

Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishkek
Berg
Biggert
Billbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Eshoo
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foss
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)

Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Higgins
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson

NOES—177

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)

Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)

Owens
Palazzo
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Himes
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)

Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsock
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Pallone
Pascarelli
Pastor (AZ)
Paul
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel

Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—11

Culberson
Grimm
Hinchey
Johnson, Sam
Mica
Paulsen
Reyes
Richardson

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1518

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. MICA. Mr. Speaker, I was unable to make votes the afternoon of Thursday, December 20, 2012 due to my attendance of a funeral and a delayed return flight. Had I been present, I would have voted "yea" on rollcalls 639, 640, 641 and 642.

TO TAKE CERTAIN ACTIONS UNDER THE AFRICAN GROWTH AND OPPORTUNITY ACT AND FOR OTHER PURPOSES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112-158)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

In accordance with section 502(f)(2) of the Trade Act of 1974, as amended (the "1974 Act") (19 U.S.C. 2462(f)(2)), I am providing notification of my intent to terminate the designation of the Federation of Saint Kitts and Nevis (St. Kitts and Nevis) as a beneficiary devel-

oping country under the Generalized System of Preferences (GSP) program. Section 502(e) of the 1974 Act (19 U.S.C. 2462(e)) provides that if the President determines that a beneficiary developing country has become a "high-income" country, as defined by the official statistics of the International Bank for Reconstruction and Development (i.e., the World Bank), then the President shall terminate the designation of such country as a beneficiary developing country for purposes of the GSP, effective on January 1 of the second year following the year in which such determination is made.

Pursuant to section 502(e) of the 1974 Act, I have determined that it is appropriate to terminate the designation of St. Kitts and Nevis as a beneficiary developing country under the GSP program because it has become a high-income country as defined by the World Bank. Accordingly, St. Kitts and Nevis' eligibility for trade benefits under the GSP program will end on January 1, 2014.

BARACK OBAMA.
THE WHITE HOUSE, December 20, 2012.

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

Mr. McKEON. Mr. Speaker, pursuant to House Resolution 840, I call up the conference report on 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, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 840, the conference report is considered read.

(For conference report and statement, see proceedings of the House of December 18, 2011, at page H6869.)

The SPEAKER pro tempore. The gentleman from California (Mr. McKEON) and the gentleman from Washington (Mr. SMITH) each will control 30 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, since both the gentleman from California and the gentleman from Washington signed the conference report, it is clear they are supporters of the conference report. So I claim the 20 minutes that is allotted for someone in opposition when both majority and minority are in support.

The SPEAKER pro tempore. Does the gentleman from California support the conference report?

Mr. McKEON. I do.

The SPEAKER pro tempore. Does the gentleman from Washington support the conference report?

Mr. SMITH of Washington. I do, yes.

The SPEAKER pro tempore. Under clause 8(d)(2) of rule XXII, if the managers both support the conference report, then another Member may claim

one-third of the time allotted for debate thereon.

The Chair will recognize the gentleman from Massachusetts to control 20 minutes in opposition to the conference report.

The gentleman from California is recognized.

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

Mr. Speaker, I rise today in support of the Fiscal Year 2013 National Defense Authorization Act Conference Report. As you know, the NDAA is the key instrument by which the Congress fulfills its primary constitutional responsibility to provide for the common defense.

□ 1530

This year will mark the 51st straight year we've successfully completed our work. We have long prided ourselves on our ability to reach across the aisle and build strong bipartisan legislation on behalf of our troops. This year is no exception.

The bill authorizes \$552.2 billion for national defense and \$88.5 billion for overseas contingency operations. In fact, though our troops are at war and a significant share of our equipment inventory is exceeding retirement age, this year's funding is a reduction in real terms from last year.

Recognizing the magnitude of the cuts imposed upon the military over the past year is important. We must acknowledge the significant contribution defense has already made to deficit reduction. Half of the savings has come out of defense, even though the defense accounts for only 17 percent of the overall budget.

Yet in a matter of days, sequestration will go into effect and, without further action, will do incredible injury to a military that took generations to build. It will take generations to fix. And the blow will not come from an enemy, but from our own inability to fulfill the basic obligations of governance. That is why I am pleased that today the House not only considers this critical piece of legislation, but will also vote—once more—to stop sequestration. It's imperative that both the President and the Senate show similar leadership and resolve sequestration before the end of this year.

Despite these challenges, this conference agreement ensures that we can safeguard military readiness in a time of declining budgets and increased strains on our Armed Forces. We support missile defense, global strike, strategic and tactical airlift, and were able to preserve critical military capabilities. The bill supports pay and benefits for our military and their families, including a 1.7 percent pay raise, and rejects administration proposals to significantly accelerate increases in TRICARE pharmacy copays for our retirees.

Unfortunately, there has been some inaccurate reporting regarding our detainee provisions. The protections in-

cluded in the House-passed bill have been preserved in the conference agreement, and we worked closely during the conference negotiations with our House colleagues, who exercised leadership on this issue, to ensure that we retain their support. We did not include an amendment adopted 2 weeks ago on the Senate floor because we could not reach consensus on what the effect of the language would be.

Rest assured, this conference report ensures that every American's constitutional rights, including the right to habeas corpus, remain unaffected, and every American can challenge the legality of their detention in Federal court. The "great writ" of habeas corpus is a citizen's most fundamental protection against unlawful deprivations of liberty. This reflects a consensus built after exhaustive debate over several years in both Chambers.

The conference report covers many more critical issues, but I will close in the interest of time. Before I do, I would like to thank all our Members for their hard work, but in particular, my partner on the committee, Ranking Member SMITH from Washington.

I reserve the balance of my time.

Mr. SMITH of Washington. I yield myself 3 minutes.

I, too, rise in support of the conference report. I want to particularly thank Chairman McKEON, Senator LEVIN, and Senator MCCAIN, who worked with us to get this product, as well as all the members of the committee and staff. We truly did work on this in a bipartisan fashion. I don't think there's a single one of us that's completely happy with everything that's in this piece of legislation, but that's the nature of compromise and working together to get something done.

We need to pass a defense bill to support our troops and to get our troops the pay raise and the support that they need. So to get there, we have to work past our differences in order to come up with a product that we can vote for. We did that. It's proof that the legislative process can work.

This is a critical piece of legislation. First and foremost, it prioritizes support for our troops and their families. We have to remember that we still have over 60,000 troops deployed in combat in Afghanistan. Making sure that they have the equipment, supplies, and support that they need to do the job that they're being asked to do is our number one priority.

I'm pleased that we have a 1.7 percent pay raise included in this bill and pleased that we continue to support the effort in Afghanistan. I'm also pleased that we have language in this bill that makes it clear that it is time to end that mission in Afghanistan and bring our troops home as soon as we responsibly can. I believe that is also a critical priority going forward.

There are other critical provisions of this bill. Once again, the Senate added language to ramp-up sanctions against

Iran to keep the pressure on them to, hopefully, discourage them from developing a nuclear weapon. That is a critical piece of legislation.

We also have in here reform to our satellite export regime. The cumbersome nature of that regime has significantly harmed the U.S. satellite industry. We've gone from having 65 percent of that market worldwide to less than 25 in the last 15 years. Getting back to a competitive place with that industry is critical to our national security. Those are companies that we're going to depend on to provide us the best equipment to best protect this Nation. That change is very welcome.

I am still disappointed in where we are at on Guantanamo Bay and detainee policy. This bill, again, though only for 1 year, not permanently, as they proposed in the Senate—I'm pleased that we were able to do that—tie the President's hands in how to deal with the people at Guantanamo Bay. We need to close Guantanamo and have the President have the freedom to deal with the inmates there in a way that is consistent with our values, our laws, and our Constitution.

We also do not fix the detainee problem. The chairman is correct. We once again state, basically, that if you have rights, you have rights, but we still hold open the possibility of indefinite detention of people on U.S. soil. I think that is wrong. I think that is something that we should change.

I will also disagree that habeas corpus is the highest form of protection for our rights. It is more like the last resort. It's the one thing that under no circumstances we can take away from you. The highest protection of individual rights is our Constitution and our article III courts that provide full due process and full rights to everybody facing criminal charges. So I hope we will fix that at some point.

Overall, this is a good bill that does one of our very important tasks here in Congress—to provide for the common defense—and I urge support of the measure.

I reserve the balance of my time.

Mr. FRANK of Massachusetts. I intend to reserve most of the time for myself, but I have shared with the ranking member of the Armed Services Committee, who's done a very good job and had some commitments, and I'm yielding to some people as a proxy for him, but I will begin by yielding 1 minute to the gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. I want to thank the gentleman from Massachusetts for yielding.

Mr. Speaker, while I very much appreciate all the work of Congressmen McKeon and Smith on this bill, I rise today because I strongly oppose allowing plans to significantly cut the Air National Guard embodied in this bill. I worked on a bipartisan basis to block these cuts because I strongly believe that, before an irreversible decision is made, we must have the strategic and

cost benefit justification. This 11th-hour proposal still does not provide that justification and should not move forward.

The Iowa National Guard's 132nd Fighter Wing, for instance, is one of the most cost-effective and experienced units in the country. These men and women served our country and stayed honorably and they deserve better, yet this bill will allow their F-16s to be retired and positions cut without explanation for how it serves our national security or the taxpayers of America.

I strongly oppose this decision, which is why I did not sign the conference report and, for the first time since I've come to this office, will oppose the National Defense Authorization Act this year.

GENERAL LEAVE

Mr. McKEON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise an extend their remarks and insert extraneous material on the conference report to accompany H.R. 4310.

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

There was no objection.

Mr. McKEON. I yield such time as he may consume to my friend and colleague, the chairman of the Subcommittee on Tactical Air and Land Forces, the gentleman from Maryland (Mr. BARTLETT).

□ 1540

Mr. BARTLETT. I rise in support of the conference report for the National Defense Authorization Act for fiscal year 2013, the 51st consecutive conference report for this committee and the National Defense Authorization Act.

I have had the honor of serving as the chairman of the Tactical Air and Land Forces Subcommittee of the Armed Services Committee. Under the full committee leadership of Chairman McKEON and Ranking Member SMITH, the support of SILVESTRE REYES, our subcommittee's ranking member, and a truly superb staff, ours is a really bipartisan effort.

Our first priority and immediate requirement has continued to be to fully support our personnel serving overseas in Afghanistan and the many other countries where we have asked them to serve under the daily constant threat of their personal survival. We have worked diligently to support the armed services and provide additional resources to support the warfighter. This conference report properly reflects these immediate requirements.

Consideration of this conference report comes during a continued period of critical challenges to our national security—from the rapidly growing national debt, cybersecurity threats, and across the threat spectrum to include

security of chemical weapons stockpiles and proliferation of nuclear weapons.

The Nation's fiscal circumstances and world events continue to challenge our government's will and capacity to constructively address the enormity of the challenges we face. The challenge is to develop an effective National Military Strategy that matches available resources and reflects the current and projected threat and fiscal environment. A fundamental objective appraisal of the national strategy is needed to enable the committee's full and balanced consideration of force structure and equipment investment plans and programs.

I am concluding my service to Congress. It has been my great honor to serve our servicemembers and their families, the people of Maryland's Sixth District, this committee, and the House of Representatives for 20 years now. It has also been my honor to put national security interests first in my service to the Armed Services Committee.

I strongly urge all of my colleagues to support the National Defense Authorization Act conference report.

Mr. SMITH of Washington. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, I rise in support of this legislation and commend Mr. McKEON and Mr. SMITH for their leadership in making it happen.

Most importantly, this legislation takes care of the people most important to us—the men and women in uniform who will receive a pay raise under this legislation.

Second, it maintains our competitive edge in technology as we look for new ways to defend our country and improve our situation around the world.

Third, I believe very strongly this bill affirms the Constitution of the United States; makes it clear that nothing in any statute, including this one, in any way subverts or undercuts the Fifth Amendment due process rights of any person under any circumstances. For these reasons, I would urge my friends both on the Republican and Democratic side to vote "yes."

Mr. FRANK of Massachusetts. Mr. Speaker, continuing to yield according to the arrangements of the gentleman from Washington, the ranking member, I yield 4 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. I thank the gentleman.

Mr. Speaker, I rise in opposition to this conference report. While the report is an improvement over the House bill, it still falls short of where we need to be on the question of detention without trial. Nonetheless, I do want to commend the gentleman from Washington for his conscientious work on

this and other aspects of the legislation.

As a Nation, no matter what adversity we have faced we have done so as Americans. We have united behind the values and freedoms that gave birth to this Nation and that have made it a moral force in the world. In the last decade, however, we have begun to let go of our freedoms bit by bit, with each new Executive order, each new court decision, and yes, each new act of Congress. We have begun giving away our rights to privacy, our right to our day in court when the government harms us, and with this legislation we are continuing down the path of destroying the right to be free from imprisonment without due process of law.

The conference report states that:

Nothing in the Authorization for Use of Military Force or the National Defense Authorization Act for fiscal year 2012 shall be construed to deny the availability of the writ of habeas corpus or to deny any constitutional rights in a court ordained or established by or under Article III of the Constitution to any person inside the United States who would be entitled to the availability of such writ or to such rights in the absence of such laws.

This language simply continues the flawed policies established in the 2011 defense authorization bill. First, it applies only to "any person inside the United States." That is important, but most of the debate on indefinite detention without charge and on the lack of due process has to do with people held by our government outside our borders—including, potentially, U.S. citizens.

The language in this bill, combined with the prohibitions against moving these detainees into the United States, guarantees that we will continue holding people indefinitely without charge—contrary to our traditions of due process and civil rights.

Second, this text continues the claimed authority of the United States Government to hold even U.S. persons captured on United States soil indefinitely and without charge. Some people may take comfort in the provision that states that those of us entitled to certain rights prior to the passage of the AUMF and of last year's defense authorization bill continue to have the same rights afterwards. But this bill does not say who among us are fortunate enough to have those rights, nor does it tell us what those rights might be. It does not specify how the executive branch is to determine which of us are entitled to these constitutional protections and which of us are not. And it does not provide us with recourse if the President gets it wrong.

Although I am urging a "no" vote on this conference report, I do want to acknowledge that, despite these very real problems, there are things in this bill that are important and that deserve Member support. For example, Senator SHAHEEN's amendment to allow servicemembers and their dependents to

obtain abortions in military hospitals in cases of rape and incest rights a terrible wrong. But we must take great care. Our liberties are too precious to be cast aside in times of peril and fear. We have the tools to deal with those who would attack us. We do not need to surrender our liberty.

Because of this momentous challenge to the founding principles of the United States—that no person may be deprived of liberty without due process of law—this bill should be rejected.

Mr. McKEON. Mr. Speaker, I yield 2 minutes to my friend and colleague, the vice chairman of the Armed Services Committee and the chairman of the Subcommittee on Emerging Threats and Capabilities, the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. First, let me commend the chairman, the ranking member, and all the staff members for getting us here.

Unfortunately, it is all too rare for the House to consider a bill with over 140 amendments on the floor here, have it passed, have a bill pass the Senate, go to a conference committee, and then have the conference report come back out to go to the President. It is all too rare, but if it's going to happen, it ought to happen on a bill dealing with the country's national security, and obviously that's what this bill does.

Mr. Speaker, I think this is a good bill that makes significant progress in a number of areas. From the Emerging Threats and Capabilities Subcommittee, which I'm pleased to lead with Mr. LANGEVIN, the distinguished gentleman from Rhode Island, we enhance oversight of cyber-operations in this bill, although we both acknowledge there is much more work to be done in the field of cyber. We meet some of the unfunded requirements of our special operations forces. We take steps to improve the management of our science and technology programs. And there are improvements to acquisition of information technology, which is an increasing challenge to the Pentagon because it does not fit within our normal acquisition methods.

Finally, Mr. Chairman, I would just comment briefly. The gentleman from New York read the provision in this bill that deals with detention. It is absolutely true that this bill affirms yet again that the original Authorization for the Use of Military Force passed in 2001 or last year's NDAA does not change the basic constitutional rights to which all persons in the United States are entitled. Now, it may be that there are some people who are unhappy with those basic constitutional rights; they think it should be more, or they think the Supreme Court has misinterpreted some of those rights. That is a different debate.

□ 1550

But there has been a fair amount of misinformation on this point, and I think for all Members who are concerned about this issue who get ques-

tioned about this issue, just read the language which says nothing changes those basic constitutional rights.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentlewoman from Guam (Ms. BORDALLO).

Ms. BORDALLO. Chairman McKEON, I thank you and, of course, Ranking Member ADAM SMITH.

I rise today, Mr. Speaker, in support of the conference report for H.R. 4310. This defense bill conference report works to ensure that our men and women in uniform are well trained and equipped through the authorization of \$176 billion in operation and maintenance funding, plus \$62 billion for overseas operations, including Afghanistan.

The conferees have restored 77 aircraft and 3,313 people to the Air Force's force structure, mostly in the Air National Guard and the Air Force Reserve, to ensure adequate resources are available to the States and the territories to respond to mobilizations, homeland defense and disaster-assistance missions. I am personally pleased that the conferees did not allow the retirement of Block 30 Global Hawks, which provide critical ISR capability.

I am particularly pleased that the conference report authorizes the Secretary of Defense to establish a program to provide space-available transportation to Active Duty servicemembers and their dependents and Reserve component members and others at the Secretary's discretion.

While I am disappointed that the conferees authorized percentage reductions in the DOD civilian workforce, I expect the Department to implement these reductions in compliance with the statutory requirements for a balanced workforce sized to meet mission requirements, workload, and to mitigate risks in operational readiness.

Most importantly, Mr. Speaker, this conference report takes a major step toward loosening restrictions on the obligation and the expenditure of U.S. and Government of Japan funds to support the military buildup on Guam. I believe that this bill sends a strong message that the United States remains committed to providing resources to refocus on the Asia-Pacific region.

I'm also pleased that the conference report includes a requirement that flags from the District of Columbia and the U.S. territories be displayed at U.S. military installations around the world.

I ask my colleagues to support the conference report.

Mr. FRANK of Massachusetts. Mr. Speaker, at the request of the chairman of the full committee, I would now yield 2 minutes to him. I believe he intends to conduct a colloquy.

Mr. McKEON. I thank the gentleman for yielding.

Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky for the purpose of a colloquy.

Mr. WHITFIELD. Well, thank you, Chairman McKEON, and I certainly

want to thank you and Mr. SMITH and your staffs for the hard work to complete this 51st consecutive defense authorization bill. As you know, the Energy and Commerce Committee has an interest in a number of provisions included in the bill. One of the provisions is section 3113, which modifies section 4102 of the Atomic Energy Defense Act.

My understanding of the Armed Services Committee's intention with regard to section 3113 is that, one, you want to reinvigorate a dormant statutory council by updating it and transforming it; and, two, you want to clean up the U.S. Code by eliminating obsolete language referring to the Assistant Secretary of Energy for Defense Programs.

Is that your understanding, as well?

Mr. McKEON. That's correct. This council will be an important mechanism for improving communication, and the rest of section 4102 is defunct.

Mr. WHITFIELD. It is also my understanding that it was not the intent in section 3113 to affect the Secretary of Energy's management, planning and oversight authority, or delegation authority, related to the National Nuclear Security Administration.

Is that your understanding, as well?

Mr. McKEON. That's correct. To further affirm that, I've sent a letter to the Secretary of Energy making clear the striking of this section in no way affects the Secretary's authorities.

Mr. WHITFIELD. Well, Chairman McKEON, I want to thank you very much. The Energy and Commerce Committee was concerned about the elimination of portions of the underlying section, and it is my understanding that you will commit to working with the Energy and Commerce Committee next year to restore pertinent portions of section 4102 of the Atomic Energy Defense Act.

Mr. McKEON. Yes, you have my commitment and my thanks for bringing this to our attention.

Mr. WHITFIELD. Well, thank you. It's a joy working with you, and, once again, congratulations.

Mr. McKEON. Mr. Speaker, at this time, I yield 2 minutes to my friend and colleague, the chairman of the Subcommittee on Readiness, the gentleman from Virginia (Mr. FORBES).

Mr. FORBES. Mr. Speaker, first I want to thank the chairman, the ranking member and staff of the Armed Services Committee for the great job that they have done in bringing this bill to the floor.

This bill takes several steps to ensure our military readiness, including the restoration of funding to retain at least three Ticonderoga-class guided missile cruisers that the Navy proposed to retire well before the end of their expected service life. The conference also added an additional 32 tactical airlift aircraft that are essential to meeting the Army's direct support airlift missions. These additional force structure changes are essential to ensuring our military meets mission requirements.

The bill also refuses to authorize another round of BRAC, which I believe

was founded on a flawed premise that assumes the administration's proposal for a reduced force structure is correct. I categorically refuse to accept a diminished Department of Defense and believe that additional force structure is necessary to support our combatant commanders.

While I support this bill, I'd be remiss if I did not express my concern associated with continued discussions on further reductions to the Department of Defense budget. While I believe the Federal Government, including the Department of Defense, needs to seek additional efficiencies, I reject the notion that additional cuts to Federal Government should be levied on the backs of our servicemen and -women who provide so much. We hold a special trust with these men and women, and we should oppose any proposal that seeks to diminish the promises provided to our valiant servicemembers.

Mr. Speaker, I hope and encourage our Members to support this bill.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island, the ranking member on the Emerging Threats Subcommittee, Mr. LANGEVIN.

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

Mr. LANGEVIN. I want to thank Ranking Member SMITH for yielding and also wish to thank Chairman McKEON, both of them, for their hard work on this bill and working so collaboratively on behalf of the men and women in uniform and for our national security. I also want to thank the committee staff and all of my colleagues on the committee for their work on this year's legislation. I'd especially like to give a special thanks to Chairman THORNBERRY, who has been a superb partner on the Emerging Threats and Capabilities Subcommittee, and I particularly want to thank him for his hard work and our collaborative work together on cybersecurity, which I care passionately about.

While this legislation is not perfect in my eyes, it represents a compromise and common purpose that voters expect of us, as well as our continued commitment to one of our fundamental purposes as Members of Congress—providing for the common defense.

Now, this bill makes important investments in both the people and the programs that make defense work. It ensures that we have a robust national security. I'm particularly proud to note that it includes key provisions I advocated for directing the procurement of an additional Virginia-class submarine in FY 14. These boats are critical to our national security, and the hardworking men and women at Electric Boat in my district are building them ahead of schedule and under budget. This bill preserves the two-boat-per-year model that has made such efficiencies possible.

I would also like to highlight the important cybersecurity provisions that

enhance the oversight of Defense Department cyberoperations, establish criteria for DOD contractors to rapidly report cyberattacks and, most importantly, cyberpenetrations, especially when they've been successful, and obviously the work done here to grow our cyberworkforce. The highly skilled men and women who defend the United States' interests in cyberspace, in my opinion, are too few in number, and we have to reverse this trend, and we must attract, train and retain the very best.

Likewise, I'm pleased that this legislation includes provisions I authored that ask the DOD to assess the state of next-generation directed energy technologies. DE technologies hold great promise. In the short and medium term, they will not be a replacement for kinetic defenses; but they can be an added benefit, whether it's on missile defense or leak defense.

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

Mr. FRANK of Massachusetts. I yield the gentleman an additional 1 minute.

Mr. LANGEVIN. I thank the gentleman.

These technologies will not be, again, a replacement for kinetic defenses; but given the threats that we face in terms of raid sizes from adversaries on both short-, medium-, and long-range missiles, directed energy technologies do add an added dimension of defense that can supplement kinetic defenses.

With that, I want to thank all of my colleagues for their hard work on this bill. Again, I want to thank Chairman McKEON and Ranking Member SMITH for working so well together, their hard work; and I urge all of my colleagues to support this important legislation.

Mr. FRANK of Massachusetts. Mr. Speaker, how much time remains on all sides?

The SPEAKER pro tempore. The gentleman from Massachusetts has 13 minutes remaining, the gentleman from California has 10½ minutes remaining, and the gentleman from Washington has 12 minutes remaining.

□ 1600

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself my remaining time.

Mr. Speaker, I have some differences with particular provisions here, I would agree with the gentleman from New York, but that's not my major reason. That's not my reason at all for commandeering the time of this debate, and I apologize to those on the committee who worked so hard and who had an expectation to be able to talk about this specifically. I tried to accommodate that some, but here is my dilemma: it's partly the structure of this institution and of our rules and of our task.

The committee does a very good job of operating within the given parameters of America's military engagement. They discharge very well their obligation to fund that level. What we

don't have in our structure is a form in which to debate the most important question we face as a country: What level of worldwide military engagement should we be committed to pursuing? Because that level of military engagement dictates the funding.

Members have said this is a good bill because it supports the men and women who we send into battle and into harm's way. Of course it does. It would be immoral to do anything less for them. The question is not whether having made a decision to be engaged on a worldwide basis we fund them adequately, but whether we are asking them to do too much. I would say my general principle in part is this.

We have a superior military, wonderful men and women, very well-equipped thanks to this House and this Senate and the administration. They do very well what a military can do. A military can stop bad things from happening.

Where we make the mistake is of asking these wonderful people to do something that militaries are not good at: make good things happen, take on roles in societies, quite literally and metaphorically, foreign to us and deal with the deepest human problems of religious and cultural disagreements.

I would be morally conflicted if I thought those kinds of interventions could be successful. I would like to alleviate the people in Afghanistan who suffer from some of these problems or in Iraq or elsewhere, but the point is we can't do that. The best trained and armed 30-year-old Americans can't resolve the problems that rack those societies. They can repel enemies, but they cannot create good societies.

Beyond that, we are suffering, I believe, from cultural lag. Sixty-seven years ago, at the end of World War II, America needed to be there for virtually every society in the world outside of the vicious Communism presided over by Joseph Stalin. The nations of Western and Central Europe had been weakened by World War II. They were vulnerable to Stalin.

Russia had been weakened, too, but he was able to use the brutal force of his system to put whatever resources he had into a military that not only threatened, but ate up freedom in many European countries. And Harry Truman, to his credit, with the bipartisan support from Congress said, No, no further, and inserted American troops and American money to keep the weak nations of Western and Central Europe from being overrun by Stalin.

Stalin, thank God, is dead, and the terrible system over which he presided has crumbled. That does not mean that I believe Russia is a wonderful place to live. I continue to be grateful to my grandparents for getting the heck out of there, but it's not a threat to the United States' competence.

On the other hand, the European nations that we went in there to protect are now strong and prosperous. We no longer have weak nations in Central

and Western Europe, and there is no longer a belligerent threat to them. One thing that hasn't changed is we're still there, with tens of billions of dollars of American money protecting the strong nations against a nonexistent threat.

Japan was disarmed 67 years ago because of understandable fears. Japan, today, is a very different country, and an American policy that insists on subsidizing the defense of Japan because of what happened 67 years ago is a disservice to the American people.

I want us to be the strongest nation in the world, Mr. Speaker. Some of my liberal friends say that sounds xenophobic. It's very simple. Somebody's going to be the strongest nation in the world by the process of elimination. I look at the candidates, and I'm for us.

I will be honest with you, if Denmark had the possibility of being the strongest nation in the world, I would be pretty relaxed about it, but they can't handle it. It's either going to be us or some country I'm not that crazy about. But we can be the strongest nation in the world much less expensively than we are.

Let me read from some who are critical because this President hasn't gone far enough. And a couple of my colleagues have praised the bill for putting more weapons into play than the Pentagon wants for objecting to their retirement of these weapons; in other words, it's more money than the Pentagon wanted in some cases. Here's the viewpoint that I think is being expressed here.

In an article in *The Wall Street Journal* on November 7, the day after the election—hope springs eternal for some people—Mr. Jack David and Michael Dunn wrote an op-ed piece. Mr. David was the Deputy Assistant Secretary of Defense in the Bush administration; Mr. Dunn had the former presidency over the Air Force Association. Here's what they say in support of more aircraft, part of which the committee appeared to be responding to. It wasn't directly, but it was in consonance with it. They complain that the Air Force has been a victim of its success. They say:

Ironically, the inattention and repeated cuts that have taken a toll on this branch of the military haven't received the public attention they deserve because the Air Force has been so successful. No U.S. soldier has been killed by enemy airpower since 1953. For six decades, the Air Force has been able to deny operational airspace to adversaries, so U.S. ground forces have operated with little fear of enemy aircraft attacking their positions.

This is in *The Wall Street Journal*, written by a former Bush Assistant Secretary of Defense and the head of the Air Force Association.

But they say it's not enough to have had no American killed since 1953—for which I'm very pleased—and have totally dominated every battlefield for six decades. Here's what we have to do, they say:

But the U.S. relies on the Air Force to do much more than that—including to hold at risk any actual or potential enemy target, anywhere in the world.

At a time when I'm being asked—I'm not going to do it—to cut back on the cost of living for Social Security, when we don't have adequate funds for health research, when we have had cities lay off police and fire—you're worried about the safety of Americans? Let's give the cities the resources not to lay off police and fire—I don't want to vote money to hold at risk any actual or potential enemy target anywhere in the world.

By the way, we have to do this ourselves, because the next thing we have to do is "protect the ground forces of friends and allies." Why can't some of our allies protect their own ground forces? Is there something about Germany and Italy and France and Spain and England and Japan that renders them genetically incapable of having their own air forces? I know we were told we have to stay in Iraq and Afghanistan because they don't have their own air force, but neither do the people attacking them.

The next thing we are told is "to protect the U.S. from a nuclear attack." I agree. We have a nuclear capacity that far exceeds any potential combination of enemies. We had, during the height of the Cold War, the triad. We could destroy the Soviet Union in a thermo-nuclear war, and they had the capacity to go after us by missiles, submarines, or strategic air command.

I have a proposal that sounds like I'm kidding. Sometimes I'm kidding; this time I'm not. Can we not go to the Pentagon and say, You know what? Now that there is no Soviet Union, there is a much weaker Russia—and I agree, Russia won a war against Georgia. They won a war against the country of Georgia. I think the way that we have armed the State of Georgia, I'm not sure what the outcome would be if that was the war. But Russia does not have anything like the capacity it had at the height of the Cold War. We still have the capacity to destroy them. Can we not say to the Pentagon, You know those three ways you have for destroying the Soviet Union? Please pick two. Would we not be very secure against a Soviet nuclear attack if we had two instead of the three and can save billions of dollars?

Now we're told, also, we must "provide navigation through its global positioning systems." We have to protect, I'm told, the trade routes everywhere in the world, we have to protect them against China.

Mitt Romney got something right in his debate with the President when he said he's not afraid of toughening sanctions against China for currency manipulation because, he says, people say they're going to cut off their trade.

They make an enormous amount of money out of that trade. Why would they cut it off? Agreed. Why would the Chinese shut down the navigation

route over which they make an enormous amount of money? It's like Dominos decided to tear up the street so they couldn't deliver the pizza. We are spending money on the Navy that protects every shipping lane everywhere in the world as if we were the only ones who had that interest.

□ 1610

Now let me give this one—surprising from conservatives—which is to airlift humanitarian aid anywhere in the world. I wish we were doing more in Haiti, and I wish we were doing more to stop children from dying of illness in Africa—but we have to give humanitarian aid anywhere in the world to our wealthy allies and others? Frankly, I wish we were better able to deliver humanitarian aid to New Jersey than to rich countries elsewhere. I don't say that as an isolationist. I wish we were doing more in some ways. I regret the attack on the International Monetary Fund—that I hear from my Republican colleagues—which would destabilize Europe. I would like to increase economic aid. I would like to do more to fight AIDS and malaria. I would like to do it in a more effective way.

Now, I'm told, in part, well, it's bad for jobs if you cut the military. That is a head-swiveling degree of inconsistency. I am told by many of my Republican colleagues, when the Federal Government provides aid to cities to keep firefighters on the job, when it builds roads, when it builds housing for the elderly, that somehow that's just something called "stimulus," which doesn't add to the economy; but apparently, when we spend money to maintain bases in Germany or in Okinawa, when we build weapons that aren't needed, and even more when we maintain a nuclear arsenal we don't need, that somehow, magically, that creates jobs. It's as if Keynes were only right if he were armed. It's military Keynesianism.

The government does not help with the economy. Of the people who have said no government stimulation of the economy, how can they, Mr. Speaker, then turn around and say, We've got to do this for jobs? By the way, I think there is a government role in stimulating the economy. Defense tends to be, on the whole, the least efficient way to do it. The largest percentage of it is spent overseas. If we close down bases in NATO, it's going to hurt some people—but not here—and people who can afford it. Now I'm told, Well, that's mean because you're allies, and you're supposed to have troops where your allies are. Then how come I never saw any Belgian troops at the border in the United States? It's a one-way street.

Now, let me say of the President—and he has done a very good job, and I appreciate his withdrawal from Iraq and his resisting of some of the pressure, but he should go further. I did note—and the country is ready for this—that during that memorable moment when Clint Eastwood lost the debate to a chair that one of the things

he said that got enormous applause at the Republican convention was, Let's get out of Afghanistan right away. The American people understand we have long since stopped doing a lot of good there. That's not because there is any lack of bravery or skill on the part of those wonderful young people who are there. It's not their fault that we have put them in a place they no longer ought still to be. We ought to withdraw them.

I have one difference with the President, let me say in closing. On this, he says—however he's the President, and when you're the President, they all tell you these things—that America is the indispensable Nation. We were in 1945. We should not consider ourselves to be the indispensable Nation today. We are not indispensable to the defense of Germany and Italy and England, and we act as if we are. We're not indispensable in keeping open sea lanes for other countries. Frankly, Mr. Speaker, the time has come for us to urge wealthy nations that face no significant threat to dispense with us from the standpoint of our military activity.

So that's my objection to this bill. It does a reasonable job—with some disagreements some of us would have—of funding the current level of commitment, but the current level of commitment far exceeds any rational definition of “national security.” It's zero sum. It comes at the expense of every other program we try to maintain to promote the quality of life in the United States. I hope the bill is defeated.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman's time has expired.

Mr. McKEON. Mr. Speaker, I yield 2 minutes to my friend and colleague, the chairman of the Subcommittee on Military Personnel, the gentleman from South Carolina (Mr. WILSON), a member of the conference committee.

Mr. WILSON of South Carolina. Thank you, Mr. Chairman, for your successful leadership of peace through strength.

The conference report for the National Defense Authorization Act provides our warfighters, veterans, and military families the care and support they deserve and have earned. Specifically, the conference report will authorize a true pay increase of 1.7 percent, limit end-strength reductions for the active Army and Marine Corps, provide significant new regulations and procedures for combating sexual assault, extend access to family housing and commissary-exchange benefits for troops who are involuntarily separated, and control the rate of co-pay increases for TRICARE.

From the beginning, the military personnel provisions have resulted from a bipartisan process. I want to thank subcommittee ranking member, Congresswoman SUSAN DAVIS, for her contributions. Additionally, I appreciate the dedication of the staff: John Chapla, Debra Wada, Jeanette James,

Craig Greene, and Jim Weiss, along with military legislative assistant Chad Sydnor and military Fellow, Marine Master Gunnery Sergeant Michelle King. I also want to note the contributions of Michael Higgins, who is a retiring subcommittee staffer and true professional who has devoted 23 years of service to the committee after severing 20 years in the Air Force. Mike has made a positive difference on behalf of servicemembers, military families, and veterans.

I urge my colleagues to support the conference report.

Mr. Speaker, the following is my statement in its entirety: Thank you Mr. Chairman for your successful leadership for peace through strength. The Conference Report for the National Defense Authorization Act provides our war fighters, veterans and military families the care and support they deserve and have earned; additionally ensuring that proposed drawdown plans do not cut to the heart of the Army and Marine Corps. Specifically, the conference report will:

Authorize a troop pay increase of 1.7% and extend bonuses and special pay for our service members; limit end strength reductions for the active Army and Marine Corps; provide significant new regulations and procedures for combating and prosecuting sexual assault within the military; extend access to family housing for six months and Commissary and Exchange benefits for two years for troops who are involuntarily separated; and control the rate of co-pay increases for the Tricare, pharmacy benefit.

From the beginning, the military personnel provisions in the Fiscal Year 2013 Defense Authorization Act have resulted from a bipartisan process. I want to thank the subcommittee Ranking Member, Congresswoman SUSAN DAVIS for her contributions and support in this process.

Additionally, I appreciate the dedication of the Subcommittee staff: John Chapla, Debra Wada, Jeanette James, Craig Greene, and Jim Weiss along with Military Legislative Assistant Chad Sydnor and Military Fellow, Marine Master Gunnery Sergeant Michelle King.

I also want to note the contributions of Michael Higgins, a retiring subcommittee staffer and true professional, who has devoted 23 years of service to the committee, after serving 20 years in the Air Force. Mike will be retiring soon and this conference report will be his last one. Mike has made a positive difference on behalf of service members, military families and veterans.

I urge my colleagues to support the conference report on the Fiscal Year 2013 National Defense Authorization Act.

Mr. SMITH of Washington. Mr. Speaker, I yield 3 minutes to the distinguished minority whip, the gentleman from Maryland (Mr. HOYER).

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

Mr. HOYER. I thank my friend Mr. SMITH, the ranking member, and I thank Mr. McKEON for the work that they have done; and I want to thank my friend BARNEY FRANK for the thoughtful perspective he brings to the consideration of this bill.

As we struggle to get America on a fiscally sustainable path, none of us in

this body or in this country ought to believe that we can save harmless defense from oversight and savings where they can be affected while maintaining the security of our country. It would simply be irrational to believe that we cannot have a contribution from the defense sector of our budgets when we are struggling to do what Admiral Mullen says is the number one security issue that we have, and that is the fiscal stability of our country and the elimination of our debt. So I thank Mr. FRANK for his contribution.

Mr. Speaker, I rise in support of the conference report, a bipartisan measure to enhance our national security and provide for our troops. Ranking Member SMITH and the chairman, Mr. McKEON, and our Democrats on the committee have worked closely with their Republican counterparts for a long time to craft a bill that will strengthen our defense against emerging threats while ensuring that our troops in Afghanistan and around the world have the resources they need to get the job done that we have given them. This bill includes a number of key provisions, and Ranking Member SMITH and his counterparts deserve great credit for ensuring their inclusion:

For one, the bill expands the military's toolkit when it comes to preventing sexual assault—a profoundly unsettling problem in the military. Importantly, from my perspective, this conference report preserves the Shaheen language added in the Senate, extending health coverage for female servicemembers, on whom we are so dependent in our Armed Forces, or their dependents who need access to emergency services following an incident of rape or incest;

In recognizing the importance of strong military ties with Israel, this bill authorizes nearly \$480 million for missile defense cooperation with our longtime and critical ally. That includes \$211 million for the Iron Dome system, which was critically successful in defending Israeli citizens against Hamas rockets from Gaza just a few weeks ago;

We also remain committed to efforts that compel Iran to abandon its nuclear weapons program which threatens the United States and our allies. To that end, this bill further tightens sanctions on Iran. I strongly support those sanctions;

I was also pleased to see the conference report does not include dangerous House-passed language that would have prevented the administration from using all the judicial tools available to bring terrorists to justice.

The SPEAKER pro tempore (Mr. LATOURETTE). The time of the gentleman has expired.

Mr. SMITH of Washington. I yield the gentleman an additional minute.

Mr. HOYER. I thank the gentleman.

Like any compromise, this is not a perfect bill. We don't pass perfect bills, but it's a good bill that is worthy of support.

I would be remiss if I did not note my concern with section 533—unnecessary and, in my opinion, dangerously vague language that represents another backdoor attack on the highly successful repeal of the discriminatory Don't Ask, Don't Tell policy and the open service of courageous gay and lesbian servicemembers.

As Barry Goldwater so aptly said, what I'm concerned about is not whether they're straight, but whether they can shoot straight. We ought to focus on competency and patriotism, not anything else.

On balance, this is critical national security legislation, and I urge my colleagues to join me in supporting it. Our troops continue to do an outstanding job. Many of them are at the point of the spear in harm's way. We owe them our gratitude and our continuing support.

Mr. McKEON. Mr. Speaker, I yield 2 minutes to my friend and colleague, the chairman of the Subcommittee on Strategic Forces, a member of the conference committee, the gentleman from Ohio (Mr. TURNER).

Mr. TURNER of Ohio. Thank you, Chairman McKEON.

Mr. Speaker, I urge my colleagues to support the conference report for the National Defense Authorization Act for Fiscal Year 2013.

This bill sets important national security priorities, such as the block-buy procurement of two space-based infrared system satellites. It also establishes important oversight mechanisms for the acquisition timelines of satellite, ground, and user-terminal segments of space programs, which have been lacking in recent years.

The conference report urges and ensures greater efficiency and effectiveness at the National Nuclear Security Administration by limiting the bureaucracy and paper-pushing, and begins the process of important reforms of the Defense Nuclear Facilities Safety Board.

□ 1620

It requires the administration to make good on its nuclear infrastructure modernization promises, including completing the Los Alamos Chemistry and Metallurgy Research Replacement Nuclear Facility by 2026. The United States must not be the only nuclear weapons state without a meaningful production capability.

It also imposes important oversight on unilateral nuclear reductions, including requiring a new nuclear posture review.

Lastly, it supports a robust national missile defense, including requiring the Department of Defense to begin the work of fielding an additional missile defense site in the United States, likely on the east coast. As I have told my colleagues for some time, every Member of Congress is just three classified briefings away from understanding how important this site is.

Our Israeli allies have proven how important an effective, layered missile

defense is, and I'm grateful that the conference report includes the \$211 million recommended in the Strategic Forces mark this past April for Iron Dome, and it supports our other cooperative missile defense programs with Israel.

I want to thank Chairman McKEON for his leadership that has resulted in the 51st consecutive National Defense Authorization Act, and we look forward to beginning work on the 52nd.

I also want to thank Tim Morrison, lead staff of the Strategic Forces Subcommittee, for his expertise and his leadership in ensuring that our Strategic Forces Subcommittee and this mark include important initiatives to protect our national security.

Lastly, I, too, want to join many who are congratulating Mr. FRANK on the end of his congressional career, but I do want to note his rhetorical question of why do we have troops in Europe defending Europe against the Soviet Union that no longer exists. Even though it is a statement that many Members state here on the House floor, it is absolutely incorrect. There is not one servicemember that we have there that's doing anything but essential work to our national security.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentlelady from California (Mrs. DAVIS), ranking member on the Military Personnel Subcommittee.

Mrs. DAVIS of California. Mr. Speaker, I rise in support of H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013.

As the ranking member of the Military Personnel Subcommittee, I'm very pleased that this bill includes a number of provisions that continue our commitment to our men and women in uniform and their dedicated families. I want to thank my chairman, JOE WILSON, for his support and assistance, and recognize the chairman of the House Armed Services Committee, BUCK McKEON, and ADAM SMITH, the ranking member, for their leadership.

Here are a few highlights from the conference report.

There will be a 1.7 percent pay raise, a critically important recognition of what our servicemembers do for us, particularly during economically challenging times.

It provides separation authorities as the services reduce their end strength. These authorities will be crucial to the Department's ability to execute its drawdown in a responsible manner that ensures that long-serving members and their families are compensated appropriately.

We continue our focus on mental health by codifying the Suicide Prevention and Community Health and Response Program for the National Guard and Reserves. Additionally, the bill requires the Secretary of Defense to providing training on suicide prevention, resilience, and community health, and it expands the scope of providers who may conduct pre-adminis-

trative separation medical examinations for post-traumatic stress disorder to include licensed clinical social workers and psychiatric advanced practice registered nurses.

We all know sexual assault remains a focus for the Congress, and there are a number of provisions that help to address the problem, including prohibiting the granting of waivers for commissioning or enlistment of an individual who has been convicted of sexual offenses under Federal or State law, and it requires the services to establish special victim capabilities for investigation, prosecution, and victim support in connection with child abuse, serious domestic violence, or sexual offenses under the Uniform Code of Military Justice.

The bill authorizes the Defense Department to establish transition assistance programs for members of the Guard and Reserve components who serve on active duty for more than 180 days, a program that previously did not exist.

And the bill provides female servicemembers and dependents with the same reproductive rights in cases of rape and incest that other women in Federal health plans can already exercise.

The SPEAKER pro tempore (Mr. LATOURETTE). The time of the gentlewoman has expired.

Mr. SMITH of Washington. I yield the gentlewoman an additional 30 seconds.

Mrs. DAVIS of California. I want to note, Mr. Speaker, that the bill continues to recognize the sacrifices of those who serve our Nation in uniform. During a time when many young Americans of all stripes—male and female, gay and straight, from every ethnic background conceivable—are forward deployed and all around the globe, we in the Congress have an obligation to ensure that these men and women are provided for. We must stand up to this important obligation. I urge all of my colleagues to support the bill.

Mr. McKEON. Mr. Speaker, I yield 2 minutes to my friend and colleague, the gentleman from Virginia (Mr. WITTMAN), the chairman of the Subcommittee on Oversight and Investigations and a member of the conference committee.

Mr. WITTMAN. Mr. Speaker, I would like to start by thanking our chairman, Mr. McKEON, and ranking member Mr. SMITH for their leadership, and to thank all the staff for their great work. You know, in this city where partisan strife tends to reign supreme, it is truly refreshing to see folks able to work across the aisle and focus on a common goal, which is ensuring that the men and women of our all-volunteer force are provided with the highest-caliber resources, training, and authorities as they step into harm's way to complete their missions.

Our Nation is the greatest nation the world has ever known, precisely because our brave servicemen and -women make up the finest military the world has ever known.

But our military is certainly facing many difficult challenges, both here at home, where the Pentagon has endured 50 percent of the Nation's deficit reduction despite the fact it only comprises 20 percent of the budget, and also abroad, where our troops continue to serve bravely in Afghanistan, and where geopolitical focus is beginning to shift to the Asia Pacific.

These challenges have certainly been at the heart of efforts by the Oversight and Investigations Subcommittee throughout the past year. And over the past 6 months, the O&I Subcommittee convened a number of hearings and briefings on the training and development of the Afghan National Security Forces. I consider this issue one of our national security imperatives, and we must continue to monitor this effort in the months to come.

Since June of 2011, the subcommittee also conducted an extended study of the Navy's 30-year shipbuilding program in order to better understand the effectiveness of this plan and its impact on the defense industrial base.

These initiatives, and others like them, have been aimed at maximizing the successes of our military, increasing our capabilities for future successes, and ensuring efficient and effective use of resources and funding.

At the heart of all of this, we must ensure that the looming defense cuts under sequestration are addressed. Our national security depends on us getting this right.

This conference report today echoes these goals of providing for our military, and I'd like to thank the Members and staff for their dedication to our men and women in uniform.

Most importantly, Mr. Speaker, I'd like to thank the soldiers, sailors, marines, airmen, and Coast Guardsmen who selflessly serve this Nation on a daily basis. Without their service, we would not be the great Nation we are today, and their example inspires me on a daily basis.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentlelady from California (Ms. LORETTA SANCHEZ), the ranking member on the Strategic Forces Subcommittee.

Ms. LORETTA SANCHEZ of California. I thank the ranking member, Mr. Speaker.

As the ranking member on the Subcommittee on Strategic Forces, I'm pleased with many of the provisions here in this conference report.

In the fiscal year 2013 NDAA, we successfully included strong support for the national security space programs, our nuclear deterrent, and our nuclear nonproliferation efforts, including an increase for the global threat reduction initiative and steps for a renewed ban on exports of highly enriched uranium.

I'm also pleased that the bill authorized funding for nuclear cleanup, and homeland and regional missile defense, including strong support for our U.S.-Israeli cooperation.

That section of the bill also contains important provisions to ensure our ca-

pabilities are tailored to our national security requirements, and that they're cost-effective. How do we do that? As a first step, we're going to have detailed studies and independent reviews of maintaining our nuclear weapons and analyses on plutonium pit reuse and on current requirements for plutonium pit production.

The bill also does not contain some very controversial issues we had in the House version, in particular, that would have weakened our health, safety, and security across the nuclear weapons complex and really undermined what I believe is our Federal oversight role. These steps will help us to sustain the deterrent force we need to meet 21st century challenges without overspending or compromising the safety of our workers or the public.

There is some concern still: a \$6 billion plutonium facility remains part of our immediate plans even though the Department of Defense, the U.S. Strategic Command, the National Nuclear Security Administration, and the National Laboratories, they all agree we don't need this facility for at least another 5 years, and they prefer more cost-effective ways of doing this.

□ 1630

But, unfortunately, this was continued in this bill, and many other provisions. Thank you again.

Lastly, I want to thank all of the staff for having helped us. To Mr. McKEON, and also to my ranking member, thank you so much.

Mr. McKEON. Mr. Speaker, I yield 1 minute to the gentlewoman from Missouri (Mrs. HARTZLER), my friend and colleague, a member of the Armed Services Committee.

Mrs. HARTZLER. Mr. Speaker, I rise in support of the conference report for H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. I want to thank Chairman McKEON and Ranking Member SMITH and all the colleagues of the conference committee for working together in a bipartisan fashion to bring this important bill to the floor for the 51st consecutive year.

The legislation we have brought here to the floor supports America's defense capabilities to better protect our homeland and support our troops. It is a good bill that will provide them with the tools and funding they need as they protect our freedoms and our liberties. There is no higher priority than advocating on their behalf, and they deserve nothing less than our best.

There's good news for our military personnel. The bill authorizes a troop pay increase of 1.7 percent and extended bonuses and special pay for our men and women in uniform. Personally, I'm proud to see important military construction projects funded at Fort Leonard Wood. In addition, the bill continues support for the family of long-range strike bomber programs, including the B-2, whose home is Whiteman Air Force Base.

Mr. Speaker, I'm proud to vote for this legislation and continue to pray

for our troops and thank them for their service and their sacrifice.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. MCINTYRE), the ranking member on the Seapower Subcommittee.

Mr. MCINTYRE. Mr. Speaker, I rise today in support of the National Defense Authorization Conference Report. I appreciate the hard work of Chairman McKEON and Ranking Member SMITH and that of my counterpart, Chairman AKIN, on the Seapower and Projection Forces Subcommittee, on which I serve as ranking member.

Among other important measures, this report provides a 1.7 percent pay raise, well deserved for our military servicemembers. It authorizes nearly \$11 billion, which is almost \$160 million more than the President's budget originally requested for our U.S. Special Operations Command, which has been a key component of the war against violent extremists.

And I can tell you, as the cochairman and cofounder of the Special Operations Forces Caucus, and one who represents Fort Bragg, home of the U.S. Army Special Operations Command and Joint Special Operations Command, and who has constituents who serve at the Marine Special Operations Command at Camp Lejeune, I am extremely pleased to see this investment in our Special Operations Forces warriors who are often on the front lines during global conflicts.

Also, as ranking member of the Seapower Subcommittee, I'm pleased that the conference report makes real investments in our Nation's sea power by authorizing 10 new ships, a multi-year procurement authority for 10 Arleigh Burke-class destroyers, and a multi-year procurement authority for 10 Virginia-class submarines, as well as the authority to fund them incrementally.

The incremental funding gives the Navy greater flexibility in funding the new submarines and will take advantage of the savings generated from the Virginia-class attack submarines that continue to come in underbudget.

Mr. Speaker, I thank my colleagues for their hard work on this conference report. We stand up for America's defense and for those that serve our country, and I look forward to its passage on the House floor today.

Mr. McKEON. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GOHMERT), who's been very helpful in putting together the final bill.

Mr. GOHMERT. Mr. Speaker, on September 18, 2001, 7 days after the worst attack in American history, the authorized use of military force was passed. And I've come to understand how legislation can be hurriedly thrown together, and it was. We were in a crisis.

In those days I was a judge. When I got to Congress and the NDAA came up to extend, reauthorize the AUMF, this issue of whether American citizens

were protected came up. Some mistakenly thought the NDAA did some granting of power to the President that he shouldn't have, but actually it was in the original AUMF. It said the President could basically go after any nation, organization, or person that he thought was a threat or may have participated. That needed to be reined in.

I've worked with some of my colleagues, with professors, with legal experts. Even though one professor went to Harvard, they've been immensely helpful, and we've crafted language. And I even appreciate Senator LEVIN working with us and Chairman McKEON being willing to look at these different issues.

Our original amendment included a 30-day requirement. Within 30 days there had to be a writ of habeas corpus hearing. Yet we got criticized, saying you're restricting to only 30 days, so we took that out.

The language in here, as Mr. NADLER pointed out, does not protect American citizens in foreign countries. That will have to be done another day. But it does go beyond what I originally wanted to do and protects people that are in the United States, if they are authorized under our Constitution to have those protections.

I am grateful that these things have been done. I'm grateful this language is in there to restrict the President's power back to what I think was appropriate under the Constitution. I will be voting for the NDAA and appreciate the chairman's indulgence in my push to get this done.

Mr. SMITH of Washington. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. JOHNSON), a member of the committee.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise to thank the conferees for including in the NDAA language I authored to help prevent tragic cases of suicide among members of the military. Military suicides are, sadly, increasing, with 280 suicides this year in the Active Duty and Reserve Army alone.

The new language would allow military commanding officers and mental health professionals to talk to troubled servicemembers about their personal firearms and encourage them to safely store those weapons in a military facility or by means of a gun lock. The prohibition of such confidential dialogue, which this language repeals, prevented potentially lifesaving conversations between counselors and servicemembers.

We owe it to our soldiers and their families and their loved ones to do everything we can to help them, and this language is a small step in that direction.

Mr. McKEON. Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I yield myself the balance of my time to close. And I really want to close just to emphasize how important the work is that our staffs do, both in the House and the Senate. The work

that they've done ever since May, when we first put together the bill on the House side, and then the accelerated time schedule that they had to operate under because the Senate waited until December 4 to pass their bill, and we had to throw together a quick conference report.

There are an endless array of critically important legislative issues that are handled in this bill, and the staffs that we have do an amazing job under a tight timeline of working together to resolve differences and come up with the best legislation. We have an outstanding staff. We could not do this without them.

Again I will emphasize that I hope this bill shows that it's possible that people who disagree—and you can hear from our debate there are many things we disagree strongly about, certainly Republicans and Democrats, but also House and Senate. Yet somehow we come together and put together this 1,600-page bill to spend \$633 billion and provide for the common defense of the United States of America.

So I urge support, and I thank all those involved in this work product.

I yield back the balance of my time. Mr. McKEON. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, I once again rise in support of this bipartisan fiscal year 2013 National Defense Authorization Conference Report, and I concur totally with the concluding remarks of Mr. SMITH. Our staff has done a fantastic job. And I have enjoyed working with him, and we will continue to work together in a bipartisan way.

This NDAA bill passed the Armed Services Committee on a vote of 56–5. It passed the full House by nearly 300 votes; and, likewise, the Senate adopted its version of the bill unanimously.

However, I fully acknowledge we had to tackle tough issues in a very compressed timeframe, as Mr. SMITH pointed out. Every one of us could find something in this bill that we would rather change, but none of us can deny that this bill has been exhaustively debated. It's the only major authorization bill that's been able to proceed through regular order in both the House and the Senate this year.

The House considered 303 amendments, between the committee and the floor. The Senate considered at least 151 amendments. We've all had a chance to have our say on this bill and to have the Congress act its will.

I urge my colleagues to join me in ushering this bill across the finish line and vote "yes" on adoption of the conference report. This is a good piece of legislation that's critically needed by our troops.

I yield back the balance of my time. Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in opposition to the Conference Report on the National Defense Authorization Act of 2012 but will use this statement to speak of the silver lining in this otherwise flawed legislation.

The silver lining of which I speak is Title 7, Section 737, which includes language for a

breast cancer study. Last night before the Rules Committee I spoke of an amendment I offered to H.R. 4310 "National Defense Authorization Act," which directed 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, the amended language was designed to result in the generation of information that could then be useful in biomarker selection, drug discovery, and clinical trials design. This will enable medical professionals to identify TNBC patients earlier in the progression of their disease and would help advance the development of multiple targeted therapies for the disease.

My amendment which passed the House was designed to highlight the importance of studying and eventually finding effective treatments for triple negative breast cancer.

I was pleased to note that, although it was not included in the bill we vote on tonight, my amendment helped generate the language included today in Title 7, Section 737 which highlights the importance of breast cancer among members of the armed services. I wish to emphasize the importance of addressing triple negative breast cancer and that this aspect must be included in the National Defense Reauthorize.

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 believe that through a coordinated effort between the DOD and NIH that they 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% higher death rate from breast cancer than other groups.

African American women are also 12% 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% 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.

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% for White women but only 78% 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; and 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% of female breast cancer patients have the triple negative subtype.

Triple-negative breast cancer most commonly affects African-American women, followed by Hispanic women. African-American women have a prevalence of TNBC of 26% vs 16% in non-African-American women.

TNBC usually affects women under 50 years of age. African American women have a prevalence of premenopausal breast cancer of 26% vs 16% for Non-African American Women.

Women with TNBC are at 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.

Finally, Mr. Speaker I want to point out a part of this bill which I find vexing; that which relates to detainee policy. Our Constitution is a living document but sometimes we must go to great pains to emphasize this point when some of its most basic protections are threatened or simply ignored. The text continues the asserted authority of the U.S. Government to hold even U.S. citizens (persons) captured on U.S. soil indefinitely and without charge. This must be reviewed!

The language in this bill concerning the law of detention has major implications for our fundamental rights that should be considered on their own and not included as part of a Defense Authorization bill. These provisions should be the subject of close scrutiny by the Judiciary Committee.

The complex legal and constitutional issues should be properly analyzed, and the implications for our bedrock values of liberty and freedom carefully considered. I am mindful that we are charged with pursuing a great many issues and cannot fully address them all in a single setting; yet this is too important to again, be included as part of an authorization as if these were routine matters.

The Conference Report states that “[n]othing in the Authorization for Use of Military Force . . . or the National Defense Authorization Act for Fiscal Year 2012 . . . shall be construed to deny the availability of the writ of habeas corpus or to deny any Constitutional rights in a court ordained or established by or under Article III of the Constitution to any person inside the United States who would be entitled to the availability of such writ or to such rights in the absence of such laws.”

This language simply continues the flawed policies established in the 2011 Defense Authorization Bill.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, as a conferee and senior member of the House Armed Forces Committee, due to unforeseen health complications, I was unable to sign the Conference Report to H.R. 4310, the National Defense Authorization Act of FY2013 on December 18, 2012. If I had the opportunity to sign the Conference Report to H.R. 4310, I would have signed it.

Mr. PAUL. Mr. Speaker, I rise to oppose what will be the final National Defense Authorization Act (NDAA) I will face as a Member of the U.S. House of Representatives. As many of my colleagues are aware, I have always voted against the NDAA regardless of what party controls the House. Far from simply providing an authorization for the money needed to defend this country, which I of course support, this authorization and its many predecessors have long been used to fuel militarization, enrich the military industrial complex, expand our empire overseas, and purchase military and other enormously expensive equipment that we do not need and in large part does not work anyway. They wrap all of this mess up in false patriotism, implying that Members who do not vote for these boondoggles do not love their country.

The military industrial complex is a jigsaw puzzle of seemingly competing private companies; but they are in reality state-sponsored enterprises where well-connected lobbyists, usually after long and prosperous careers in the military or government, pressure Congress to fund pet projects regardless of whether we can afford them or whether they are needed to defend our country. This convenient arrangement is the welfare of the warfare state.

Because of the false perception that we must pass this military spending authorization each year or our men and women in uniform will go hungry, Congress has over the years taken the opportunity to pack it with other items that would have been difficult to pass on their own. This is nothing new on Capitol Hill. In the last few years, however, this practice has taken a sinister turn.

The now-infamous NDAA for fiscal year 2012, passed last year, granted the president the authority to indefinitely detain American citizens without charge, without access to an attorney, and without trial. It is difficult to imagine anything more un-American than this attack on our Constitutional protections. While we may not have yet seen the widespread use of this unspeakably evil measure, a wider application of this “authority” may only be a matter of time.

Historically these kinds of measures have been used to bolster state power at the expense of unpopular scapegoats. The Jewish citizens of 1930s Germany knew all about this reprehensible practice. Lately the scapegoats have been mostly Muslims. Hundreds, perhaps many more, even Americans, have been held by the U.S. at Guantanamo and in other secret prisons around the world.

But this can all change quickly, which makes it all the more dangerous. Maybe one day it will be Christians, gun-owners, homeschoolers, etc.

That is why last year, along with Reps. JUSTIN AMASH, WALTER JONES, and others, we attempted to simply remove the language from the NDAA (sec. 1021) that gave the president

this unconstitutional authority. It was a simple, readable amendment. Others tried to thwart our straightforward efforts by crafting elaborately worded amendments that in practice did nothing to protect us from this measure in the bill. Likewise this year there were a few celebrated but mostly meaningless attempts to address this issue. One such effort passed in the senate version of this bill. The conferees have simply cut it out. The will of Congress was thus ignored by a small group of Members and Senators named by House and Senate leadership.

There are many other measures in this NDAA Conference Report to be concerned about. It continues to fund our disastrous wars in Afghanistan, Pakistan, Yemen, and elsewhere for example.

The Conference Report contains yet another round of doomed-to-fail new sanctions against Iran. These are acts of war against Iran without actually firing a shot. But this time the House and Senate conferees are going further than that. The report contains language that pushes the U.S. as close to an actual authorization for the use of force against Iran as we can get. The Report “. . . asserts that the U.S. should be prepared to take all necessary measures, including military action if required, to prevent Iran from threatening the U.S., its allies, or Iran’s neighbors with a nuclear weapon and reinforces the military option should it prove necessary.”

This kind of language just emboldens Iran’s enemies in the region to engage in increasingly reckless behavior with the guarantee that the U.S. military will step in if they push it too far. That is an unwise move for everyone concerned.

This Conference Report contains increased levels of foreign military aid, including an additional half-billion dollars in missile assistance to an already prosperous Israel and some \$300 million to help an increasingly prosperous Russia control its chemical, nuclear, and biological weapons. And Russia does not even want the money!

Overall, this authorization will give the president even more money for military activities next year than he requested. At a time when the news has been dominated by reports of our budget crisis, the “fiscal cliff,” and the “need” to increase taxes on Americans, Congress is foolishly spending even more on the military budget than the administration wants! I suppose that is what counts as a reduction in the language of Washington.

I urge my colleagues to oppose this, and all future, reckless and dangerous military spending bills that are destroying our national security by destroying our economy.

□ 1640

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

Pursuant to House Resolution 840, the previous question is ordered.

The question is on adoption of the conference report.

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

Mr. SMITH of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

SPENDING REDUCTION ACT OF 2012

Mr. RYAN of Wisconsin. Mr. Speaker, pursuant to House Resolution 841, I call up the bill (H.R. 6684) to provide for spending reduction, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 841, the bill is considered read.

The text of the bill is as follows:

H.R. 6684

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Spending Reduction Act of 2012”.

SEC. 2. TABLE OF CONTENTS.

The table of contents is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—AGRICULTURE

Sec. 101. ARRA sunset at March 1, 2013.

Sec. 102. Categorical eligibility limited to cash assistance.

Sec. 103. Standard utility allowances based on the receipt of energy assistance payments.

Sec. 104. Employment and training; workfare.

Sec. 105. End State bonus program for the supplemental nutrition assistance program.

Sec. 106. Funding of employment and training programs.

Sec. 107. Turn off indexing for nutrition education and obesity prevention.

Sec. 108. Extension of Authorization of Food and Nutrition Act of 2008.

Sec. 109. Effective date and application of amendments.

TITLE II—COMMITTEE ON ENERGY AND COMMERCE

Subtitle A—Repeal of Certain ACA Funding Provisions

Sec. 201. Repealing mandatory funding to states to establish American Health Benefit Exchanges.

Sec. 202. Repealing Prevention and Public Health Fund.

Sec. 203. Rescinding unobligated balances for CO-OP program.

Subtitle B—Medicaid

Sec. 211. Revision of provider tax indirect guarantee threshold.

Sec. 212. Rebasement of State DSH allotments for fiscal year 2022.

Sec. 213. Repeal of Medicaid and CHIP maintenance of effort requirements under PPACA.

Sec. 214. Medicaid payments to territories.

Sec. 215. Repealing bonus payments for enrollment under Medicaid and CHIP.

TITLE III—FINANCIAL SERVICES

Sec. 301. Table of contents.

Subtitle A—Orderly Liquidation Fund

Sec. 311. Repeal of liquidation authority.

Subtitle B—Home Affordable Modification Program

Sec. 321. Short title.

Sec. 322. Congressional findings.

Sec. 323. Termination of authority.

Sec. 324. Sense of Congress.

Subtitle C—Bureau of Consumer Financial Protection

Sec. 331. Bringing the Bureau of Consumer Financial Protection into the regular appropriations process.

Subtitle D—Repeal of the Office of Financial Research

Sec. 341. Repeal of the Office of Financial Research.

TITLE IV—COMMITTEE ON THE JUDICIARY

Sec. 401. Short title.

Sec. 402. Encouraging speedy resolution of claims.

Sec. 403. Compensating patient injury.

Sec. 404. Maximizing patient recovery.

Sec. 405. Punitive damages.

Sec. 406. Authorization of payment of future damages to claimants in health care lawsuits.

Sec. 407. Definitions.

Sec. 408. Effect on other laws.

Sec. 409. State flexibility and protection of States’ rights.

Sec. 410. Applicability; effective date.

TITLE V—COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

Sec. 501. Retirement contributions.

Sec. 502. Annuity supplement.

Sec. 503. Contributions to Thrift Savings Fund of payments for accrued or accumulated leave.

TITLE VI—COMMITTEE ON WAYS AND MEANS

Subtitle A—Recapture of Overpayments Resulting From Certain Federally-subsidized Health Insurance

Sec. 601. Recapture of overpayments resulting from certain federally-subsidized health insurance.

Subtitle B—Social Security Number Required to Claim the Refundable Portion of the Child Tax Credit

Sec. 611. Social security number required to claim the refundable portion of the child tax credit.

Subtitle C—Human Resources Provisions

Sec. 621. Repeal of the program of block grants to States for social services.

TITLE VII—SEQUESTER REPLACEMENT

Sec. 701. Short title.

Sec. 702. Protecting veterans programs from sequester.

Sec. 703. Achieving \$19 billion in discretionary savings.

Sec. 704. Conforming amendments to section 314 of the Congressional Budget and Impoundment Control Act of 1974.

Sec. 705. Treatment for PAYGO purposes.

Sec. 706. Elimination of the fiscal year 2013 sequestration for defense direct spending.

TITLE I—AGRICULTURE**SEC. 101. ARRA SUNSET AT MARCH 1, 2013.**

Section 101(a)(2) of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 120) is amended by striking “October 31, 2013” and inserting “February 28, 2013”.

SEC. 102. CATEGORICAL ELIGIBILITY LIMITED TO CASH ASSISTANCE.

Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in the 2d sentence of subsection (a) by striking “households in which each member receives benefits” and inserting “households in which each member receives cash assistance”, and

(2) in subsection (j) by striking “or who receives benefits under a State program” and inserting “or who receives cash assistance under a State program”.

SEC. 103. STANDARD UTILITY ALLOWANCES BASED ON THE RECEIPT OF ENERGY ASSISTANCE PAYMENTS.

(a) STANDARD UTILITY ALLOWANCE.—Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in subsection (e)(6)(C) by striking clause (iv), and

(2) in subsection (k) by striking paragraph (4) and inserting the following:

“(4) THIRD PARTY ENERGY ASSISTANCE PAYMENTS.—For purposes of subsection (d)(1), a payment made under a State law (other than a law referred to in paragraph (2)(G)) to provide energy assistance to a household shall be considered money payable directly to the household.”.

(b) CONFORMING AMENDMENTS.—Section 2605(f)(2) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(f)(2)) is amended—

(1) by striking “and for purposes of determining any excess shelter expense deduction under section 5(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e))”, and

(2) in subparagraph (A) by inserting before the semicolon the following: “, except that such payments or allowances shall not be deemed to be expended for purposes of determining any excess shelter expense deduction under section 5(e)(6) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(6))”.

SEC. 104. EMPLOYMENT AND TRAINING; WORKFARE.

(a) ADMINISTRATIVE COST-SHARING FOR EMPLOYMENT AND TRAINING PROGRAMS.—

(1) IN GENERAL.—Section 16 of the Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended—

(A) in subsection (a) by inserting “(other than a program carried out under section 6(d)(4) or section 20)” after “supplemental nutrition assistance program” the 1st place it appears, and

(B) in subsection (h)—

(i) by striking paragraphs (2) and (3), and

(ii) by redesignating paragraphs (4) and (5) as paragraphs (2) and (3), respectively.

(2) CONFORMING AMENDMENTS.—

(A) Section 17(b)(1)(B)(iv)(III)(hh) of the Food and Nutrition Act of 2008 (7 U.S.C. 2026(b)(1)(B)(iv)(III)(hh)) is amended by striking “(g), (h)(2), or (h)(3)” and inserting “or (g)”.

(B) Section 22(d)(1)(B)(ii) of the Food and Nutrition Act of 2008 (7 U.S.C. 2031(d)(1)(B)(ii)) is amended by striking “(g), (h)(2), and (h)(3)” and inserting “and (g)”.

(b) ADMINISTRATIVE COST-SHARING AND REIMBURSEMENTS FOR WORKFARE.—Section 20 of the Food and Nutrition Act of 2008 (7 U.S.C. 2029) is amended by striking subsection (g).

SEC. 105. END STATE BONUS PROGRAM FOR THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

Section 16 of the Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended by striking subsection (d).

SEC. 106. FUNDING OF EMPLOYMENT AND TRAINING PROGRAMS.

For purposes of fiscal year 2013, the reference to \$90,000,000 in section 16(h)(1)(A) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(h)(1)(A)) shall be deemed to be a reference to \$79,000,000.

SEC. 107. TURN OFF INDEXING FOR NUTRITION EDUCATION AND OBESITY PREVENTION.

Section 28(d) of the Food and Nutrition Act of 2008 (7 U.S.C. 2037(d)) is amended by striking “years—” and all that follows through the period at the end, and inserting “years, \$375,000,000.”.

SEC. 108. EXTENSION OF AUTHORIZATION OF FOOD AND NUTRITION ACT OF 2008.

Section 18(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(a)(1)) is amended by striking “2012” and inserting “2013”.

SEC. 109. EFFECTIVE DATE AND APPLICATION OF AMENDMENTS.

This title and the amendments made by this title shall take effect on the date of enactment of this Act, and shall apply only with respect to certification periods that begin on or after such date.