

PLAN B HURTS EVERYBODY

(Mrs. CHRISTENSEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, as if the Speaker's Plan B were not bad enough—not extending unemployment benefits or fixing the SGR so seniors would continue to have their doctors, killing jobs, again threatening the full faith and credit of our country, and leaving the sequester cuts in place—last night the Republicans dug up the horrible reconciliation bill that they pushed through this House in May. They should have left it over in the Senate where it went to die a timely death.

The reconciliation bill they will put up with it for a revote today is like Plan B, just worse. It will cut food stamps, eliminate the social services block grants, and weaken the consumer protections that we put in place. They can't help themselves. They'll make one more attempt to roll back much of the Affordable Care Act, including repealing the public health fund and funding for the exchanges, cutting the children's health insurance program, and taking away all of the Medicaid funding that was provided for the territories.

Either way, these bills would hurt many people—poor, middle class Americans, children and seniors, all to save tax cuts for the wealthy. On November 6, Americans voted for us to work together to strengthen our country, not weaken it. These highly partisan bills will hurt our country, and no one should vote for either of them.

AVOIDING THE FISCAL CLIFF

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I wonder if anybody is listening. The message from the American people is loud and clear: extend the middle class tax cuts now. Republican leadership is holding hostage tax cuts for 98 percent of Americans and 97 percent of small businesses to give more tax breaks to the wealthiest Americans. Democratic Members of Congress have commonsense solutions, and we can't wait around any longer as real proposals languish while the House GOP gets its act together.

I, along with 181 of my colleagues, have signed the discharge petition to automatically bring to the House floor the Senate-passed middle class tax cuts which the President has said he will sign immediately. This could be an opportunity for us to work together, resolve some of our differences, and offer the American people the kind of Congress they want: working together.

TAXES

(Mrs. CAPPS asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I rise to express my disappointment that House leadership is again playing political games instead of getting our work done. With time running short, they've decided to prohibit a vote on extending the middle class tax cuts for families making up to \$250,000 per year. Instead, we will only be voting on the so-called Republican Plan B.

Plan B is yet another giveaway to the wealthiest 1 percent of Americans and at the expense of middle class families. It forces middle class families to pay \$1,000 more a year in taxes in order to give millionaires a \$50,000 break. That's not what the American people voted for in November. They sent a clear message that they wanted us to put aside our differences and work together to pass a balanced plan that protects middle class families and ensures that everyone pays their fair share.

We agree. We all agree that families making up to \$250,000 should not see their taxes go up on January 1. We could pass that bill today and give millions of families across this country peace of mind, but we're not even getting to vote on that bill. Instead, we're taking a symbolic vote that solves nothing. My constituents—all of our constituents—deserve better.

HONORING THE LIFE OF LEONILA VEGA

(Ms. LINDA T. SÁNCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, today I come to the floor to honor Leonila Vega, a ferocious advocate for seniors and people with disabilities. In her role as the executive director of the Direct Care Alliance, I worked closely with her to improve the conditions of work for those who provide in-home care and, with it, the quality of care that they provide for others.

Although she lost her battle with cancer on November 19, the battle she waged for quality care and dignity for workers continues.

I cannot adequately describe all of her accomplishments in one short minute, so I'm submitting a longer statement for the RECORD. But I do hope that in honoring her today and talking about her passion, I hope that her passion for social justice is an inspiration to all of us.

RECOGNIZING THE ACHIEVEMENTS OF SENATOR BARBARA A. MIKULSKI

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

Mr. CUMMINGS. Today, I am incredibly pleased to congratulate my dear colleague, Senator BARBARA A. MIKUL-

SKI, for her ascension to the chair of the Senate Appropriations Committee. Senator MIKULSKI's commitment to our great State is undeniable. She has worked tirelessly throughout her prestigious career to serve her fellow Marylanders, first as a social worker, and now as one of the most influential Members of the United States Senate.

Senator MIKULSKI is a leader that Maryland and, truly, our Nation, can be proud of. She was the first woman elected to the Senate who was not preceded by her husband or father and has continued breaking barriers ever since. This trend continued yesterday when she became the very first female Senator in the history of our Nation to become the chair of the powerful Appropriations Committee.

I'm honored and proud to serve alongside her here in the United States Congress, and I look forward to continuing to work together with her for the betterment of our Nation.

NEWTOWN, CONNECTICUT, AND GUN SAFETY REFORMS

(Mr. MORAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN. Mr. Speaker, I rise today, first of all, to express my deepest condolences to the families and friends of those killed in last week's tragic elementary school shooting in Newtown, Connecticut.

But this incomprehensible act of violence should compel us to address the larger context. It is a fact that over 10,000 Americans are murdered by gun violence each year. No other civilized nation on the planet experiences anything like this annual gun slaughter, but we have 5 percent of the population and own 50 percent of the world's guns.

Now, the needed reforms are not radical. Many, including closing the gun show loophole and requiring gun owners to report to police lost or stolen guns, are even supported by the vast majority of NRA members. It would be far too simplistic and self-serving, though, to lay the blame for this inaction on the most commonsense measures entirely at the feet of the NRA, which we're inclined to do because the truth is that we, as the representatives of the people, are the ones who are ultimately responsible for doing nothing to protect our constituents.

The fact is that if we don't take action now, we're all complicit in the next massacre of innocents.

□ 1230

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

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 840 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 840

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommend if applicable.

The SPEAKER pro tempore. The gentleman from Utah is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members may have 5 legislative days in which they may revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. As is customary for this conference report, this is a closed rule which provides for the consideration of the conference report to accompany H.R. 4310, the Defense Authorization Act for Fiscal Year 2013, and provides 1 hour of general debate, with 30 minutes equally divided and controlled by the chair and the ranking minority member of the House Armed Services Committee.

I'm actually pleased to stand before the House today in support of the rule as well as the underlying legislation, which was H.R. 4310, and the conference report that accompanies the Defense Authorization Act for Fiscal Year 2013.

I also have to, at the beginning, thank the chairman of the House Armed Services Committee, Mr. MCKEON, for his hard work and his steady leadership on this bill, as well as the ranking member, Mr. SMITH of Washington, for continuing the time-honored tradition of close cooperation and bipartisanship when it comes to defense and producing this conference report. I also thank the professional staff, which has worked closely together on literally hundreds of very difficult and often very technical issues and has done so cooperatively in an extremely responsible manner.

I'm very proud that the Armed Services Committee produced a bill in a very bipartisan manner. I'm proud of the floor of the House who voted and

passed, in a bipartisan way, this bill back in May. The Senate has finally decided to pass the bill in December. That the Senate has passed a bill is commendable. It is unusual, but it is also commendable. The fact that they have done this here gives us an opportunity of passing one of the few bills that must be done in every session of Congress. The Senate's procrastination on this effort is one of the things that is worrisome. I only hope that in the years to come, the Senate majority leadership will return to acting expeditiously, deliberately, and in a more timely manner in something that is this important.

It is actually a testament to the competency and professionalism of the House Armed Services Committee staff, the House leadership staff, and the Rules Committee staff that this enormous and complex conference agreement could be rescued at the end of what is becoming an otherwise contentious lame-duck session.

Mr. Speaker, in our Rules Committee meeting the other day, we had the opportunity of having Mr. HASTINGS and others refer to the Constitution. It is very significant that in the beginning of the Constitution, the Preamble, that we talked about creating a more perfect Union. A more perfect Union is not a grammatical flaw that was introduced by the Founding Fathers. It had a specific historical context. It also talked about preserving or promoting domestic tranquility, which had, also, a specific historical context which had nothing to do with America being sedate or tranquil. It had something to do with the specific concept of private property. It also talked about promoting general welfare, even though they had a uniquely different idea of the word "general" than we have today.

But in providing in the intermediary with all these provisions is also the word that we are supposed to provide for the common defense. It was not unusual that that word was in there, put in by Gouverneur Morris and the rest of them.

When the Founding Fathers met to write our Constitution, they were looking at the historical milieu of the day and the concepts that were going on at that time. They responded in a way to try to make sure that they solved the problems of the day in a way that would never come up again. The concept of providing for the common defense became one of the core constitutional responsibilities that was extremely significant.

We had won the Revolutionary War, but we had also—several of the States—violated the treaty with Britain. The inability of some States to protect Tory property had given the British the reason to continue to have armed British soldiers on American soil or British forts on American soil. We could not, under the Articles of Confederation, control our borders. The British were arming subgroups coming

in here to do more than just destroy our domestic tranquility, but also to take down and harm the lives of Americans. It seems some things never change.

But the Articles of Confederation and Congress could not respond to this. They had an Army of only 700 people. There was no Navy to control the shipping or protect our shipping rights. The Articles of Confederation and Congress realized what we should also realize that if we do not have an adequate and strong defense, not only can we not militarily defend this country, but we don't have the ability of diplomatically trying to reach solutions to problems without resorting to military efforts. They realized that this was one of the flaws of America when they wrote the Constitution.

So it is not unusual for them to specifically put in here that one of the responsibilities that this House has is to provide for the common defense. It is not unusual that in article I, section 8, there are 17 clauses. Seven of those 17 clauses, as well as the introduction, talk about the necessity of military defense and military preparedness for this country. They recognized how significant that was, not just for defending militarily, but also for the future and the diplomatic abilities of the future United States.

This bill deals with one of the few core constitutional responsibilities that we had. Fortunately, over the past 51 years, Congress has been able to come together in an amazingly bipartisan way to come up with a Defense authorization bill that provides our Defense agencies the ability to function, to train, to equip our forces, and to provide for our military personnel and their families.

We are betting if we do not do this, that the large-scale threats to our national security will be so far in the future we can just sort of tread water. I hope sometimes that they are right, but that treading would not be what the Founding Fathers would look at as providing for the common defense.

In a real world, there would be what I would consider to be a more significant and effective bill, but we're not dealing with the real world. We are dealing, though, with real-world issues. Part of the issue is that we are looking at a world that is extremely dangerous for us—we do not know what the future enemy will be—and we are also dealing with a world in which we are continually trying to diminish our military presence.

Our Navy is smaller than it has been since 1917. Our Army will be smaller than it was at the beginning of World War II. Our Air Force is the smallest it has ever been in the history of this country, with the oldest planes that we've ever had. Those issues are issues that are significant, they are important, and they must be addressed. And those are going to be ongoing, long-term issues.

This particular bill does not do as much to address that particular problem and give us the security of the future as I wish it could do. That's only because we are not dealing in a perfect world where we can establish the setting that we wish to do. We have to deal with the setting in which we find ourselves.

□ 1240

Having said that, there are a lot of things in this particular conference report and in the House-passed bill which are very, very positive, and they do move us forward. As we continue the discussion of this rule as well as the debate of the conference report on the floor, we will talk about some of those things that are positive and that do move us forward.

With that, Mr. Speaker, I look forward to the continuing discussion about talking about what is, indeed, in this particular bill.

I reserve the balance of my time.

Mr. MCGOVERN. I want to thank the gentleman from Utah for the time, and I yield myself such time as I may consume.

I rise in opposition to the underlying bill, the National Defense Authorization bill.

I recognize and appreciate all of the hard work that went into crafting this conference report—on both sides of the aisle. I commend Chairman McKEON and Ranking Member SMITH and all their staffs for all of the work that they have done. I especially appreciate that the final version of the bill includes a modified version of the Merkley amendment on Afghanistan that was approved by the United States Senate, but unfortunately, the final product contains policies that I simply cannot support.

The bill increases funding—beyond the Pentagon's request—for several programs, including a new missile defense base on the east coast. The bill also denies the Pentagon the opportunity to save money with its failure to include a cut to the contractor comp cap, its failure to include a round of base closures, and its failure to implement end-strength troop reductions even though we are supposedly ending our involvement in two wars.

At a time when Congress is being asked to look for savings, even considering cutting vital programs like Social Security, it is unconscionable to me that we would continue to mandate wasteful funding that the military has said it does not need and does not want. How can we look into the eyes of a senior citizen who is living off of Social Security and tell him that his cost-of-living adjustment will be smaller so that we can buy weapons that the military doesn't even want?

Also very troubling to me is that this bill continues to prevent the President from fulfilling his commitment to close the Guantanamo Bay prison camp by imposing unnecessary and ill-advised transfer restrictions. Mr. Speak-

er, I am proud to serve as the cochair of the Tom Lantos Human Rights Commission. We constantly and appropriately criticize other countries for their lack of transparency and adherence to the rule of law. The continued existence of Guantanamo undermines our standing around the world. The President has said repeatedly that he wants to close Guantanamo. There is broad bipartisan support among national security experts for him to do so. Congress just needs to get out of the way.

Mr. Speaker, while I support a great deal of this bill, especially programs and services for our veterans and military retirees, I cannot support a bill this large when we are in the middle of negotiations on the so-called "fiscal cliff." The Pentagon is more willing than this Congress to look at the defense budget and make thoughtful but significant reductions. This bill continues to show that, when it comes to defense spending, Congress is part of the problem, not part of the solution.

I would like to insert into the RECORD an article that appeared in today's Washington Post by Walter Pincus, entitled, "Military funds to spare?," in which he quotes Secretary of Defense Panetta in a speech. He said that the committees here in the Congress "had diverted about \$74 billion of what we asked for in savings in our proposed budget to the Congress, and they diverted them to other areas that, frankly, we don't need." That is from the Secretary of Defense.

I would also like to insert into the RECORD a letter to the President that was sent to Members of Congress as well, urging that he veto the National Defense Authorization Act because it extends restrictions on transferring detainees out of the Guantanamo prison.

Mr. Speaker, let me just conclude my opening here by saying that I want a defense second to none. I believe that we need to do whatever we need to do to protect the citizens of this country, but just throwing more money at the Pentagon doesn't mean that you're getting a stronger defense. Expanding the bloat and the waste in the Pentagon does nothing to enhance our national security. We need a new definition of "national security," one that includes things like jobs for our citizens, one that includes access to a good quality education, one that includes a strong infrastructure, one that includes good health care for everybody in this country, an end to homelessness, and an end to hunger in the United States of America.

I say this because, after we debate this rule, we're going to take up another rule dealing with the so-called "Plan B" and "Plan C," and maybe there's a Plan D and a Plan E, who knows. What is particularly troublesome to me is that, in the tax version of what the Republicans are going to bring to the floor later, it includes things like ending programs that benefit middle-income families and poor families.

Under their proposal, 25 million working families with tens of millions of children will pay an average of \$1,000 more in taxes. That's not fair. That undermines the economic security of that family.

Under their proposal, 11 million families would lose a tax credit that helps pay for college. How is that in our security? We're told time and time again by all of the experts that, in order for us to continue to be an economic global power, we need a well-educated workforce. So what are they proposing? That 11 million families lose their tax credits to help pay for college.

Fifty million seniors and other Medicare enrollees' health care would be jeopardized as doctors face a 27 percent cut in Medicare payments under this proposal. That's just the tax version of what they're proposing. We haven't even gotten to what they're proposing in terms of spending cuts.

So here we are, talking about a Defense Authorization Act that is more money than our Pentagon wants, that is more money than our Joint Chiefs of Staff want, that is more money than the Secretary of Defense wants. As we're doing this, we're telling the American people that we have to lower your cost-of-living adjustment on Social Security, that we have to lower your quality of health care, that we have to cut some money from housing programs, that we have to cut SNAP and food stamps so that you won't have enough to eat.

This is crazy. This is crazy. So, yes, we're all for a military and a defense second to none, but I will tell you that some of our biggest threats are not halfway around the world—they're halfway down the block. We have to start paying attention to what's happening in this country, so I urge my colleagues to vote "no" on this bill.

I reserve the balance of my time.

[From the Washington Post, Dec. 19, 2012]

MILITARY FUNDS TO SPARE?

(By Walter Pincus)

Congress and Defense Secretary Leon E. Panetta showed this week that there are hundreds of millions, if not billions, of loose dollars in the Pentagon's budget that can be shifted around without apparent harm to national security.

In a speech Wednesday at the National Press Club, Panetta voiced his frustration at changes the House and Senate armed services committees had made in the fiscal 2013 defense authorization bill. At one point he said that the committees "had diverted about \$74 billion of what we asked for in savings in our proposed budget to the Congress, and they diverted them to other areas that, frankly, we don't need."

He spoke about "pressure on the department to retain excess force structure and infrastructure instead of investing in the training and equipment that makes our force agile and flexible and ready." Without specifying programs, Panetta mentioned having to keep "aircraft, ships, tanks, bases, even those that have outlived their usefulness, [but] have a natural political constituency."

As if on cue, just two hours after Panetta's speech, the chairmen of the Senate and House armed services committees—Sen. Carl Levin (D-Mich.) and Rep. Howard P. "Buck"

McKeon (R-Calif.)—released summaries of the House-Senate conference report on the fiscal 2013 defense bill that contained funding changes illustrating some of what Panetta had been complaining about.

For example, the conferees approved more than \$500 million to continue the Global Hawk Block 30, high-altitude, long-endurance unmanned aircraft that have integrated imagery, radar and intelligence sensors. The Pentagon had decided to risk terminating this version of Global Hawk (there are others in use and being built) and noted that it would save \$800 million in fiscal 2013 and \$2.5 billion over the next five years.

Two other congressional add-ons illustrate members' desire to keep plant production lines open—and jobs filled. They were \$136 million to upgrade the M1 Abrams tank and \$140 million to modify the M2 Bradley armored vehicle. And \$45 million was added to funds to purchase F-18s to hold open "the option of buying more" in fiscal 2014. In the nuclear area, Congress added \$70 million toward construction of a \$3.7 billion building for research on plutonium at the Los Alamos National Laboratory in New Mexico that the administration wanted to delay for two more years.

Two other congressional favorites got boosts beyond what the Pentagon approved. One was an added \$152 million for missile defense; the other, for \$143 million, went to Special Operations Command for an imagery intelligence program its commander wanted but higher-level officials vetoed. The conferees' message: What Special Ops wants, it gets.

One compromise reached over the past month involved the administration's controversial plan to reorganize military air transport assets that affected Air National Guard bases around the country, a step that mobilized opposition not just from Congress but from governors of the states involved. The solution was to halt the retirement of 26 C-5A aircraft, "holding the strategic airlift total at 301 aircraft, until the Defense Department completes a comprehensive study of air mobility requirements," according to the House committee. In addition, the Air Force will maintain an additional 32 C-130 or C-27J tactical airlift aircraft, some of which were going to be retired.

As he has in the past, Panetta said that health-care costs for the military were growing fast and had hit \$50 billion this year. The need was for some cost controls, but the conferees blocked any increase in fees for the Defense Department's health-care program, known as TRICARE, or any effort to establish new ones.

Meanwhile, the conferees took steps to cap the rate under which the Army and Marine Corps reduce force numbers over the next five years. And somehow they found excess funds to provide provisions to ease the blow to the roughly 100,000 service personnel that are let go. Those individuals will be permitted to reside in military housing with their families for six months after their date of separation and use commissary and exchange stores for two years after separation.

There was one \$188 million reduction that neither Panetta nor the conferees touched—the one for military bands.

The Army maintains 99 bands, many of them National Guard-based, and intends to spend \$221.1 million on them during fiscal 2013. That's up \$3.3 million from fiscal 2012. The Navy has 14 bands that will cost an estimated \$55.6 million next year, while the Marine Corps has 12 bands that will cost \$53.6 million in 2013. The Air Force has 12 active-duty and 11 Air National Guard bands. Together they cost an estimated \$58 million.

RE: VETO THE NATIONAL DEFENSE AUTHORIZATION ACT BECAUSE IT EXTENDS RESTRICTIONS ON TRANSFERRING DETAINEES OUT OF THE GUANTANAMO PRISON

DEAR PRESIDENT OBAMA: The undersigned human rights, religious, and civil liberties groups strongly urge you to veto the National Defense Authorization Act for Fiscal Year 2013 (NDAA) because it would impede your ability to close Guantanamo. Specifically, the NDAA conference bill restricts the Executive Branch's authority to transfer detainees for repatriation or resettlement in foreign countries or for prosecution in federal criminal court for the full fiscal year.

Your commitment to close the Guantanamo prison was a hallmark of your 2008 campaign and a signal to everyone, both across America and around the globe, of a renewed commitment to the rule of law. Your executive order, on your second full day as president, directing the government to close the prison should have heralded the end of the prison, but instead triggered a long series of failures and obstacles to its closure. There are still 166 detainees left at Guantanamo, and the promise of closing the prison remains unfulfilled.

We appreciate that you publicly renewed your commitment to closing Guantanamo in public comments this fall, and we strongly believe that you can accomplish this objective during your second term. You can still make the successful closing of the Guantanamo prison an important part of your historic legacy.

However, if the NDAA is signed with any transfer restrictions in it, the prospects for Guantanamo being closed during your presidency will be severely diminished, if not gone altogether. The current statutory restrictions on transfer expire on March 27, 2013. Those restrictions—which have been in place for nearly two years with zero detainees being certified for transfer overseas and zero detainees transferred to the United States for prosecution—are functionally similar to the restrictions in the NDAA bill pending in Congress. If extended for the entire fiscal year, then nearly a year of your second term could be lost, and the political capital required to start closing it later in your next term will be even greater.

Now is the time to end the statutory restrictions on closing Guantanamo, by vetoing the NDAA because it extends them. When signing earlier versions of these restrictions into law, you stated, "my Administration will work with the Congress to seek repeal of these restrictions, will seek to mitigate their effects, and will oppose any attempt to extend or expand them in the future." The restrictions have proven unworkable, and should not be extended for yet another year.

There is broad support among national security and foreign policy leaders for closing Guantanamo. Your own national security and foreign policy leadership team shares your commitment to closing Guantanamo. The list of leaders who support closing the Guantanamo prison is long, and crosses party lines, including: former President George W. Bush, former Secretary of State Condoleezza Rice, former Secretary of State Colin Powell, former Secretary of Defense Robert Gates, former National Security Advisor James Jones, General Charles C. Krulak (ret.) former Commandant of the Marine Corps, General Joseph P. Hoar (ret.), former CETFOM commander, and Brigadier General Michael Lehnert (ret.), who set up the Guantanamo prison, and 25 retired admirals and generals. Closing Guantanamo is good human rights policy and good national security policy.

We realize that there is a long tradition of the NDAA being enacted annually. However,

an annual NDAA is not required for the Department of Defense to carry out its functions. The NDAA does not fund the Department of Defense, and all of its provisions can be either implemented by agency action or enacted as part of other legislation. Four of your five immediate predecessors—Presidents Carter, Reagan, Clinton, and George W. Bush—each vetoed an NDAA. Restrictions impeding the closing of the Guantanamo prison clearly warrant a veto by you.

We believe that you will be far more likely to succeed in fulfilling your commitment to closing the Guantanamo prison if the transfer restrictions are allowed to expire on March 27. We strongly urge you to veto the NDAA, because it includes an extension of the restrictions on transferring detainees out of Guantanamo for either repatriation or resettlement overseas or prosecution in the United States. Thank you for your attention to this request.

Sincerely,
American Civil Liberties Union, American Friends Service Committee, Amnesty International USA, Appeal for Justice, Bill of Rights Defense Committee, Brennan Center for Justice, Center for Constitutional Rights, Center for International Policy, Center for Victims of Torture, Commission on Social Action of Reform Judaism, Council on American-Islamic Relations, Defending Dissent Foundation, Disciples Justice Action Network, Friends Committee on National Legislation, Human Rights Watch, International Justice Network, Japanese American Citizens League, Maryknoll Office for Global Concerns, National Association of Criminal Defense Lawyers, National Religious Campaign Against Torture, Peace Action, Presbyterian Church (USA) Office of Public Witness, Physicians for Human Rights, Psychologists for Social Responsibility, Rabbis for Human Rights—North America, United Church of Christ Justice and Witness Ministries, United Methodist Church, General Board of Church and Society, Unitarian Universalist Association, Win Without War.

Mr. BISHOP of Utah. I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, at this time, I yield 2 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Let me thank the ranking member and chairman of the Rules Committee.

Today, I rise to discuss just one portion of the National Defense Authorization Act. It is a section of the conference report that supports our Nation's first responders, and I signed the conference report for that section only.

In July of last year, I introduced legislation to reauthorize two programs—the Assistance to Firefighters Grant Program, the AFG Program, and the Staffing for Adequate Fire and Emergency Response Program, the SAFER Program. These programs were created to help local fire departments across the country maintain and increase their capacity to do all that we ask them to do each day, including fighting fires, responding to medical emergencies, and providing safety and aid in the face of disasters, either natural or manmade.

Maintaining the equipment, training, and personnel to safely and swiftly respond to calls for assistance is increasingly difficult. Fire departments around the country have been forced to lay off firefighters and to do without needed equipment and training. The fire grant programs have played an important role in helping local fire departments overcome some of these challenges, providing over \$6 billion in assistance since the year 2000. These grants have been essential to maintaining public safety in many communities, and they're even more important in the face of our shrinking local budgets.

Fire is a serious problem in the United States, killing over 3,000 people a year, which is a rate higher than in all other industrialized countries. Additionally, each year, nearly 20,000 people are injured, over 100 firefighters are killed in the line of duty, and \$10 billion in property is lost due to fire.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Ms. EDDIE BERNICE JOHNSON of Texas. Thank you very much.

In my State of Texas, 2011 was an especially destructive year, with 4 million acres burned, over 5,500 homes and structures destroyed, and hundreds of millions of dollars in damages.

Mr. Speaker, I rise today to discuss just one portion of the National Defense Authorization Act—a section of the conference report that supports our nation's first responders. In July of last year, I introduced legislation to reauthorize two programs—the Assistance for Firefighters Grant (AFG) Program and the Staffing for Adequate Fire and Emergency Response (SAFER) program. These programs were created to help local fire departments across the country maintain and increase their capacity to do all that we ask of them each day, including fighting fires, responding to medical emergencies, and providing safety and aid in the face of disasters either natural or man-made.

Maintaining the equipment, training, and personnel to safely and swiftly respond to calls for assistance is increasingly difficult. Fire departments around the country have been forced to lay off firefighters and to do without needed equipment and training. The fire grant programs have played an important role in helping local fire departments overcome some of these challenges, providing over \$6 billion in assistance since 2000. These grants have been essential to maintaining public safety in many communities and they are even more important in the face of shrinking local budgets.

Fire is a serious problem in the United States, killing over 3,000 people a year—a rate higher than all other industrialized countries. Additionally, each year nearly 20,000 people are injured, over 100 firefighters are killed in the line of duty, and \$10 billion in property is lost due to fire. In my State of Texas, 2011 was an especially destructive year with 4 million acres burned, over 5,500 homes and structures destroyed, and hundreds of millions of dollars in damages.

Statistics show that minorities and low-income Americans are disproportionately the

victims of fires. In addition to providing the resources necessary to ensure our fire departments have the equipment and personnel they need, the United States Fire Administration, which is also reauthorized in the conference report, supports fire prevention and safety activities, promotes the professional development of the fire and emergency response community, and conducts research, testing, and evaluation to help reduce fire deaths, injuries, and loss.

We need to ensure that our firefighters and emergency medical personnel have the tools that they need to protect us. Reauthorization of the fire grant programs and the United States Fire Administration will do just that.

The good news is that, even in these times of increasing partisanship, these common sense provisions have once again garnered widespread support. I am pleased that the bipartisan co-chairs of the Congressional Fire Services Caucus have joined me in supporting the reauthorization of these critical programs. As the Ranking Member of the House Science, Space, and Technology Committee, which has jurisdiction over these programs, I hope the rest of my colleagues will join us in supporting these provisions.

Mr. BISHOP of Utah. I continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, at this time, I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

□ 1250

Mr. KUCINICH. In this discussion over the NDAA, we arrive at a moment where we meet the moral consequences of our Nation's choices over the past decade. We chose war in Iraq, Afghanistan, Pakistan, Libya, Yemen, Somalia, and perhaps later on Iran. Inexplicably, we've created openings for al Qaeda and radical fundamentalists as a result of our interventions. At home, we choose a false notion of security over personal freedom, even if it means we look the other way when the very language of this bill opens the door for indefinite detentions of Americans. And we choose poverty over plenty by giving over a half trillion dollars to the Pentagon and nearly \$90 billion for wars, including Afghanistan, while facing reductions in domestic spending.

We put war on the Nation's credit card, including a \$5 trillion charge for the war in Iraq, which was based on lies. We gather at a fiscal cliff of our own making and refuse to see the implications of our unrestrained spending for war. But when it comes to providing for the long-term security of our seniors, a cynical ploy using the Consumer Price Index is being used to cut seniors' Social Security benefits.

When did America become more concerned about the control of and the security of foreign lands than the retirement security of our own people? Unending war abroad means austerity here at home. It's caviar for the Pentagon and cat food for seniors. Our choices are being made, but when will we choose for America jobs for all, education for all, health care for all, housing opportunities for all, retirement security for all? When will we choose

freedom over fear? When will we break the hold which fear has over this Nation and our budget choices?

I'm voting "no" on this bill.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

In the cacophonous list of things that this bill does not do, one can even look at some other areas. I mean, there are other areas in which we have problems in the defense of this country and future challenges that are before us, even in the modernization of our weapons system.

Even as Russia has fielded new and modernized nuclear ICBMs, the U.S. land-based nuclear deterrence is in need of future modernization; and yet this administration has cut resources to begin planning for the upgrading and modernization of our ICBMs and related nuclear-based systems that have largely been ignored. This trend simply cannot continue.

But having recognized those problems that are there, it is also time to realize what this bill actually does that moves us, as a Nation, forward:

It will provide \$552 billion, which is \$2 billion more than the President requested, and that is a plus;

It increases the pay for our all-voluntary forces by 1.7 percent and provides critical bonuses for those who are now working in harm's way;

It keeps the faith with the military retirees and our veterans in regard to TRICARE, and rejects the administration's proposal to increase fees and co-payments on them;

It deals with the issue of troop reduction in a responsible way by putting caps on the number of troop reductions that can be placed in a single year;

It has a conscience clause for servicemen and for chaplains;

It implements the Hyde amendment; It addresses sexual assault with bipartisan, specific new regulations and procedures for combating and prosecuting sexual assaults within the military;

It has a total new program to provide and help with suicide prevention for dealing with those people who have volunteered to represent this country in the military;

It opens up new bipartisan reforms for competition and innovation in the way the Department deals with small businesses and spurs on innovation;

It deals with strategic forces like the NNSA reforms, our nuclear oversight, our missile defense system, the Iron Dome;

Its provisions dealing with Guantanamo Bay, which prohibit the transfer of detainees to the United States, are the exact right thing that should be done;

It also looks at retaining our vital systems like our naval cruisers, our airlift capacities, Global Hawk, the anti-armor, and investing in new future capabilities that we need like airborne electronic warfare. The aircraft that we need, the submarines, the destroyers that happen to be there; and,

indeed, it has a section in there dealing with the sanctions on Iran.

All of those are specific and important to us.

We have a responsibility to make sure that this core constitutional responsibility of ours is done efficiently. I want it to be known that those who are in the military uniform must respond to the higher-ups which they are dealing with. The Secretary of Defense must deal with walking a line of talking about what they have to do and what they wish they could do. In no way does anyone in uniform say that things that are put in this budget is something that they do not need or do not want.

We have cut the military in this country when we were cutting nothing else. While we were running up stimulus bills, we were still cutting the military. We cut them in the last 2 years of the Bush administration. Under Secretary Gates, it was a \$400 billion cut. All told, the cuts that this Congress has put on the fence when it has not cut other areas is between \$800 billion and \$1 trillion, and that doesn't even count what could happen within sequestration.

We seem to forget, as we're looking, and we take some of the things we have here for granted. The United States has had air superiority since the Korean War, which means our men on the ground, when they hear something overhead, don't have to worry about whose insignia will be on that plane; they know it is ours. But if, indeed, we do not upgrade and innovate and improve our air capacity, we don't have that in the future.

And what we do now is not just simply what we can do today; what we are authorizing in this bill is what we can do 20 years from now. If we don't start the research and development today, we will not have that capacity.

I reject those who say, Look, the F-35 is too expensive; let's just build more F-16s—even though Third World countries have planes that have the same capacity technologically as our F-16s and our F-15s. What we need is a new generation, so if our men are put into a fight, it will not be a fair one.

And we have the technology, the new generation of technology to make sure that we are in the forefront and to make sure that we maintain that air dominance into the future. It is something that we have had for so long and we have had so many people work so hard to maintain that we here, today, seem to sometimes take it for granted. And we ought not. This is our future. This bill is about our future, and we cannot—we cannot—simply go back because we wish to change the milieu of what is happening here. This is a good bill.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

First of all, we have air superiority over every country in the world. We have the strongest military in the

world, and I'm proud of the men and women who serve in our military.

But, you know, we have to make choices here. I mean, do we really need all these troops deployed in Europe that have been there basically since World War II? I mean, I don't think Germany is going to invade France any time soon or Russia is going to invade Poland, but yet we have a huge amount of deployed American forces in Europe. Maybe we need to have a discussion about whether or not we need that, whether or not we can afford that expense, whether or not it does anything to enhance our security.

Again, I want a military that is the best in the world. I want them to continue to be that way. I want them to be second to none. I want to make sure that we have all that we need, but I don't want to be investing in things we don't need. And when the Joint Chiefs of Staff and when the Secretary of Defense and all of the experts tell us that they don't need something, and we here appropriate money to keep something going that is unnecessary, that is unwanted, at the same time while you're trying to cut the benefits of some poor old lady on Social Security, there's something wrong with this equation. We have to start thinking about the security of people here in this country as well.

What we're going to do right after this is take up a rule that is going to gut a whole bunch of programs that, quite frankly, keep people from falling through the cracks—everything from food stamps to child nutrition programs to education programs. Anything that helps anybody who's in need is going to get walloped after the next rule is passed, with a tax plan that is so blatantly unfair that I can't even believe that my friends are bringing it to the floor of the House for a debate.

So, you know, let's talk about what we need to do to maintain the security of our people in this country. We need a strong military. We need to meet the challenges abroad, but we also need to meet the challenges here in the United States of America. We need to focus on things like jobs and affordable housing, making sure that people have the ladders of opportunity so they can succeed. So that's where I object.

□ 1300

This bill is more than the people at the Pentagon want. We're just throwing more money at this, and I think it's a mistake.

Mr. Speaker, at this time I'd like to yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Mr. Speaker, I too believe in military preparedness, coming from a State like Texas, where the population of men and women who have served or are serving in the United States military is renowned and appreciated.

As I look at the tourists who walk through the Halls, I wonder which of those young people will take an oath

and join the United States military. And so when I see raises for the troops, it pleases, I think, all of us.

I'm concerned about the Afghanistan timeline. I had hoped that it could be expedited. I certainly do commend the Iron Dome because we saw it work with respect to Israel. I question, however, the drones that may have collateral damage.

But I do think it's important that this bill does, in fact, make a commitment to protecting the women and children in Afghanistan, responds to the issues dealing with sexual assault against military personnel, and particularly women, and is strong on Iran sanctions.

But I rise today as well because I think when we talk about people, and we talk about the men and women of the United States military, we talk about their health. And yesterday, in the Rules Committee I raised this point and I raise it again.

I'm going to support this bill because I think it'll make a leap of faith and commitment to finding the cause of triple negative breast cancer. I mentioned yesterday in the Rules Committee that triple negative breast cancer cells are usually of a higher grade and size, onset at a younger age, more aggressive and more likely to metastasize.

In fact, the survival rate for breast cancer, but on triple negative, people are diagnosed and they die in months, maybe a year, such as my constituent, Yvonne Williams, a wonderful health professional who left a husband and two children.

Or maybe the young lady who stopped me when I was walking in the Race for the Cure and said, my mother, a Hispanic woman, got triple negative breast cancer. We did everything we could, and she died within months.

Apart from surgery, the only relief is cytotoxic chemotherapy, its only available treatment. Targeted molecular treatments, while being investigated, are not accepted treatment for this disease.

As I speak today, there are women who may be listening, or others who realize that either their loved one or they may be diagnosed with triple negative breast cancer, and they understand the impact. Whether they are Caucasian or Asian or Hispanic or African American, this disease has not been able to be treated like breast cancers in the other stages.

So I offered an amendment that the House accepted. I think it is an important amendment because what it spoke to is that we need to pinpoint and focus in on what is the cause of this disease. And it called for the triple negative breast cancer patients to be identified earlier in the progression of their disease and to develop targets on molecular and biomolecular issues.

But through that amendment, I must say, although I wanted the specific language, the House was able to hold its position.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield an additional 30 seconds to the gentlelady.

Ms. JACKSON LEE of Texas. The House was able to hold its position. And on title VII, section 737, I want to say thank you. There is a long amendment that includes my amendment and specifically speaks to having a report that will have recommendations for changes to policy, a law that could improve the prevention, early detection, awareness and treatment of breast cancer among the Members of the Armed Forces.

I would ask the Defense Department that when you look at treatment and research, you must include the triple negative breast cancer. That is, as well, an attack on your personnel in the United States military. If we care about our soldiers, our men and women in all of the branches who serve us, we'll care about their health, and we will include that research.

I thank the conferees for moving forward on something that is so near and dear to the families of those who live, but certainly of those of the families who have died.

Mr. Speaker, I am here today in support of language from my Amendment, Number 91 to H.R. 4310 "National Defense Authorization Act," which would direct the Department of Defense Office of Health to work in collaboration with the National Institutes of Health to identify specific genetic and molecular targets and biomarkers for Triple Negative Breast Cancer (TNBC).

In addition, my amendment was intended to result in information useful in biomarker selection, drug discovery, and clinical trials design that will enable both TNBC patients to be identified earlier in the progression of their disease and develop multiple targeted therapies for the disease.

Unfortunately, my language was not included in the Senate Amendment but I have read language in the Joint Manager's Statement and the Conference Report does provide for a study.

The language reads, "Study on incidence of breast cancer among members of the Armed Forces serving on active duty," and is included in Section 737.

I stand up for all women today who have been victims and really for those who might so that we can look into prevention, cure, and eradication of breast cancer.

Triple negative breast cancer is a specific strain of breast cancer for which no targeted treatment is available. The American Cancer Society calls this particular strain of breast cancer "an aggressive subtype associated with lower survival rates."

I offer this amendment in hopes that through a coordinated effort, DOD and NIH can develop a targeted treatment for the triple negative breast cancer strain.

Breast cancers with specific, targeted treatment methods, such as hormone and gene based strains, have higher survival rates than the triple negative subtype, highlighting the need for a targeted treatment.

Today, breast cancer accounts for 1 in 4 cancer diagnoses among women in this country. It is also the most commonly diagnosed

cancer among African American women. The American Cancer society estimates that in 2011, more than 26,000 African American women will be diagnosed with breast cancer, and another 6,000 will die from the disease.

Between 2002 and 2007, African American women suffered a 39 percent higher death rate from breast cancer than other groups.

African American women are also 12 percent less likely to survive five years after a breast cancer diagnosis. One reason for this disparity is that African American women are disproportionately affected by triple negative breast cancer.

More than 30 percent of all breast cancer diagnoses in African American are of the triple negative variety. Black women are far more susceptible to this dangerous subtype than white or Hispanic women.

THE STORY OF YOLANDA WILLIAMS

Mr. Speaker, last year, I spoke at a funeral for Yolanda Williams, one of my constituents in the 18th Congressional District of Texas. Yolanda died from her battle with triple negative breast cancer. Like many other women who are diagnosed with this aggressive strain, she did not respond to treatment. Yolanda, wife and mother of two daughters, was only 44 years old.

This strain of breast cancer is not only more aggressive, it is also harder to detect, and more likely to recur than other types. Because triple negative breast cancer is difficult to detect, it often metastasizes to other parts of the body before diagnosis. 70 percent of women with metastatic triple negative breast cancer do not live more than five years after being diagnosed.

Research institutions all over the Nation have started to focus on this dangerous strain of breast cancer. In my home City of Houston, Baylor College of Medicine has its best and brightest minds working tirelessly to develop a targeted treatment for the triple negative breast cancer subtype. It is time for the Department of Defense to follow that example and commit additional funding to study the triple negative strain.

I had urged my colleagues to join me in protecting women across the Nation from this deadly form of breast cancer by supporting my amendment, and enough of them did so that language was sent to the Senate addressing triple negative breast cancer; and we live to fight another day for more precise language dedicated to a most-pernicious form of breast cancer, while being appreciative of language in the final conference report addressing breast cancer among those most at risk, on active duty fighting, for our country.

FAST FACTS

Breast cancer accounts for 1 in 4 cancer diagnoses among women in this country.

The survival rate for breast cancer has increased to 90 percent for White women but only 78 percent for African American Women.

African American women are more likely to be diagnosed with larger tumors and more advanced stages of breast cancer.

Triple-negative breast cancer, TNBC, is a term used to describe breast cancers whose cells do not have estrogen receptors and progesterone receptors, and do not have an excess of the HER2 protein on their cell membrane of tumor cells.

Triple Negative Breast Cancer (TNBC) cells are usually of a higher grade and size; onset at a younger age; more aggressive; more likely to metastasize.

TNBC also referred to as basal-like (BL) due to their resemblance to basal layer of epithelial cells.

There is not a formal detailed classification of system of the subtypes of these cells.

TNBC is in fact a heterogeneous group of cancers with varying differences in prognosis and survival rate between various subtypes. This has led to a lot of confusion amongst both physicians and patients.

Apart from surgery, cytotoxic chemotherapy is the only available treatment; targeted molecular treatments while being investigated are not accepted treatment.

Between 10–17 percent of female breast cancer patients have the triple negative subtype.

Triple-negative breast cancer most commonly affect African American women, followed by Hispanic women.

African American women have prevalence TNBC of 26 percent vs 16 percent in non-African-Americans women.

TNBC usually affects women under 50 years of age.

African American women have a prevalence of premenopausal breast cancer of 26 percent vs 16 percent for non-African-American Women.

Women with TNBC have 3 times the risk of death than women with the most common type of breast cancer.

Women with TNBC are more likely to have distance metastases in the brain and lung and more common subtypes of breast cancer.

Mr. BISHOP of Utah. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, it's my pleasure to yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, this defense authorization legislation is a missed opportunity. Our Republican friends would have us approve this at a time when we're struggling with the long-term fiscal stability of the United States. We're set to pass a bill that authorizes funding above what we approved in the Budget Control Act. This is spending 20 percent above the Cold War average, double what we had in 2001.

Even if somehow we went over that dreaded fiscal cliff and sequestration kicked in, it would only reduce spending to what it was in 2007, adjusted for inflation, when we were fighting two wars. It's a missed opportunity.

I heard my friend from Utah talk about avoiding any increase in fee in terms of health care. Excuse me?

We're looking at draconian impacts that some are suggesting for some of our society's most vulnerable. And, here, we haven't adjusted a fee since 1995.

The Department of Defense is going to spend \$50 billion on health care. It's gone up 300 percent since 2001. Ten million people are involved, and they count it as a point of pride that we're not making any adjustment at all? For a retired three or four star general earning a pension of over \$200,000 a year, 80 percent of whom go to work for the defense industry, and they pay a \$50 fee?

I'm sorry, I think it's a missed opportunity.

I heard my friend from Utah talk about the nuclear arsenal and upgrading intercontinental ballistic missiles. I think this is a missed opportunity. Look at the nuclear arsenal, we're spending over \$55 billion a year—we don't know how much more because that information isn't readily available—for weapons that have not enabled us to fight in Iraq or Afghanistan.

Many of these weapons we can't use, will never use, but we're going to spend \$200 billion upgrading the arsenal over the next 10 years. And we're looking at three separate delivery systems, including new submarines at almost \$5 billion a piece. Against whom?

We need a tiny fraction of this to deal with China or Russia. Our nuclear arsenal isn't stopping Iran from trying to achieve its nuclear weapon.

These are sad, missed opportunities to right-size the military, which will still be the most powerful in the world, by far.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Mr. BLUMENAUER. For us to deal with the threats that we face today, to deal with the damage that we have done in the reckless misguided war in Iraq, to be able to deal meaningfully with the Guard and Ready Reserve that should be upgraded and healed from the damage that was inflicted upon them.

We can provide far more real security, save tax dollars, deal with the needs of veterans that are about to be, sadly, undercut, and provide balance to our budget. In fact, the fiscal instability from reckless bills like this is, in fact, a national security threat.

We're no longer going to be able nor should we pay almost half the world's entire military spending. We should start by rejecting this authorization.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

I always hate to try and say we ought to learn lessons of history; but the Founding Fathers, when they made that our core constitutional responsibility, clearly understood that if you do not have a military capacity, you do not have not only the ability to defend the country, but you do not have the ability to make diplomatic efforts in any of those areas.

It is interesting that our allies in NATO are spending far more of their GDP on military defense than we are. But obviously, and ironically, those who are are almost always those countries which experienced firsthand what it was like to live under the domination of the Soviet Union. They understand the significance of this particular proposal and these particular kinds of bills.

Mr. Speaker, I would like at this time to recognize the soon-to-be-retired chairman of the Rules Committee

who has done so much in his tenure here in the Capitol. I yield such time as he may consume to the gentleman from California (Mr. DREIER).

□ 1310

Mr. DREIER. I thank my friend from Brigham City. I appreciate his generosity of yielding me such time as I may consume.

Mr. Speaker, let me just say that I appreciate the fact that my friend from Worcester said we should have a defense capability that is second to none. We should be preeminent in the world. I appreciate his statement. I also appreciate the fact that he talks about the multifarious societal needs that are out there, ensuring that we don't see those who are struggling to make ends meet suffer. We concur wholeheartedly in that goal. But I have said this time and time again. I said it in the Rules Committee and Mr. BISHOP and I had a discussion about this. And Mr. HASTINGS of Fort Lauderdale got into there as well.

This is my perspective. Thomas Jefferson said that two thinking people given the exact set of facts can draw different conclusions, but I've concluded as I looked at the preamble to the Constitution with all the important statements in there—We the people of the United States, in order to form a more perfect Union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, do ordain and establish this Constitution for the United States—I argue, Mr. Speaker, that the five most important words in the midst of that preamble are “provide for the common defense.”

And the reason I say that is that as we look at all the things that the Federal Government does, virtually all of them—not all, but virtually all of them—can be handled by individuals, by communities, cities, families, counties, and States. But there's one thing that cannot be handled by those other entities, and that is our national security. We can't have the individual States providing for the national security. And that's why I believe it is the single most important responsibility for the National Government.

I believe that we can have a cost-effective national defense. I believe that we can correctly focus on waste. We know and have heard the horror stories, and we've heard about some of the waste that's taken place in the Pentagon. We've got to bring an end to that, no doubt about it.

At the same time, my friend from Utah just talked about the fact that our allies within the North Atlantic Treaty Organization are spending a greater percentage of their gross domestic product on national security for the reason that they have felt threatened. They've lived under repression. There are NATO allies that have been countries that were basically under the control of the former Soviet Union. And in light of that, they continue to

live with an understanding of how important national security is. We have important countries in Eastern and Central Europe that are struggling to not only become members of the European Union but to join the North Atlantic Treaty Organization because they still are seeking a chance to be free of that kind of repression.

I'm reminded of what took place during the 2008 Summer Olympics in Georgia, when we saw the incursion from Vladimir Putin's Russia into Georgia over the breakaway regions of Abkhazia and South Ossetia. We continue to see lots of threats. It is a very dangerous world. Tragically, Plato said: Only the dead have seen the end of war.

And I remember that as we saw the demise of the Soviet Union, the crumbling of the Berlin Wall, many of us did believe as Francis Fukuyama famously wrote about the end of history, believing that political pluralism, the rule of law, and self-determination and democratic institutions would thrive all over the world. Well, it hasn't quite worked out that way in the last couple of decades. And we all know what the consequences of those threats have been. For the first time ever, we had the kind of attack that we did on September 11 on our soil.

All this is to say, Mr. Speaker, it's important that we have a strong, balanced defense authorization bill. And I believe that the National Defense Authorization Act that is before us is right. And I appreciated hearing the distinguished ranking member of the Committee on Rules, Ms. SLAUGHTER, praise the fact that it's focusing on some of those very important social issues that she has raised and addressed. She complimented this defense authorization conference report for doing that.

And there are other things. This morning, I was listening to WAMU. I wasn't aware of this, but I heard the Delegate from the District of Columbia, Ms. NORTON, talk about the fact that we are going to have recognition of flags in the District of Columbia for our veterans. And there's inclusion in this conference report that deals with that issue. She pointed to the fact that flags are very, very important. When we have foreign dignitaries come to the United States of America, flags are used to recognize their presence. Of course, veterans from the States across the country have that, but the District of Columbia hasn't. I'm pleased that Ms. NORTON was able to have that issue addressed in the National Defense Authorization Act conference report.

And so this is a measure which I believe really transcends political party. There's great bipartisan support for it. And it also covers lots of important issues that do come back to our Nation's security. And so I believe, Mr. Speaker, that as we look, again, at those five most important words, from my perspective, in the middle of the preamble of the U.S. Constitution,

“providing for the common defense,” that we are doing that—and exactly that—with this measure.

So I encourage my colleagues to support the rule and the conference report that we will have. I believe it will be a great benefit to our men and women in uniform and to the future security of the United States of America and our allies.

Mr. MCGOVERN. Mr. Speaker, it is my pleasure to yield 1½ minutes to the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. Mr. Speaker, as we begin debate on this National Defense Authorization Act, it's critical that we understand just how important it is to our troops and to our country that we pass this legislation with a bipartisan vote. It's easy to get bogged down in partisanship on most issues, but this cannot be one of them. This legislation provides the men and women of our Armed Forces the necessary equipment and financial support to effectively carry out their duties while at the same time protecting all of our national security. Our troops have proven time and again that they are the most skilled forces in the world, but we must provide them with the necessary support to help them serve and protect our country.

Congress has an obligation to support the men and women who serve in the Armed Forces and who sacrifice so much for us every day. Our country owes them more than we can ever repay. And I strongly urge my colleagues to honor and respect our Armed Forces by passing this bill when it comes up later today and affording our troops the funding that they need and deserve.

Mr. BISHOP of Utah. I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, it is my pleasure to yield 2½ minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Let me first thank Mr. MCGOVERN for yielding the time and your tremendous and tireless leadership on the Rules Committee, but also for your leadership in protecting our young men and women at home and providing strategies for how to bring them home quickly and safely and orderly.

With the drawdowns from two wars, now is the perfect opportunity to re-evaluate our runaway defense spending and make sure that our defense budget reflects our overall national security strategy. Many outside experts from across the political spectrum have concluded that the Pentagon can afford much more substantial cuts than what's found in this bill. Secondly, while this bill contains some audit provisions, these measures are only set to take hold in 2017. The Pentagon needs to be audited. It should have been audited and should be audited right now—last year, this year, next year. We can't wait until 2017.

Earlier this year, I offered an amendment that would have cut any Federal

agency's budget by 5 percent if they are unable to provide audit-ready financial documents. We need to get some sunlight on the Pentagon's books to create a culture of responsibility and accountability at the Defense Department.

On Afghanistan, the bill has some notable positive steps, but nonetheless fails to call for a swift and safe withdrawal of our troops. On the positive side, I applaud the conferees for including provisions to ensure that security for Afghan women and girls is a priority during the transition to Afghan security responsibility.

□ 1320

However, on balance, this bill does not go far enough.

We all know there is no military solution in Afghanistan, and it's time to bring home our brave men and women in uniform and transition to full Afghan control. After 10 years and \$600 billion invested in an unstable country, it's past time to end this war—not in 2014, but right now.

Finally, I'm very concerned about how this bill undermines the bedrock values of America, and I'm talking about the constitutional guarantees of due process. I was disappointed to see Senator FEINSTEIN's provision prohibiting indefinite detention removed during the conference. We should not allow those who seek to terrorize the American people to win by trashing the very civil liberties at the heart of our national identity.

So I urge a “no” vote on the rule and a “no” vote on final passage.

Mr. BISHOP of Utah. I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Massachusetts has 5½ minutes remaining.

Mr. MCGOVERN. Mr. Speaker, this is a moment of opportunity for us to get serious about dealing with our budget deficit by eliminating the bloat and the waste in the Pentagon's budget.

What we have before us has some very good provisions in it, but it also has some very bad provisions in it. The gentlelady from California mentioned the language on Guantanamo, which is unfortunate. But this bill also reflects more money—more money—than the Pentagon even wants, more money than the Joint Chiefs of Staff wants. So we're throwing more money into this Pentagon budget even though they haven't asked for it and they don't want it.

At the same time, my friends on the other side of the aisle are proposing measures—which are going to be taken up in the next rule—to decimate the social safety net in this country, to make it more difficult for middle-income families, to make it more difficult to send your kids to school, to make it more difficult to get affordable housing, or to get access to food and nutrition if you are in desperate times.

So it just doesn't make any sense to me. I mean, the idea that we're giving more money to the Pentagon than they want, but at the same time we're taking away from our people right here at home.

National security has to mean the quality of life and the standard of living for the people of the United States of America. It has to mean things like jobs and financial security for our families.

I regret very much that my friends on the other side of the aisle seem to not care about what happens to people here in this country because their budgets and their tax bills go directly after middle-income families and constitute an all-out war on the poor.

There was an article in The Washington Post on December 19: “John Boehner's Plan B Would Raise Taxes on the Poor.” Really? I mean, is that how you're going to balance the budget, by sticking it to people who already are in vulnerable times? This is wrong.

My friends talk about the debt and the deficit, but what they don't talk about is that we have fought two wars in Iraq and Afghanistan and we haven't paid for it, all on our credit card. We send our young men and women into harm's way, and we ask them and their families to sacrifice, and we do nothing. We just put the bill on our credit card.

A few months ago, the chairman of the Budget Committee, Mr. RYAN, said it's about \$1.3 trillion—I think he's lowballing it—but \$1.3 trillion on our debt, and nobody over there says a word. They all go after programs like Social Security and Medicare and food stamps.

So, Mr. Speaker, I ask that we defeat the previous question. If we defeat the previous question, I will offer an amendment to this rule to make in order an amendment that will allow the House to have a chance to vote on a bill passed by the Senate to extend middle class tax cuts, which has been introduced in the House as H.R. 15. Also, the amendment would prevent this House from adjourning until we have averted the fiscal cliff and the President has signed legislation to prevent tax increases on the middle class.

There is a rumor out there that my friends on the other side of the aisle are going to try to pass Plan B and C and run out of town and just leave for vacation. I want to get home for Christmas as much as anyone else, but the bottom line is that we are facing a crisis—an artificial crisis that my friends helped create, but we need to avert it.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment into the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I urge my colleagues to vote “no” and defeat

the previous question. I urge a “no” vote on the rule.

I would again remind my colleagues that national security and national defense also has to mean the quality of life for people here in the United States.

With that, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself the remainder of my time.

There are several things I wish to address that have been brought up in the last speech. The first one is, I was just informed that by all means we probably will be here tomorrow and voting, which really hurts my feelings. In one respect, I don't have an upgrade on tomorrow's flight, so maybe it's a good thing that we will be, but there are other times that we will be dealing with these issues.

People have talked about the amount of money that's going here. I hope Members of the House realize that 50 percent of all the cuts that have been made by this administration have been made on the backs of the military, even though the military defense represents less than 20 percent of the Federal budget. Military has, over the past years, been cut and cut and cut again.

This increase over what the President's budget request was is only 0.3 percent higher than the President's budget, and it is less than last year's authorization. I say that only as a fact, not something I think is good because I think we need to be spending more on what these people have to do.

To say that the people in uniform don't want or don't need the programs that are in here is unfair to them. They have to say a specific line in the positions they are in. But the idea that you wouldn't take the cruisers that are going to be expended in here and continue to keep those even though they were scheduled to be mothballed decades before their life span is over, or that you are using these funds to restructure the force structure of the Air Force, which is critical to this country so that we maintain the air superiority we have had since the Korean conflict, that is a ridiculous concept.

This bill is about people. The gentleman from Massachusetts has an air base, Hanscom, in his State—probably not in his district, but his State. I have air complexes. I have people who are working on these issues. We have not modernized our equipment, which means we have to have people working on our air complexes to try to take our antiquated equipment and restore it so it can be useful, so that those who are put in harm's way defending this country at least have the vehicles and the resources available to defend themselves and present the possible outcome. These are the people that are going to be helped. These are the jobs that are going to be helped by the passage of this particular bill. These are the people who get TRICARE, which was given to them either as a bonus to sign or given to them in lieu of salary

increases. And it is unfair for the President to say they should have an increase in their copay.

These people who are working at these bases, they're not making \$50,000 a year in a pension—they'd be lucky if they make that much money as part of their salary. Those are the people that we need to look after. It is the people who make sure that we have a military that functions, not just those on the front line, not just those in uniform, but also those who provide their services and provide the material that they need to maintain this stuff. This bill moves that forward.

I hope that we do not have as a body a myopic approach to the need for the securing of this country, and we understand how significant this is. This is one of the few responsibilities Congress has to do this year and every year.

I want to just say one thing about the potential previous question. It's not an issue of when we get a chance to vote on it. We have voted on the previous question that the Democrats would like to put in place of this. On August 1, we did have a vote, the Levin of Michigan amendment. It was defeated in this House in a bipartisan manner, with 19 Democrats voting “no” on the amendment. Another vote on this at this time is a redundancy; it's been done. Now let us move on to do what this bill is supposed to do, the conference report that solves the problems and puts us moving forward in our defense authorization so that we actually do come up with the programs we need, not just for today but also for the future. It's a good conference report. It's a good underlying bill. We need to move forward.

In closing, Mr. Speaker, I would urge Members to support this rule, which is—I misspoke earlier, it is a standard rule for all conference reports. I urge them to support the underlying provisions of this conference report and of our bill because it is essential for our Nation's defense. It is our core constitutional responsibility, and we should not in any way, shape, or form shirk that.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 840 OFFERED BY
MR. MCGOVERN OF MASSACHUSETTS

At the end of the resolution, add the following new sections:

SEC. 2. When the House considers the Senate amendment to H.J. Res. 66, it shall be in order to consider a substitute amendment consisting of the text of H.R. 15, if offered by Representative Levin or his designee.

SEC. 3. It shall not be in order to consider a concurrent resolution providing for adjournment or adjournment sine die unless the House has been notified that the President has signed legislation to prevent a tax increase on the middle class, and to avert the so-called “fiscal cliff.”

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not

merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

Because the vote today may look bad for the Republican majority they will say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BISHOP of Utah. With that, Mr. Speaker, I yield back the balance of my time and move the previous question on the resolution.

□ 1330

The SPEAKER pro tempore. The question is on ordering the previous question on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.J. Res. 66, PERMANENT TAX RELIEF FOR FAMILIES AND SMALL BUSINESSES ACT OF 2012, AND PROVIDING FOR CONSIDERATION OF H.R. 6684, SPENDING REDUCTION ACT OF 2012

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 841 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 841

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the joint resolution (H.J. Res. 66) approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendment with the amendment printed in the report of the Committee on Rules accompanying this resolution. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 6684) to provide for spending reduction. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the Majority Leader and Minority Leader or their respective designees; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my very good friend from Rochester, New York, the distinguished ranking minority member of the Committee on Rules, Ms. SLAUGHTER, pending which I yield myself such time as I might consume.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. DREIER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DREIER. Mr. Speaker, I was just thinking about the fact that there are 26 letters in the alphabet, and we have had the first three letters used in discussion here on the House floor today, A, B, and my friend from Worcester brought up the letter C in talking about this. We have what is so-called letter B. And I'm not doing a Sesame Street skit here, Mr. Speaker. Letter B is what we are talking about, Plan B, and I think about Plan A.

Plan A is what the majority in the House of Representatives has been trying for the last 2 years to implement, and it's, very simply, a plan that is designed to put into place something that, interestingly enough, Democrats and Republicans alike say that they support. That plan is meaningful, strong, bold plans for a simpler, fairer Tax Code.

The President of the United States supports tax reform. I'm pleased that the President of the United States strongly supports the notion of taking the top corporate tax rate from 35 percent to 25 percent. That, again, is a very positive area of agreement that we have. But I will say that we in the majority have been trying to put into place real, meaningful tax reform that can ensure that people will see reduced rates, and we will generate enhanced gross domestic product growth.

Coupled with that, our Plan A, Mr. Speaker, has been designed to bring about a reduction in the size, scope, and reach of the Federal Government. And everyone knows what that means. Everyone knows what has to be done to reduce the size, scope, and reach of the Federal Government, and that is real entitlement reform.

So Plan A consists, Mr. Speaker, of two simple things: pro-growth tax reform that will keep taxes low for individuals, job creators, and small businesses in this country so that we can encourage that kind of job creation to which we all, Democrat and Republican alike, aspire; and a reduction of the mammoth size of this behemoth, which, as we all know, encourages a cycle of dependence which has been generational, and it's essential that we turn the core of it.

So just getting our fiscal house in order dealing with the 16-plus trillion dollar national debt is, again, only part of that. But encouraging individual initiative and responsibility, creating pride in individuals by, again, paring back entitlement spending is the right thing for us to do as a nation. That's what Plan A consists of, Mr. Speaker.

Now, if you look at where we are today, we know 11 days from now we are going over the so-called proverbial fiscal cliff. What does that mean? It means that every single American who pays income taxes will see a tax increase go into effect. We also know there will be a massive sequester, which, as we have just passed the rule, and I guess we're going to have a vote on that, as we've just debated the rule on the National Defense Authorization Act, we know it could have a devastating—devastating—impact on our national security.

We know, I think Democrat and Republican alike—not universally, because I know there are some people who do want to go over that cliff, but very few—I think Democrat and Republican alike by and large recognize that increasing taxes on working Americans, in fact, will create a scenario which will impinge on our ability to encourage the kind of gross domestic product growth that is important for us and for our security as well, economic security and our overall national security.

So I think about my former California colleague, the now-Secretary of Defense Leon Panetta, who said to this institution:

Please do what you can to ensure that we don't have that sequester take effect. Do what you can. Work hard to try and make sure that we can address abuse that's taken place within the Pentagon spending, but have what is necessary for our national security.

So as we look at these issues, we're going through a troubling time. We have divided government, something that those nations that live under a Westminster-type system don't have. We have a Democratic President and a Republican House of Representatives. I happen to believe that that creates an opportunity.

I didn't vote for Barack Obama for President of the United States, Mr. Speaker, but I will say that I do believe that having a President of one party and a United States House of Representatives of another party does create an opportunity for us to work together in a bipartisan way tackling entitlement spending.

We know that if my party had won everything, it would have been tough for us. It would have been tough for us because of the political attacks that would have taken place from the other side of the aisle to take on entitlement reform. But working together now that we have, again, a President of one party and a House of Representatives of another party, I believe that we can tackle this issue, and that's really what we desire. I think it's the right thing to do.

We're in the midst of very tough negotiations that are taking place between two people, as we all know: the President of the United States, Barack Obama, and the Speaker of the House of Representatives, JOHN BOEHNER. And I want to express my appreciation to