

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

SPEECH OF

**HON. ROSCOE G. BARTLETT**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 17, 2012*

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes:

Mr. BARTLETT. Mr. Chair, I submit the following list of organizations supporting Amendment 8, the Bartlett/Flake Amendment:

American Council of Engineering Companies (ACEC)  
 Associated Builders and Contractors (ABC)  
 Associated General Contractors (AGC)  
 Business Coalition for Fair Competition (BCFC)  
 Construction Industry Round Table (CIRT)  
 Independent Electrical Contractors (IEC)  
 Merit Elevator Contractors Association of America (MECAA)  
 National Association of Women in Construction (NAWIC)  
 National Black Chamber of Commerce (NBCC)  
 National Federation of Independent Business (NFIB)  
 National Right to Work (NRTW)  
 National Taxpayers Union (NTU)  
 Small Business & Entrepreneurship Council (SBEC)  
 U.S. Chamber of Commerce  
 Women Construction Owners & Executives, USA (WCOE, USA)

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

SPEECH OF

**HON. HOWARD P. "BUCK" MCKEON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 16, 2012*

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes:

Mr. MCKEON. Mr. Chair, I submit the following letters:

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

*Washington, DC, May 11, 2012.*

Hon. HOWARD P. "BUCK" MCKEON,  
*Chairman, Committee on Armed Services, House of Representatives, Rayburn House Office Building, Washington, DC.*

DEAR CHAIRMAN MCKEON: I write concerning H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as amended. There are certain provisions in the legislation which fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

However, in order to expedite this legislation for floor consideration, the Committee will forgo action on this bill. This, of course, is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to

the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation which fall within the Committee's Rule X jurisdiction. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the committee report on H.R. 4310 and into the Congressional Record during consideration of the measure on the House floor.

Sincerely,

JOHN L. MICA,  
*Chairman.*

COMMITTEE ON ARMED SERVICES,  
 HOUSE OF REPRESENTATIVES,  
*Washington, DC, May 11, 2012.*

Hon. JOHN MICA,  
*Chairman, Committee on Transportation and Infrastructure, House of Representatives, Rayburn Office Building, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. I agree that the Committee on Transportation and Infrastructure has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Transportation and Infrastructure is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. "BUCK" MCKEON,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
 COMMITTEE ON FINANCIAL SERVICES,  
*Washington, DC, May 11, 2012.*

Hon. HOWARD "BUCK" MCKEON,  
*Chairman, Committee on Armed Services, House of Representatives, Rayburn House Office Building, Washington, DC.*

DEAR CHAIRMAN MCKEON: I am writing to you concerning the jurisdictional interest of the Committee on Financial Services in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. The bill contains provisions that fall within the jurisdiction of the Committee on Financial Services under rule X of the Rules of the House of Representatives.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive the Committee on Financial Services' right to a sequential referral. I make this commitment with the mutual understanding that this will not prejudice the Committee on Financial Services with respect to its prerogatives on this or similar legislation. Further, it is our mutual understanding that the Committee on Financial Services be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any issues relating to the provisions that fall in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support of any such request.

Further, I appreciate your agreement to include this letter and a copy of your response acknowledging our jurisdictional interest in this matter in your committee report and in the Congressional Record during floor consideration of H.R. 4310.

Thank you for your attention to these matters.

Sincerely,

SPENCER BACHUS,  
*Chairman.*

COMMITTEE ON ARMED SERVICES,  
 HOUSE OF REPRESENTATIVES,  
*Washington, DC, May 11, 2012.*

Hon. SPENCER BACHUS,  
*Chairman, Committee on Financial Services, House of Representatives, Rayburn Office Building, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. I agree that the Committee on Financial Services has valid jurisdictional claims to a certain provision in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Financial Services is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. "BUCK" MCKEON,  
*Chairman.*

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

*Washington, DC, May 11, 2012.*

Hon. HOWARD P. "BUCK" MCKEON,  
*Chairman, Committee on Armed Services, House of Representatives, Rayburn House Office Building, Washington, DC.*

DEAR CHAIRMAN MCKEON: I am writing to you concerning the jurisdictional interest of the Committee on Science, Space, and Technology in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013.

Our Committee recognizes the importance of H.R. 4310 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over the bill, I do not intend to request a sequential referral. This is, of course, conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces, or otherwise affects the jurisdiction of the Committee on Science, Space, and Technology.

Further, I request your support for the appointment of Science, Space, and Technology Committee conferees during any House-Senate conference convened on this and any similar legislation. I also ask that a copy of this letter and your response acknowledging our jurisdictional interest be placed in the legislative report on H.R. 4310 and the Congressional Record during consideration of this measure on the House floor.

I look forward to working with you on this important legislation.

Sincerely,

RALPH M. HALL,  
*Chairman.*

COMMITTEE ON ARMED SERVICES,  
 HOUSE OF REPRESENTATIVES,  
*Washington, DC, May 11, 2012.*

Hon. RALPH HALL,  
*Chairman, Committee on Science, Space, and Technology, House of Representatives, Rayburn Office Building, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. I agree that the Committee on Science, Space, and Technology has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Science, Space, and Technology is not

waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. "BUCK" MCKEON,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON VETERANS' AFFAIRS,  
*Washington, DC, May 11, 2012*

HON. HOWARD "BUCK" MCKEON,  
*Chairman, Committee on Armed Services, House of Representatives, Rayburn House Office Building, Washington, DC.*

DEAR CHAIRMAN MCKEON: I am writing to you concerning the bill H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. There are certain provisions in the legislation which fall within the Rule X jurisdiction of the Committee on Veterans' Affairs.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill the Committee on Veterans' Affairs does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 4310 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

JEFF MILLER,  
*Chairman.*

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, May 11, 2012.*

HON. JEFF MILLER  
*Chairman, Committee on Veterans' Affairs, House of Representatives, Cannon Office Building, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. I agree that the Committee on Veterans' Affairs has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Veterans' Affairs is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. "BUCK" MCKEON,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON NATURAL RESOURCES,  
*Washington, DC, May 11, 2012.*

HON. HOWARD "BUCK" MCKEON,  
*Chairman, Committee on Armed Services, House of Representatives, Rayburn House Office Building, Washington, DC.*

DEAR CHAIRMAN MCKEON: I am writing to you concerning the jurisdictional interest of the Committee on Natural Resources in matters being considered in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013.

Our committee recognizes the importance of H.R. 4310 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over the bill, I do not intend to request a sequential referral. Of particular note, in Section

28XX—Transfer of Administrative Jurisdiction, Fort Lee Military Reservation and Petersburg National Battlefield, Virginia, the Committee agrees only to a 1.7 acre land exchange. This waiver, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces or otherwise affects the jurisdiction of the Committee on Natural Resources and that a copy of this letter and your response acknowledging our jurisdictional interest will be included in the Committee Report and as part of the Congressional Record during consideration of this bill by the House.

The Committee on Natural Resources also asks that you support our request to be conferees on the provisions over which we have jurisdiction during any House-Senate conference.

Thank you for your consideration in this matter.

Sincerely,

DOC HASTINGS  
*Chairman.*

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, May 11, 2012.*

HON. DOC HASTINGS,  
*Chairman, Committee on Natural Resources, House of Representatives, Longworth Office Building, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. I agree that the Committee on Natural Resources has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Natural Resources is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. "BUCK" MCKEON,  
*Chairman.*

#### PERSONAL EXPLANATION

#### HON. BILL PASCARELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 17, 2012*

Mr. PASCARELL. Mr. Speaker, I want to state for the record that on May 17, 2012, I missed several rollcall votes due to a longstanding commitment to give the commencement address at Passaic County Community College, in my district.

Had I been present I would have voted:

"Nay"—rollcall Vote No. 259—Motion on Ordering the Previous Question on the Rule providing for consideration of amendments to H.R. 4310.

"Nay"—rollcall Vote No. 260—H. Res. 661—Rule providing for further consideration of H.R. 4310—National Defense Authorization Act for Fiscal Year 2013.

"Aye"—rollcall Vote No. 261—H. Res. 568—Expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability, as amended.

"Aye"—rollcall Vote No. 262—H.R. 5740—To extend the National Flood Insurance Program.

"Nay"—rollcall Vote No. 263—Rohrabacher (R-CA): Amendment No. 4—Prohibits funds

made available by this Act from being used for assistance to Pakistan in fiscal year 2013.

While Pakistan has often not behaved as a good ally should, I do not believe it is in our national security interests to cut off all funding for military assistance and cooperation. It is an undeniable fact that we must work with the Pakistani government in order to keep our troops safe and supplied, and therefore cutting off all funding would not be prudent.

"Aye"—rollcall Vote No. 264—Lee (D-CA): Amendment No. 5—Limits the use of funds made available in this Act to only the withdrawal of all members of the Armed Forces and Department of Defense (DoD) contractors from Afghanistan.

I strongly support an accelerated drawdown of our troops from Afghanistan, where they have been fighting for far too long. While we must continue to help the Afghan people to build their country with humanitarian and diplomatic support, it is time for our troops to leave.

"Aye"—rollcall Vote No. 265—Connolly (R-VA): Amendment No. 6—Withholds funds from the Coalition Support Fund until the Secretary of Defense certifies that Pakistan has opened the Ground Lines of Communication, is allowing the transit of NATO supplies through Pakistan into Afghanistan, is supporting the retrograde of U.S. equipment out of Afghanistan.

I believe this amendment takes the correct approach by providing leverage to correct some of Pakistan's most egregious behavior while rewarding them for cooperation with our military efforts.

"No"—rollcall Vote No. 266—Rooney (R-FL): Amendment No. 7—Directs that foreign nationals suspected of terrorism be tried only by military commissions.

I do not believe we should be taking away the tool of our robust domestic court system from the President. Military commissions are often an appropriate venue, but our domestic courts have tried and convicted terrorists on numerous occasions and are often the best tool we have for trying and convicting those who seek to harm Americans.

"No"—rollcall Vote No. 267—Bartlett (R-MD): Amendment No. 8—Prevents the DoD from requiring contractors to enter into a project labor agreement (PLA) as a condition of winning a federal construction contract.

Project labor agreements are an important tool that our government uses for large scale construction jobs to ensure they are safe and efficient. They are often cheaper than not using PLAs and this amendment would impose an unnecessary mandate on our government.

"Yes"—rollcall Vote No. 269—Markey (D-MA): Amendment No. 11—Prohibits any funds made available by this Act, as well as any funds authorized and appropriated to the DoD through FY2023, from being used for the research, development, testing, and evaluation of a long-range penetrating bomber aircraft.

Our current bomber fleet is scheduled to be active for several more decades. This amendment will save \$18 billion over the next ten years; funding could be better spent investing in our education, infrastructure and healthcare.

"Yes"—rollcall Vote No. 270—Polis (D-CO): Amendment No. 12—Reduces the funds authorized in this Act for the ground-based mid-course missile defense system by \$403 million and would direct that amount to deficit reduction.

The GAO recommended this reduction, and the Pentagon has suspended this program