

and construction of other more urgent elements of the country's missile defense. The administration has not identified a requirement for a third U.S.-based missile defense site, and has yet to assess its feasibility or cost.

The bill also includes provisions that block the administration's ability to retire aging and unnecessary military aircraft, including eighteen RQ-4 Global Hawk Block 30 drones. As a result, the Defense Department would be forced to operate, sustain, and maintain aircraft that are in excess of national requirements and are not affordable in this budget environment. At the same time, I was disappointed that the Conference Report ended funding for the Medium Extended Air Defense System, or MEADS, a \$3.4 billion missile defense system. The President asked Congress to restore funding for the system, which is being developed in a partnership with Germany and Italy and is viewed as a symbol of transatlantic cooperation.

I remain concerned about potential arbitrary cuts to the civilian workforce at DoD. In particular, there is a provision in the bill that requires a percentage reduction in the civilian and service contractor employee workforces that is proportional to the reduction in military end strength over a five-year period. While I am encouraged that the Conference Report made some changes that will give the Department of Defense more flexibility than existed in the original bill, the final version could continue to compromise the Department's ability to appropriately size its workforce to meet the mission workload requirements and its readiness and management needs. As the Defense Department stated, "... even during these periods of constrained defense budgets, we must ensure that we have the sufficient number of federal civilian personnel to meet the support needs of our military forces.

I am also disappointed that an amendment was stripped from the Conference Report which would have banned the indefinite military detention without charge or trial of Americans and lawful U.S. residents on domestic soil. Americans and permanent residents of the U.S. who are detained in the United States should be granted the right to be tried in the civilian justice system. We can and must protect our national security without jeopardizing our fundamental rights and freedoms.

I do, however, support several measures included in the final version of the NDA. I was pleased that nearly \$480 million was allocated for U.S.-Israel missile defense cooperation, including \$211 million for Iron Dome, reaffirming the U.S.-Israel ties on missile defense. I also support the inclusion of an amendment offered by Senator SHAHEEN, which allows Department of Defense funds to be used to allow female service members to choose to terminate a pregnancy in cases of rape.

In addition, I was encouraged that the Conference Report proposed to enhance protections for contractor-employee whistleblowers who blow the whistle on waste, fraud, and abuse on DOD contracts and the contracts of civilian agencies. Furthermore, I support the bill's critical human rights provisions, including new requirements to monitor overseas subcontractors for human trafficking.

Despite the inclusion of these important measures, the fact remains that the FY2013 Defense Authorization Bill departs significantly from the spending levels set forth in the BCA last year. It is in violation of a bipartisan

agreement and understanding that in order to get our fiscal house in order we have to make tough decisions on defense and non-defense spending alike. For those reasons, I cannot support this legislation.

#### CORRESPONDENCE REGARDING AFGHANISTAN/PAKISTAN STUDY GROUPS

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, December 21, 2012*

Mr. WOLF. Mr. Speaker, yesterday I submitted for the RECORD extensive correspondence I have had with the Obama Administration regarding the importance of creating the bipartisan Afghanistan/Pakistan Study Group (APSG). Today I submit for the RECORD the remaining correspondence I have had from October 3, 2011 to December 13, 2012. The very fact that President Obama and Secretary Panetta will not create the APSG is a disgrace.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, October 3, 2011.*

Hon. LEON PANETTA,  
Secretary of Defense,  
*Washington, DC.*

DEAR SECRETARY PANETTA, I am disappointed that your staff was unable to meet with Ambassador Peter Tomsen to discuss his book on Afghanistan and Pakistan. While I understand that both you and Mr. Tomsen have busy schedules, I fear you and your staff may be missing pertinent information and insight that could help devise a successful strategy in South Asia.

You only need to read the headlines to see the erosion in our relationship with the Pakistani military and intelligence services. Recent comments from retiring chairman of the Joint Chiefs Admiral Mullen have described how the Pakistani military and Inter Service Intelligence agency actively cooperate with two of the most deadly terror networks sowing the seeds of destruction and chaos in Afghanistan. Ambassador Tomsen's book, *The Wars of Afghanistan* provides detailed information on the tribal structures and the realities of Pakistani involvement with terrorist groups. I sincerely hope that you and your staff will read his book.

I have also enclosed a column Mr. Tomsen wrote for the most recent edition of *World Policy Journal*. I hope you and your staff will find the piece informative.

The situation in Afghanistan and Pakistan grows more dire nearly every day. I again ask that you use your authority to create the Af/Pak Study Group. We owe nothing less to the men and women making the ultimate sacrifice to ensure that we have a long-term strategy for success in the region.

Best wishes.

Sincerely,

FRANK R. WOLF,  
*Member of Congress.*

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, January 17, 2012.*

Hon. LEON PANETTA,  
Secretary of Defense, *Washington DC.*

DEAR SECRETARY PANETTA, As I am sure you are aware, the Consolidated Appropriations Act of 2012 contains language providing your office with \$1 million to assemble the Afghanistan/Pakistan (Af/Pak) Study Group. I request that you do so immediately.

The Los Angeles Times reported last week (article enclosed) that the most recent National Intelligence Estimate (NIE) paints a very bleak picture of the war in Afghanistan and the future of U.S. operations in that region. It reflects concerns that I have expressed in numerous letters to you over time, especially the importance of understanding Afghan tribal and political structures and the Pakistani military and intelligence services actively cooperating with two of the most deadly terror networks in the region.

Given this stark assessment from our own intelligence community, the need to create the Af/Pak Study Group is clear. The Af/Pak Study Group's analysis and recommendations could bring needed clarity to current and future U.S. military and diplomatic operations. You supported the Iraq Study Group and lent your considerable expertise to that effort, so I am perplexed as to why you do not similarly support the Af/Pak Study Group.

Your November 3, 2011, letter to me stated that coalition troops are making progress against the Taliban and other militants and that progress is being made on our relationship with the Pakistani government and military. I have enormous respect for the men and women serving our country in South Asia and acknowledge that our troops are performing their mission with bravery and resolve; however, the NIE appears to contradict your assessment.

Also enclosed is an article by the Hudson Institute's Nina Shea discussing how Hussain Haqqani, the former Pakistani Ambassador to the United States is facing possible charges of treason for his alleged involvement in "Memogate." Shea asserts, "There is every reason to believe that the real reason Haqqani is being targeted is that he is a prominent moderate Muslim, one of the few remaining in Pakistan's government." Shea goes on to point out that Haqqani was personal friends with two men, Punjab governor Salman Taseer and Pakistan's Federal Minister of Minority Affairs Shabbaz Bhatti, whose lives were cut tragically short last year as a result of their outspoken critique of Pakistan's draconian blasphemy laws.

Increasingly we see a trend in Pakistan of moderating voices being marginalized and altogether silenced. While I appreciate that you are "working hard with Pakistan to improve the level of cooperation" so that terrorist and militant groups no longer find safe haven in the country—I am afraid the complexity of the evolving situation in Pakistan necessitates more.

The NIE's assessment could lead to support for the war in Afghanistan eroding among the American people and I feel the same sentiment will soon permeate the halls of Congress. If the president has simply decided that U.S. involvement will end in 2014 and that no further U.S. strategy is needed, he should clearly state that this is his policy and be forthcoming with the American people. If President Obama has not made a final determination on U.S. strategy going forward, I ask again, what harm can come from a group of independent experts using their experience to offer solutions for long-term success?

Following 9/11, I have supported U.S. military actions in the War on Terror. I want to see our soldiers, diplomats and Foreign Service personnel return home with their heads held high, knowing they all played a crucial role in establishing stability in South Asia where countries no longer pose a threat to our national security. I firmly believe that you can help ensure this happens by using the money made available to you to create the Af/Pak Study Group. Establishing this

panel quickly will show the American people that the Obama Administration is willing to consider all possible options to achieve success in this volatile region.

I urge you to take these steps immediately before support for our mission in Afghanistan further erodes.

Best wishes.

Sincerely,

FRANK R. WOLF,  
*Member of Congress.*

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, February 10, 2012.*

Hon. LEON PANETTA,  
*Secretary of Defense, Washington DC.*

DEAR SECRETARY PANETTA: I am sure you are aware of the enclosed article by Army Lt. Col. Daniel Davis that recently appeared in the Armed Forces Journal regarding the status of our mission in Afghanistan and the capabilities of Afghan National Army (ANA) forces. I am deeply troubled by the conclusions reached in Col. Davis' assessment and believe that it further underscores the importance of immediately creating the Afghanistan/Pakistan Study Group.

Col. Davis' piece tracks closely with the latest National Intelligence Estimate's assessment of current and future conditions in the region which I referenced in my January 17 letter to you (enclosed). These two assessments, coupled with the February 4 United Nations report showing that Afghan civilian casualties are increasing and the 2011 Red Team study by NATO on fratricide by ANA forces on coalition troops, lend credibility to the growing belief that U.S. strategy in South Asia is not going well.

In the interest of the soldiers, sailors, airmen and Marines serving—and in many cases dying—in Afghanistan, I implore you to immediately establish the Afghanistan/Pakistan Study Group. As I have referenced in previous letters to you, Congress has provided the funding for this panel and under the law, you can select its members.

While reasonable people can disagree on specific policy options, I find it difficult to understand why the Obama Administration would not embrace a panel of five Democrats and five Republicans (modeled on the Iraq Study Group on which you and former Secretary Gates served), who love their country more than their party, putting their expertise to work and offering constructive recommendations to achieve our mission.

We owe it to the men and women serving in uniform—and the families supporting them—to have the best possible long-term strategy for success.

Best wishes.

Sincerely,

FRANK R. WOLF,  
*Member of Congress.*

P.S. I know you care deeply about our service members serving overseas and that you and your team are doing what you think is best for our country. But I believe any objective observer would agree we need fresh eyes on the target.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, August 17, 2012.*

Hon. LEON PANETTA,  
*Secretary of Defense,  
Washington, DC.*

DEAR SECRETARY PANETTA, I received the enclosed letter from General Martin Dempsey on your behalf. I find it difficult to understand how General Dempsey can write that, "... we have made steady progress in developing Afghan security forces and do not support diverting resources to establish the APSG [Afghanistan Pakistan Study Group]" when twice this week we have seen Afghan

forces murder U.S. troops. On August 14, the enclosed Washington Post article detailed the tragic news that three U.S. Marines were gunned down by an Afghan police officer after sharing a meal with him. Just this morning, The Washington Post reported that two more troops were murdered in Farah Province. News reports indicate that 37 U.S. troops have been murdered by Afghan security forces in 2012 alone. With all due respect, how can you state that Afghan security forces are making, "steady progress" when they continue to gun down our forces?

Given these continuing incidents, I am perplexed at how you can continue to hold the belief that spending \$1 million to study our strategy in South Asia is "diverting resources." The funding for the APSG was included in Public Law 112-74, yet the Obama Administration has not exercised the authority made available in this law to establish the panel. As I have reminded the public numerous times, you served on the Iraq Study Group, which was successful. I do not know if the APSG would achieve similar results, but I simply cannot understand your reasons for opposing its creation if success is possible.

One of the Marines killed in these recent attacks, Gunnery Sergeant Ryan Jeschke, lived in my congressional district before enlisting in the Marines. His death, along with the other Marines and countless other service members murdered by Afghan forces, highlights the failure of the Obama Administration's strategy to ensure the safety of our own troops, not to mention the safety of the Afghan population. I am saddened that another American Marine has given his life for a war that the administration is trying its best to ignore. I cannot remember the last time President Obama spoke publicly about his strategy for protecting the Afghan population from the Taliban and insurgents, or responded to murders like that of Sergeant Jeschke, or provided his definition of long-term success or our ability to achieve it.

Leon, our nation is at war and this administration has not made it a priority. Our fighting forces deserve to know that their sacrifices are understood and honored. Sergeant Jeschke was on his sixth tour of duty overseas, a reality faced by many troops and their families. Until this administration places the appropriate emphasis on the war in Afghanistan and educates Americans about our goals, Marines like Sergeant Jeschke, his fellow Marines and other U.S. troops will continue to die silently, with only a mention in The Washington Post and a folded flag from the commanding officer for a grief-stricken family.

Best wishes.

Sincerely,

FRANK R. WOLF,  
*Member of Congress.*

P.S. Leon, just yesterday, seven more of our troops were killed when their helicopter crashed in Kandahar Province. It is sad that you will not use the funds available to you for the APSG.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, June 7, 2012.*

Hon. BARACK H. OBAMA,  
*The President, The White House, Washington DC.*

DEAR MR. PRESIDENT: Two weekends ago, many Americans celebrated Memorial Day with a visit to the beach, the pool or possibly a neighborhood cookout. But for some this annual holiday was far more than simply a long weekend. Rather it was somber remembrance marked by a profound sense of loss for the son or daughter that never came home or the parent that never met their child.

Our nation has been at war for 11 years now—the longest in our history. As such, these grim realities hit close to home for many families, not to mention the less obvious but still devastating impact of prolonged separations, life-altering injuries, divorce, post traumatic stress syndrome and even suicide.

These challenges are set against the backdrop of precipitously declining public support for the war effort, an increasingly bleak picture on the ground in Afghanistan and pervasive national confusion about our overall aims and if they are attainable.

For these and countless other reasons, I began pressing your administration in August 2010 to convene a bipartisan, independent Afghanistan-Pakistan Study Group (APSG), modeled after the Iraq Study Group (ISO), to serve as "fresh eyes" on the target and conduct a comprehensive analysis of U.S. strategy in the region. This group would have been charged with putting forward policy options for your consideration, and perhaps just as significantly, would have fostered a national conversation about the war effort: Why are we there? What are we aiming to accomplish? At what cost? What are the consequences of failure?

Before proposing this idea I spoke with a number of knowledgeable individuals, including former senior diplomats, public policy experts and retired and active military. At that time, many believed our policy was adrift and all agreed that an outside group was needed. Ryan Crocker was among those dignitaries who embraced the idea, prior to taking on his current post as U.S. ambassador to Afghanistan.

I believed then, and continue to believe, that a group of the caliber of the ISO would have served this nation well on a matter of utmost national security and interest. Despite repeated correspondence and even legislative action (the FY 2012 Defense Appropriations bill included language directing the Secretary of Defense to convene an Af-Pak Study Group and provided the necessary funding to ensure the group's viability) your administration has repeatedly failed to act. I have been particularly puzzled by your intransigence given that prominent members of your administration served with distinction on the ISO, including Defense Secretary Leon Panetta.

Further, in a 2006 interview, you signaled, as a U.S. senator, support for the ISG and its recommendations. When asked by CBS News reporter Harry Smith whether, if you were president, you would take seriously the group's recommendations, you answered, rather emphatically, "I would take these recommendations very seriously." And yet, now you are president, and such a group could have easily been formed, with bipartisan support, and could have offered recommendations outside of the scope of what your own advisors were putting forward, which may have profoundly altered our strategy and ultimately our course in Afghanistan. And still you failed to act.

In light of your recent announcement at the NATO summit in Chicago that "the Afghan war as we understand it is over," it is abundantly clear that your administration is immovable and has no intention of pursuing the Af-Pak Study Group, as Congress directed. That said, I remain deeply troubled by what appears to be a pattern of politicization of national security matters of the highest magnitude.

On May 29 the New York Times reported that David Axelrod, your political advisor and chief campaign strategist, repeatedly attended high-level national security meetings related to terrorist drone strikes when he worked at the White House. The article noted "David Axelrod . . . began showing up

at the 'Terror Tuesday' meetings, his unspeaking presence a visible reminder of what everyone understood: a successful attack would overwhelm the president's other aspirations and achievements."

This revelation is in keeping with the reporting of Bob Woodward in Obama's Wars. Woodward indicated that discussions of the war strategy were infused with political calculations. Woodward also wrote of an administration that "wrestled with the most basic questions about the war . . . What is the mission? What are we trying to do? What will work?"

These are questions that demand answers and could have been taken up by an Af-Pak Study Group. But I venture that such a group would not have factored politics into their calculus. Was that a consideration in your decision to disregard congressional intent as it relates to the Af-Pak Study Group?

Our men and women in uniform have fought bravely and served with distinction in Afghanistan and will continue to do so until they are called home. Any shortcomings in our strategy or overall vision for success are not their burden to bear. As too often happens, they have found themselves at the mercy of the latest political winds blowing through Washington. And I have been deeply disappointed that, as president, you appear to have allowed these political winds to drive the war strategy.

It is not at all certain what will unfold when U.S. troops exit or significantly decrease in number—there are varied sobering scenarios, including the Taliban once again seizing the reins of power; a destabilized and nuclear armed Pakistan; Afghanistan as a haven for international terrorists. Only history will tell. But I believe one thing is clear: your administration missed a golden opportunity when, for two years, it failed to convene an Afghanistan-Pakistan Study Group to provide an independent, outside analysis of the most pressing national security matter of your presidency.

Best wishes,  
Sincerely,

FRANK R. WOLF,  
*Member of Congress.*

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, December 13, 2012.

Hon. BARACK H. OBAMA,  
*The President, The White House, Washington DC.*

DEAR MR. PRESIDENT: This week, the New York Times reported on the bleak state of affairs in Afghanistan. Citing a Pentagon report, the article stated, "The assessment found that the Taliban remain resilient, that widespread corruption continues to weaken the central Afghan government and that Pakistan persists in providing critical support to the insurgency. Insider attacks by Afghan security forces on their NATO coalition partners, while still small, are up significantly: there have been 37 so far in 2012, compared with 2 in 2007." Given this disturbingly dreary assessment, I remain deeply disappointed that you have refused to use the money provided by Congress to appoint the Afghanistan/Pakistan Study Group (APSG) to review United States strategy.

The report's stark assessment of Afghan capabilities is all the more discouraging, given the recent comments of Afghan President Hamid Karzai. As you may know, in a recent interview, President Karzai blamed the insecurity in Afghanistan on the United States and our NATO countries, saying, "Part of the insecurity is coming to us from the structures that NATO and America created in Afghanistan." It is appalling that President Karzai would make such statements, given the enormous sacrifice made over the last 11 years by coalition forces.

With your policy faltering and the Afghan president blaming us for all the ills in his country, it perplexes me that you refuse to use appropriated dollars to establish the APSG. More than 2,000 service members have been killed since fighting commenced in 2001. Many service members have served four or more tours in multiple theaters, yet you refuse to use money authorized by Congress to convene a panel that could offer solutions that could decrease the number of U.S. casualties. In fact, both your current and former Defense secretaries served as members of the Iraq Study Group, so they both know the success it achieved and that similar results could be produced by the APSG.

In addition to the strategic failure of your policy, the most recent report from the Special Inspector General for Afghanistan Reconstruction (SIGAR) documented numerous incidents of U.S. aid money being wasted through graft, corruption and mismanagement. In just one example, the SIGAR report notes that an Army sergeant pleaded guilty to approving fake documents that allowed \$1.5 million worth of fuel to be stolen. While I am sure your administration takes the SIGAR reports seriously and is trying to address the problems raised, at the same time you are actively ignoring policy resources that could provide valuable insight and possible solutions to these and other problems.

I find all the arguments your administration officials have used to oppose the creation of the APSG to be woefully insufficient. In his November 5 letter to me, General Martin Dempsey claims that using the \$1 million authorized for the APSG would be an unwise diversion of resources. Yet in May, the media reported that more than \$800,000 had been spent to fly your secretary of defense to his home in California many weekends, a figure that now likely exceeds \$1 million. I do not know if this was an arrangement you made specifically with Secretary Panetta before he accepted the job, but the money spent flying him to and from California could have more than paid for the APSG.

The wasted money cited by the SIGAR report, as well as the money spent flying Secretary Panetta back to the comfort of his home in California, would provide more than enough resources to establish the APSG. Do you believe that flying Secretary Panetta home every weekend—a luxury certainly not provided to a service member on their fifth tour of duty—is a better use of taxpayer money than getting the best minds in our country to provide "fresh eyes" on U.S. policy in this troubled region? As public officials, we have a solemn duty to protect those we order into combat. For the sake of our forces in theater and the safety of our nation, I once again implore you to use the money available to create the APSG.

As I have stated many times, I do not have the answers on how to assure a successful outcome in Afghanistan and Pakistan. However, I firmly believe that the APSG could provide insight into the problems plaguing the region and ways that we can better protect national security for decades to come.

Best wishes.  
Sincerely,

FRANK R. WOLF,  
*Member of Congress.*

RECOGNIZING THE HONORABLE JACK R. HEFLIN UPON HIS RETIREMENT FROM SERVICE AS CIRCUIT JUDGE IN OKALOOSA COUNTY, FLORIDA

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 2012

Mr. MILLER of Florida. Mr. Speaker, I am honored to congratulate Judge Jack R. Heflin upon his retirement after 24 years as Circuit Judge in Okaloosa County, Florida.

In his first years after his graduation from Indiana University, Judge Heflin worked as a purchasing agent for Bell Telephone Labs and Western Electric Company. His career in public service began in 1967 with his commissioning as a second lieutenant in the United States Air Force. He served in uniform until receiving an honorable discharge at the rank of captain in 1971. Subsequent to his service in the Air Force, he attended law school at the University of Florida, earning his Juris Doctor in 1973.

Judge Heflin entered private practice upon being admitted to the Florida Bar in 1973 and specialized in the areas of commercial law, family law, bankruptcy law, and general practice. He has maintained a focus on domestic violence since 1973. In 1988, Judge Heflin was appointed to serve as Circuit Judge for Pensacola and has served in his current role as Okaloosa County Circuit Judge since 1991.

Without question, Judge Heflin's positive contributions to northwest Florida and our nation have been immense, and his mark on the judicial landscape will remain for years to come. Northwest Florida is a better, safer place because of his service.

Mr. Speaker, on behalf of the United States Congress, it gives me great pride to congratulate Judge Jack R. Heflin on his retirement and thank him for his service. My wife Vicki joins me in wishing Judge Heflin; his wife, Linda; and their daughters, Heather, Hillary, and Harmony, all the best.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 4310, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

SPEECH OF

HON. ROB BISHOP

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2012

Mr. BISHOP of Utah. Mr. Speaker, In a perfect world, I would have preferred that language offered by Senator FEINSTEIN and Senator LEE on detainees and habeas corpus would have prevailed in this final conference agreement.

However, when carefully comparing and analyzing both the House and Senate language on detainees clarifying the rights of habeas corpus, I believe that both versions clearly are a step forward in preserving and protecting citizen's civil liberties against any implied powers of the Executive branch. Both provisions make clear that every U.S. citizen or permanent resident alien have their full habeas corpus rights intact.