburn Office Building  
Washington, D.C. 20515

Dear Chairman Reed, Ranking Member Inhofe, Chairman Smith, and Ranking Member Rogers,

As you begin conference negotiations on the Fiscal Year (FY) 2023 National Defense Authorization Act (NDAA), we strongly urge you to retain Section 1271 of the House-passed NDAA (H.R. 7900) in the final bill, a provision that establishes reasonable limitations on the Administration’s ability to transfer F-16 aircraft and F-16 modernization kits to Turkey, and passed the House on a bipartisan basis with an overwhelming majority.

The purpose of Section 1271 is clear and narrowly tailored. At a time when we must be promoting NATO alliance unity we should ensure that American weapons are not being used for belligerent actions within the alliance.

Turkey has used its existing F-16 fleet to repeatedly violate Greece’s sovereignty and territorial airspace, undermining the very NATO alliance unity considerations that led the U.S. to consider F-16 sales and upgrades to Turkey despite its continued violation of the Countering America’s Adversaries Through Sanctions Act (CAATSA). In September, sixteen Turkish F-16s violated Greek airspace 110 times in a single day, a quarter of which were armed.<sup>1</sup> In May, Turkish jets again violated Greek airspace, this time flying within 2.5 nautical miles of Alexandroupoli, the base for a key strategic transportation hub for U.S. and NATO forces supporting Ukraine’s fight against Russia.<sup>2</sup> Turkey’s membership in NATO cannot and should not shield the Erdogan

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<sup>1</sup> Kokkinidis, Tasos. “Turkey Violates Greece’s Airspace 110 Times in a Single Day.” *Greek Reporter*, 15 Sept. 2022. (<https://greekreporter.com/2022/09/15/turkey-violates-greece-airspace-110-times-single-day/>)

<sup>2</sup> Kokkinidis, Tasos. “Greece: Turkish Jets Overflight at Alexandroupolis an “Unprecedented Violation”.” *Greek Reporter*, 20 May 2022. (<https://greekreporter.com/2022/05/20/greece-turkey-jets-overflight-unprecedented-violation/>)

government from being held responsible for its behavior by U.S. policymakers, and its increasingly belligerent behavior towards Greece – a truly reliable, democratic NATO ally – cannot be ignored.

In two separate letters to the Biden Administration (October 2021/February 2022), over 50 members of Congress expressed concerns over any F-16 deal with Turkey while violations of CAATSA persist, concerns over collocation of Russian S400s and advanced American technology exist, and Ankara continues to use American weapons against an American ally. 12 months after the initial letter, the Administration has not directly addressed the concerns expressed in these letters.

Section 1271 takes a major step towards addressing these concerns, and it will not destabilize U.S.-Turkish relations or further undermine NATO. Rather, the reasonable limitations set forth serve only to strengthen both. To be clear, the provision does not unilaterally prohibit the sale of F-16s or modernization kits to Turkey. If the Administration provides a certification to Congress the sale is both in the national interest of the United States and includes a detailed description of concrete steps taken to ensure that the F-16s are not used by Turkey for repeated unauthorized territorial overflights of Greece, the sale could proceed.

It is incumbent upon the Administration to provide clarification as to how U.S.-provided F-16s will not be used as a tool by one NATO ally to violate the sovereignty of another, especially given the very real risk of conflict between the two. If Turkey ceases its territorial overflights, its return to the values and respect for the rule of law the alliance is founded upon will be a welcomed one. Furthermore, tensions in the Eastern Mediterranean would greatly diminish, allowing the U.S. and our NATO allies to solely focus on the existential threat of Russia's continued invasion of Ukraine.

We commend you on your leadership and commitment to the NATO alliance and regional peace and stability, and we urge you to preserve this bipartisan provision in the final FY 2023 NDAA conference agreement.

Sincerely,



Chris Pappas  
Member of Congress

Brian Fitzpatrick  
Member of Congress

John Sarbanes  
Member of Congress

Frank Pallone, Jr.  
Member of Congress

Lori Trahan  
Member of Congress

Dina Titus  
Member of Congress

Gus M. Bilirakis  
Member of Congress

David N. Cicilline  
Member of Congress

Carolyn B. Maloney  
Member of Congress

Jan Schakowsky  
Member of Congress

Maria Elvira Salazar  
Member of Congress

Ted W. Lieu  
Member of Congress

Anna G. Eshoo  
Member of Congress

Josh Gottheimer  
Member of Congress

Chuck Fleischmann  
Member of Congress

Christopher H. Smith  
Member of Congress

James P. McGovern  
Member of Congress

Nicole Malliotakis  
Member of Congress

Zoe Lofgren  
Member of Congress

Susie Lee  
Member of Congress

Barbara Lee  
Member of Congress

Jim Costa  
Member of Congress