

Throughout my service in Congress, I have almost always supported this annual measure, which authorizes funding for a wide range of programs upon which our military depends, from salaries and benefits to military health care to critical equipment and readiness accounts. I thus find it deeply unfortunate that the House Republican leadership chose to use this year's bill as a vehicle for advancing ill-advised policies that seek to tie the President's hands in the war on terror and expand the military's role in the detention and disposition of terror suspects, at the expense of our civilian justice system and our civil liberties.

To be sure, the original House version of this bill, which I opposed, was much worse. It would not only have indefinitely extended the Authorization for the Use of Military Force that was enacted in the wake of September 11, but would also have required suspects detained pursuant to that authorization to be prosecuted in military tribunals. My Republican colleagues' inexplicable insistence on forcing terror trials into military commissions instead of civilian courts flies in the face of the facts; our court system has a strong record of trying and convicting terrorism suspects, while the record of military commissions has been spotty at best. It is no wonder that the Obama Administration threatened to veto this bill—as any administration, Democrat or Republican, would almost certainly have done.

To their credit, our Democratic conferees succeeded in averting the worst aspects of the House bill in the conference report before us today. But they didn't go far enough. The measure would still require all foreign suspects detained in the war on terror to be kept in military custody, potentially disrupting critical anti-terrorism operations and muddying the waters of a process that should be crystal clear. As FBI Director Robert Mueller reiterated today, this provision would unnecessarily complicate interrogation and intelligence collection—the very capabilities that the provision's supporters claim they are trying to enhance. The conference report would also needlessly reaffirm our ability to detain terror suspects indefinitely, upholding an ambiguity in current law that should be resolved by the courts. And it would impose new consultation requirements that further restrain the discretion of the Attorney General to determine how to prosecute terror cases.

For these reasons, I intend to oppose the measure before us today, despite my strong support for the majority of its provisions. In the future, rather than using the defense authorization bill to advance their partisan agenda, I urge the Republican leadership to return to the past practice of leaving controversial policy debates for another time and place. Our men and women in uniform deserve nothing less.

Mr. TURNER of Ohio. Mr. Speaker, I rise today to speak in favor of passage of the conference report on the FY12 NDAA.

As the Chairman of the Strategic Forces Subcommittee, I'd like to briefly walk through some of the key provisions in the conference report.

First, concerning U.S.-Russia missile defense, the conference report contains a modified version of a provision offered by Mr. BROOKS of Alabama to require the President, before sharing any classified information about U.S. ballistic missile defenses, to prove that it is in the interest of the United States and to show how the information will be protected from third party transfers.

Second, regarding U.S. nuclear forces, the conference report imposes checks on the Administration's plans for nuclear reductions by requiring assessments of those reductions from the STRATCOM commander before any nuclear weapons reductions are made; requiring the Administration to disclose its plans for future reductions; and, re-asserting Congressional oversight of the nation's nuclear war plan.

Third, concerning LightSquared, we retained House and Senate provisions that will ensure that the FCC will not be able to attempt to slip one by Congress and the DOD in the dark of night again. And I note recent press reports that new proposals for LightSquared's network continue to impose unacceptable interference to DOD GPS systems.

Also, for the first time, DOD will be able to directly transfer funding to NNSA Weapons Activities for up to \$125 M per year if there are shortfalls in that budget in the event of an appropriations shortfall.

And the bill ensures that the credibility of the U.S. deterrent and extended deterrent will start to get equal billing with safety, security and reliability.

I also would like to thank Chairman HAL ROGERS and Chairman RODNEY FRELINGHUYSEN—I have appreciated their support for funding for NNSA's vital nuclear weapons programs, which are key to maintaining the safety, security, reliability and credibility of the U.S. nuclear weapons stockpile, and enabling any of the force reductions the Administration may plan, including those under the New START treaty.

I also hope that our NATO allies and the Administration read closely the provision on our extended nuclear deterrent in Europe and any future arms control negotiations with Russia, which states that if any negotiations occur they should focus on Russia's massive stockpile of tactical nuclear weapons and that for the purposes of the negotiations, consolidation or centralized storage of Russia's tactical nuclear weapons should not be viewed as elimination of those weapons.

This last position was recently endorsed by the NATO Parliamentary Assembly, the U.S. delegation to which I am the Chairman.

Now I would like to discuss an issue that is important to our men and women in uniform, is impacting our Armed Forces readiness and forces servicemembers to choose between service to their nation and their families. This is the issue of military child custody.

Now I would like to discuss an issue that is important to our men and women in uniform, is impacting our Armed Forces' readiness and forces servicemembers to choose between service to their nation and their families. This is the issue of military child custody.

In a short time after becoming a member of the House Armed Services Committee, I was struck to learn that this country's judicial system was using servicemember's deployments against them when making child custody determinations.

Just to be clear, we are asking an all volunteer force which consists of less than one percent of our population to engage in the longest conflict in our nation's history, endure more deployments than any other generation in our history, and do so at the peril of losing their children.

Recognizing this unconscionable injustice, the House Armed Services Committee has in-

cluded language in the past 5 NDAA's to provide servicemembers a uniform national standard of protection. This provision has also made it through the House Veterans Affairs Committee.

Unfortunately, despite overwhelming bipartisan support in the House and the support of the Department of Defense, the Senate once again failed our servicemembers and their families. It appears that they have done so using false information.

Earlier this year, Secretary Gates stated, "I have been giving this matter a lot of thought and believe we should change our position to one where we are willing to consider whether appropriate legislation can be crafted that provides Servicemembers with a federal uniform standard of protection." This year, I worked with the DoD and the House Armed Services Committee to provide that legislation. Yet, the Senate failed to provide the protections in the final bill.

Given all the sacrifices made by our servicemembers, I ask that the Senate finds it within themselves to reconsider their position and work with us to provide the protections our men and women in uniform deserve. It's the right thing to do and we owe it to them.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 493, the previous question is ordered.

Pursuant to clause 1(c) of rule XIX, further consideration of the conference report is postponed.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 27 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1740

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 5 o'clock and 40 minutes p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 1905, by the yeas and nays;

H.R. 2105, by the yeas and nays;

H.R. 3421, de novo;

H.R. 1264, de novo.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### IRAN THREAT REDUCTION ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the

bill (H.R. 1905) to strengthen Iran sanctions laws for the purpose of compelling Iran to abandon its pursuit of nuclear weapons and other threatening activities, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 410, nays 11, not voting 12, as follows:

[Roll No. 927]

YEAS—410

Ackerman	Cole	Griffith (VA)
Adams	Conaway	Grijalva
Aderholt	Connolly (VA)	Grimm
Akin	Conyers	Guinta
Alexander	Cooper	Guthrie
Altmire	Costa	Hahn
Amodei	Costello	Hall
Andrews	Courtney	Hanabusa
Austria	Cravaack	Hanna
Baca	Crawford	Harper
Bachus	Crenshaw	Harris
Baldwin	Critz	Hartzler
Barletta	Crowley	Hastings (FL)
Barrow	Cuellar	Hastings (WA)
Bartlett	Culberson	Hayworth
Barton (TX)	Cummings	Heck
Bass (CA)	Davis (CA)	Heinrich
Bass (NH)	Davis (IL)	Hensarling
Becerra	Davis (KY)	Herrger
Benishkek	DeFazio	Herrera Beutler
Berg	DeGette	Higgins
Berkley	DeLauro	Himes
Berman	Denham	Hinche
Biggert	Dent	Hinojosa
Bilbray	DesJarlais	Hirono
Bilirakis	Deutch	Hochul
Bishop (GA)	Dicks	Holden
Bishop (NY)	Dingell	Holt
Bishop (UT)	Doggett	Honda
Black	Dold	Hoyer
Blackburn	Donnelly (IN)	Huelskamp
Bonner	Doyle	Huizenga (MI)
Bono Mack	Dreier	Hultgren
Boren	Duffy	Hunter
Boswell	Duncan (SC)	Hurt
Boustany	Edwards	Inslee
Brady (PA)	Ellmers	Israel
Brady (TX)	Emerson	Issa
Braley (IA)	Engel	Jackson (IL)
Brooks	Eshoo	Jackson Lee
Broun (GA)	Farenthold	(TX)
Brown (FL)	Farr	Jenkins
Buchanan	Fattah	Johnson (GA)
Bucshon	Fincher	Johnson (IL)
Buerkle	Fitzpatrick	Johnson (OH)
Burgess	Flake	Johnson, Sam
Burton (IN)	Fleischmann	Jones
Butterfield	Fleming	Jordan
Calvert	Flores	Kaptur
Camp	Forbes	Keating
Campbell	Fortenberry	Kelly
Canseco	Fox	Kildee
Cantor	Frank (MA)	Kind
Capito	Franks (AZ)	King (IA)
Capps	Frelinghuysen	King (NY)
Capuano	Fudge	Kingston
Cardoza	Gallegly	Kinzinger (IL)
Carnahan	Garamendi	Kissell
Carney	Gardner	Kline
Carson (IN)	Garrett	Labrador
Carter	Gerlach	Lamborn
Cassidy	Gibbs	Lance
Castor (FL)	Gibson	Landry
Chabot	Gingrey (GA)	Langevin
Chaffetz	Gohmert	Lankford
Chandler	Gonzalez	Larsen (WA)
Chu	Goodlatte	Larson (CT)
Ciulline	Gosar	Latham
Clarke (MI)	Gowdy	Latta
Clarke (NY)	Granger	Levin
Clay	Graves (GA)	Lewis (CA)
Cleaver	Graves (MO)	Lewis (GA)
Clyburn	Green, Al	Lipinski
Coffman (CO)	Green, Gene	LoBiondo
Cohen	Griffin (AR)	Loebsack

Lofgren, Zoe	Peters	Sessions
Long	Peterson	Sewell
Lowey	Petri	Sherman
Lucas	Pingree (ME)	Shimkus
Luetkemeyer	Pitts	Shuler
Lujan	Platts	Shuster
Lummis	Poe (TX)	Simpson
Lungren, Daniel E.	Polis	Sires
Mack	Pompeo	Slaughter
Maloney	Posney	Smith (NE)
Manzullo	Price (GA)	Smith (NJ)
Marchant	Price (NC)	Smith (TX)
Marino	Quayle	Smith (WA)
Markey	Quigley	Southerland
Matheson	Rahall	Speier
Matsui	Rangel	Stearns
McCarthy (CA)	Reed	Stivers
McCarthy (NY)	Rehberg	Stutzman
McCaul	Reichert	Sullivan
McClintock	Renacci	Sutton
McCollum	Reyes	Terry
McCotter	Ribble	Thompson (CA)
McGovern	Richardson	Thompson (MS)
McHenry	Richmond	Thompson (PA)
McIntyre	Rigell	Thornberry
McKeon	Rivera	Tiberi
McKinley	Roby	Tierney
McMorris	Roe (TN)	Tipton
Rodgers	Rogers (AL)	Tonko
McNerney	Rogers (KY)	Towns
Meehan	Rogers (MI)	Tsongas
Meeks	Rohrabacher	Turner (NY)
Mica	Rokita	Turner (OH)
Michaud	Rooney	Upton
Miller (FL)	Ros-Lehtinen	Van Hollen
Miller (MI)	Ross (AR)	Velazquez
Miller (NC)	Ross (FL)	Visclosky
Miller, Gary	Rothman (NJ)	Walberg
Miller, George	Roybal-Allard	Walden
Moore	Royce	Walsh (IL)
Mulvaney	Runyan	Walz (MN)
Murphy (CT)	Ruppersberger	Wasserman
Murphy (PA)	Rush	Schultz
Nadler	Ryan (OH)	Waters
Napolitano	Ryan (WI)	Watt
Neal	Sánchez, Linda T.	Waxman
Neugebauer	Sarbanes	Webster
Noem	Scalise	Welch
Nugent	Schakowsky	West
Nunes	Schiff	Westmoreland
Nunnelee	Schilling	Whitfield
Olson	Schmidt	Wilson (FL)
Owens	Schock	Wilson (SC)
Palazzo	Schrader	Wittman
Pallone	Schwartz	Wolf
Pascarella	Schweikert	Womack
Pastor (AZ)	Scott (SC)	Woodall
Paulsen	Scott (VA)	Yarmuth
Payne	Scott, Austin	Yoder
Pearce	Scott, David	Young (AK)
Pelosi	Sensenbrenner	Young (FL)
Pence	Serrano	Young (IN)
Perlmutter		

NAYS—11

Amash	Kucinich	Olver
Blumenauer	Lee (CA)	Stark
Duncan (TN)	McDermott	Woolsey
Ellison	Moran	

NOT VOTING—12

Bachmann	Giffords	Lynch
Coble	Gutierrez	Myrick
Diaz-Balart	Johnson, E. B.	Paul
Filner	LaTourette	Sanchez, Loretta

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1806

Messrs. MORAN, STARK, ELLISON, and AMASH changed their vote from “yea” to “nay.”

Messrs. CAPUANO, HONDA, and RUSH changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Madam Speaker, on rollcall 927, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “yea.”

#### EXPLANATION OF INJURY

(Mr. FRANK of Massachusetts asked and was given permission to address the House for 1 minute.)

Mr. FRANK of Massachusetts. Madam Speaker, I deeply appreciate the solicitude of my colleagues on my appearance. I want to first assure them that there is much less here than meets the eye. I am going to explain that because, as much as I appreciate the solicitude, responding to it 400 times would seem to me a bit excessive, literally adding insult to injury.

I just want to explain that I discovered a torn ligament. We're not exactly sure how it happened. It was easily repaired today. I am wearing this because the arm was blocked and is not mobile. It is simply to protect the arm.

Madam Speaker, I do want to anticipate any question. This had nothing to do with my retirement. I did not discover it until after my announcement of my retirement. And I would just add that at no point during my 31 years here was this ligament ever essential to the performance of my duties.

#### IRAN, NORTH KOREA, AND SYRIA NONPROLIFERATION REFORM AND MODERNIZATION ACT OF 2011

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2105) to provide for the application of measures to foreign persons who transfer to Iran, North Korea, and Syria certain goods, services, or technology, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 418, nays 2, not voting 13, as follows:

[Roll No. 928]

YEAS—418

Ackerman	Baldwin	Biggert
Adams	Barletta	Bilbray
Aderholt	Barrow	Bilirakis
Akin	Bartlett	Bishop (GA)
Alexander	Barton (TX)	Bishop (NY)
Altmire	Bass (CA)	Bishop (UT)
Amash	Bass (NH)	Black
Amodei	Becerra	Blackburn
Andrews	Benishkek	Blumenauer
Austria	Berg	Bonner
Baca	Berkley	Bono Mack
Bachus	Berman	Boren