

**U.S. House of Representatives**  
**Committee on Resources**  
**Washington, DC 20515**

**March 6, 2003**

**The Honorable Dennis Hastert**  
**Speaker**  
**Room H232, The Capitol**  
**Washington, D.C. 20515**

**Dear Mr. Speaker:**

**We are writing to you concerning the Administration's proposed "National Defense Authorization Act for Fiscal Year 2004." We wanted to alert you to controversial and jurisdictionally extraneous subject matter contained in that legislative proposal which has been transmitted by the Administration to the Committee on Armed Services.**

**Our concerns relate to Section 316 of the Administration's proposal which sets forth a "Readiness and Range Preservation Initiative." We do not question the ongoing needs of our Armed Services for adequate training opportunities. However, the language in Section 316 would depart from long-standing laws, policies and practices to create new statutory exemptions from major environmental laws for DoD activities. In our view, prior to any consideration by the full House, the changes proposed in Section 316 should be considered by the appropriate House committees with expertise and jurisdiction over the affected environmental laws.**

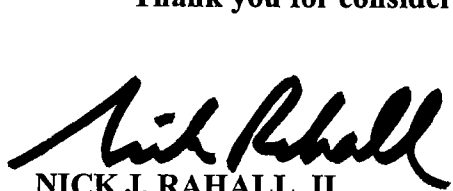


**Specifically, the Administration is proposing in Section 316 to limit the application of the Endangered Species Act and to amend the Marine Mammal Protection Act of 1972, statutes which are within the jurisdiction of the Committee on Resources. The Administration also proposes in Section 316 to amend the Clean Air Act, the Solid Waste Disposal Act and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, statutes which are within the jurisdiction of the Committee on Energy and Commerce.**

March 6, 2003

Page Two

In the 107<sup>th</sup> Congress, amendments to the Migratory Bird Treaty Act – a subject matter within the Committee on Resources' jurisdiction – were included as a legislative rider in the National Defense Authorization Act of Fiscal Year 2003. This Congress, we urge you not to repeat that irregular process and instead to refer legislation containing environmental law exemptions to the committees of jurisdiction.

Thank you for consideration of our views.

		
NICK J. RAHALL, II	JOHN D. DINGELL	IKE SKELTON
Ranking Democrat	Ranking Democrat	Ranking Democrat
Committee on Resources	Committee on Energy and Commerce	Committee on Armed Services

cc: Honorable Nancy Pelosi, House Democratic Leader  
Honorable Richard Pombo, Chairman, Committee on Resources  
Honorable W. J. Billy Tauzin, Chairman, Committee on Energy and Commerce  
Honorable Duncan Hunter, Chairman, Committee on Armed Services