

Has all postcloture time expired in the motion to concur with respect to H.J. Res. 59?

The PRESIDING OFFICER. It has.

Mrs. MURRAY. I ask unanimous consent that the motion to concur with an amendment be withdrawn.

The PRESIDING OFFICER. Is there objection?

Mr. SESSIONS. Reserving the right to object, I would note this is the way the process—the train that runs through this body and denies amendments to be allowed—occurs. At this point, there will be a move, in effect, to clear the tree so this can be passed. It is an unhealthy tree we are in, and I am disappointed that we are heading in this direction, but it points out the actual legislative steps that are required to get to final passage after the leader has filled the tree.

The PRESIDING OFFICER. Is there objection?

Without objection, so ordered.

Mrs. MURRAY. I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. The motion to concur with amendment No. 2457 is withdrawn.

The question is on agreeing to the motion to concur.

Mrs. MURRAY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The result was announced—yeas 64, nays 36, as follows:

[Rollcall Vote No. 281 Leg.]

YEAS—64

Baldwin	Hatch	Murphy
Baucus	Heinrich	Murray
Begich	Heitkamp	Nelson
Bennet	Hirono	Portman
Blumenthal	Hoeven	Pryor
Booker	Isakson	Reed
Boxer	Johnson (SD)	Reid
Brown	Johnson (WI)	Rockefeller
Cantwell	Kaine	Sanders
Cardin	King	Schatz
Carper	Klobuchar	Schumer
Casey	Landrieu	Shaheen
Chambliss	Leahy	Stabenow
Collins	Levin	Tester
Coons	Manchin	Udall (CO)
Donnelly	Markey	Udall (NM)
Durbin	McCain	Warner
Feinstein	McCaskill	Warren
Franken	Menendez	Whitehouse
Gillibrand	Merkley	Wyden
Hagan	Mikulski	
Harkin	Murkowski	

NAYS—36

Alexander	Cruz	Moran
Ayotte	Enzi	Paul
Barrasso	Fischer	Risch
Blunt	Flake	Roberts
Boozman	Graham	Rubio
Burr	Grassley	Scott
Coats	Heller	Sessions
Coburn	Inhofe	Shelby
Cochran	Johanns	Thune
Corker	Kirk	Toomey
Cornyn	Lee	Vitter
Crapo	McConnell	Wicker

The PRESIDING OFFICER (Mr. BLUMENTHAL).

The motion to concur in the House amendment to the Senate amendment to H.J. Res. 59 is agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. The pending cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 3304, the Department of Defense Authorization Act for fiscal year 2014.

Harry Reid, Carl Levin, Patty Murray, Joe Donnelly, Christopher Murphy, Christopher Coons, Jon Tester, Tom Udall, John Rockefeller, Thomas Carper, Debbie Stabenow, Joe Manchin, Angus S. King, Jr., Mazie Hirono, Martin Heinrich, Bill Nelson, Max Baucus.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I ask unanimous consent to waive the quorum.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The mandatory quorum has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to the Senate amendment to H.R. 3304 shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 71, nays 29, as follows:

[Rollcall Vote No. 282 Leg.]

YEAS—71

Alexander	Franken	Mikulski
Ayotte	Gillibrand	Moran
Baldwin	Graham	Murkowski
Baucus	Hagan	Murphy
Begich	Harkin	Murray
Bennet	Hatch	Nelson
Blumenthal	Heinrich	Pryor
Blunt	Heitkamp	Reed
Booker	Hirono	Reid
Boozman	Inhofe	Rockefeller
Boxer	Johanns	Schatz
Brown	Johnson (SD)	Schumer
Burr	Kaine	Scott
Cantwell	King	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Landrieu	Tester
Casey	Leahy	Udall (CO)
Coats	Levin	Udall (NM)
Cochran	Manchin	Warner
Collins	Markey	Warren
Coons	McCain	Whitehouse
Donnelly	McCaskill	Wicker
Durbin	Menendez	Wyden
Feinstein	Merkley	

NAYS—29

Barrasso	Enzi	Johnson (WI)
Chambliss	Fischer	Kirk
Coburn	Flake	Lee
Corker	Grassley	McConnell
Cornyn	Heller	Paul
Crapo	Hoeven	Portman
Cruz	Isakson	Risch

Roberts	Sessions	Toomey
Rubio	Shelby	Vitter
Sanders	Thune	

The PRESIDING OFFICER. The yeas are 71, the nays are 29. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

The PRESIDING OFFICER. The clerk will report the measure.

The legislative clerk read as follows:

Resolved, that the House concur in the Senate amendment to the title of the bill (H.R. 3304) entitled "An Act to authorize and request the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor," and be it further

Resolved, that the House concur in the first three Senate amendments to the text of the aforementioned bill, and be it further

Resolved, that the House concur in the fourth Senate amendment to the text of the aforementioned bill, with an amendment.

Pending:

Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid amendment No. 2552, to change the enactment date.

Reid amendment No. 2553 (to amendment No. 2552), of a perfecting nature.

Reid motion to refer the message of the House on the bill to the Committee on Armed Services, with instructions, Reid amendment No. 2554, to change the enactment date.

Reid amendment No. 2555 (to (the instructions of the motion to refer) amendment No. 2554), of a perfecting nature.

Reid amendment No. 2556 (to amendment No. 2555), of a perfecting nature.

The PRESIDING OFFICER. Cloture having been invoked, the motion to refer falls.

The Senator from Michigan.

Mr. LEVIN. Mr. President, I am very pleased to join Senator INHOFE, the ranking Republican on our committee, in bringing to the floor the agreement between the Armed Services Committees of the Senate and the House on the National Defense Authorization Act for Fiscal Year 2014.

The House passed this bill last week with a vote of 350 to 69, and if we pass it in the Senate, which I am optimistic now that we will, it will mark the 53rd year in a row we have enacted this bill that is so essential to the defense of our Nation and to our men and women in uniform and their families.

I wish to thank all of the members of the Armed Services Committee and our staffs. I especially want to thank our subcommittee chairs and ranking members for the hard work they have done to get us to the finish line on this bill.

Of course, I thank Senator INHOFE for the close partnership we have had in leading this committee. We have both had the benefit of a strong relationship

with the chairman and ranking member of the House Armed Services Committee, BUCK McKEON and ADAM SMITH, in our endeavor.

I share the disappointment of Senators with our inability to vote on more amendments when our committee bill was brought to the Senate floor a few weeks ago. Senator INHOFE and I spent a week on the Senate floor before Thanksgiving trying to bring up more amendments and to have them debated and voted on.

We tried to reach agreement to limit consideration to defense-related amendments, but we were unable to do that. We tried to consent to vote on two sexual assault amendments, the Gillibrand amendment and the McCaskill amendment, which had been fully debated, but we could not get consent to do that. We tried to get consent to adopt a package of 39 amendments that had been cleared on both sides, but we were unable to do even that.

It then became clear, given the Senate schedule, that our only hope of enacting a defense bill this year was to negotiate a new bill with the House Armed Services Committee on the basis of two bills: one that was reported out of the Senate Armed Services Committee, and, two, the bill that was passed by the House of Representatives, and then we decided we would seek enactment of a new bill in both Houses.

That new bill passed the House without amendment. If we fail to pass the same bill, there will be no National Defense Authorization Act this year, with the result being we would deny the Department of Defense vital authorities, we would undermine congressional oversight of the military, and we would fail in our duty to provide our men and women in uniform the support they need and deserve.

The bill before us is not a Democratic bill and it is not a Republican bill. It is a bipartisan, bicameral defense bill. It is a good bill and one that deserved the strong support it received in the House of Representatives and that I hope will receive a strong vote in the Senate tomorrow.

The bill includes hundreds of important provisions to ensure that the Department can carry out its essential national defense missions.

Here are just a few examples: Our bill extends the Department of Defense authority to pay out combat pay and hardship duty pay.

The bill extends supplemental impact aid to help local school districts educate military children.

The bill extends existing military land withdrawals at China Lake, Chocolate Mountain, and Limestone Hills that would otherwise expire, leaving the military without critical testing and training capabilities.

The bill includes a new land withdrawal, which is critical to the Marines, to expand its training area at 29 Palms.

Our bill provides needed funding for the destruction of the Syrian chemical

weapons stockpile and for efforts of the Jordanian Armed Forces to secure that country's border with Syria.

Our bill enables the Department of Defense to save more than \$1 billion by authorizing a number of multiyear contracts.

Our bill includes more than 30 provisions, as our Presiding Officer well knows, to address the problem of sexual assault in the military. For example, we provide every military sexual assault survivor a special victim's counsel—a lawyer who works not for commanders, not for prosecutors or defense attorneys or a court but for the victim.

We include strong new protections for survivors, for those people who have been victims, making it a crime under the Uniform Code of Military Justice to retaliate against a service-member who reports a sexual assault and requiring that the Department of Defense inspector general review and investigate any allegation of such retaliation.

Our bill requires that commanders who become aware of a reported sexual assault immediately forward that information to criminal investigators.

Our bill ends the ability of commanders to modify findings and convictions for sexual assaults and other serious crimes.

Our bill provides that any decision by a commander not to prosecute a sexual assault complaint undergoes an automatic review by a higher command authority, which in nearly all cases would mean a general or a flag officer.

Our bill includes the Boxer amendment to make the article 32 process more like a grand jury proceeding in which the purpose is to determine probable cause rather than the current process which is used as a discovery tool by the defense.

While this change is not limited to sexual assault cases, it will mean the victim of a sexual assault will not have to appear in person and be subjected to cross-examination by the defense.

As Senators are aware, we were unable to vote on either the Gillibrand amendment or the McCaskill amendment on the floor because of procedural objections. I hope the Senate will be able to consider and vote on both of these important initiatives early next year.

Again, relative to sexual assault, our bill does contain groundbreaking reforms that will provide much needed assistance to victims of sexual assault while also helping establish a climate in the military in which there is no tolerance for sexual assault or for retaliation against those who report it.

With regard to Guantanamo, the bill we reported out of the Armed Services Committee included both language making it possible to bring detainees to the United States for trial and a provision making it easier to transfer detainees back to their home countries. The full Senate voted to retain these provisions by a 55-to-43 vote

when the committee-reported bill was on the floor.

The compromise we reached includes the House prohibition on bringing Gitmo detainees to the United States but follows the Senate language generally, which provides our military greater flexibility to transfer Gitmo detainees to third countries. As a result, our military will be able to make decisions about how long to keep detainees and under what circumstances to transfer them to third countries on the basis of a real-world evaluation of risks rather than the current law, which provides an arbitrary and extreme checklist of certification requirements.

We recently received letters from our senior military leaders urging us to enact the Defense authorization bill before we leave this year.

For example, GEN Martin Dempsey, the Chairman of the Joint Chiefs, wrote that the authorities included in this bill “are critical to the Nation's defense and urgently needed to ensure we all keep faith with the men and women, military and civilian, selflessly serving in our Armed Forces.”

GEN Ray Odierno, the Army Chief of Staff, told us:

From authorities that help us prevent and respond to sexual assault, restore readiness, allow for continuous work in our industrial base, and start important military construction projects, this NDAA is critical to your Soldiers, their Families, and the numerous local communities that support our installations.

ADM Jonathan Greenert, Chief of Naval Operations, stated that pushing the bill into the next year “would mean critical authorities expire, which would exacerbate my readiness challenge and jeopardize our commitment to our service men and women.”

Gen. James Amos, Commandant of the Marine Corps, wrote:

Without an NDAA, landmark legislation transforming the Uniform Code of Military Justice and improving the support provided to victims of sexual assault will be lost.

He continued:

I am also concerned about the adverse impact on logistical support for Coalition forces in Afghanistan, our ability to retrograde military equipment along the Northern Distribution Network, and the impact on Coalition Support Funds that support ground transportation of supplies and retrograde of equipment through Pakistan.

Gen. Mark Welsh, the Air Force Chief of Staff wrote:

The FY 14 NDAA contains critical authorities that enable us to protect the American people while keeping our promise to our active duty, Guard, Reserve, and civilian airmen. If this important legislation is not enacted, I worry about significant impacts to Air Force operations that could jeopardize the missions we are tasked to perform. . . . Simply put, we cannot operate effectively without your help and without the direction that the NDAA provides.

Gen. Frank Grass, the Chief of the National Guard Bureau, told us:

Failure to enact an NDAA would break faith with our Army and Air Guardsmen by not re-authorizing special pay and bonuses.

Also, authorities contained in the NDAA are crucial to maintaining the training, equipment, and opportunities necessary for the National Guard to remain an operational force ready to respond to domestic and overseas contingencies.

I ask unanimous consent that these letters be printed in full in the RECORD.

CHAIRMAN OF
THE JOINT CHIEFS OF STAFF,
Washington, DC, December 9, 2013.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR MR. MAJORITY LEADER: As we enter the final weeks of December, I write to urge you to complete the National Defense Authorization Act this year. The authorities contained therein are critical to the Nation's defense and urgently needed to ensure we all keep faith with the men and women, military and civilian, selflessly serving in our Armed Forces. Allowing the Bill to slip to January adds yet more uncertainty to the force and further complicates the duty of our commanders who face shifting global threats. I also fear that delay may put the entire Bill at risk, protracting this uncertainty and impacting our global influence. For your reference, enclosed is a list summarizing expiring authorities.

I deeply appreciate congressional efforts to achieve a budget deal and subsequent appropriations. Your efforts to provide the Joint Chiefs the Time, Certainty, and Flexibility in both our budget and authorities will help ensure we keep our Nation safe from coercion.

I appreciate your continued concern for and support of our men and women in uniform.

Sincerely,

MARTIN E. DEMPSEY,
General, U.S. Army.

Enclosure.

LIST OF EXPIRING AUTHORITIES

Title	Expiration
Authority Issues:	
Afghanistan Security Forces Fund	9/30/2013
Authority for Joint Task Forces to Provide Support to Law Enforcement Agencies Conducting Counter-Terrorism Activities	9/30/2013
Authority for Reimbursement of Certain Coalition Nations for Support Provided to United States Military Operations	9/30/2013
Authority to Provide Additional Support for Counter-drug Activities of Other Countries	9/30/2013
Authority to Support Unified Counter-drug and Counter-terrorism Campaign in Colombia	9/30/2013
Commanders' Emergency Response Program in Afghanistan	9/30/2013
Authority to Establish a Program to Develop and Carry Out Infrastructure Projects in Afghanistan	9/30/2013
Logistical Support for Coalition Forces Supporting Operations in Afghanistan	9/30/2013
Pakistan Counterinsurgency Fund (DoS)	9/30/2013
Task Force on Business and Stability Operations in Afghanistan and Economic Transition Plan and Economic Strategy for Afghanistan	9/30/2013
Enhancement of Authorities Relating to DoD Regional Centers for Security Studies	9/30/2013
Authority to Support Operations and Activities of the Office of Security Cooperation in Iraq	9/30/2013
Ford Class Carrier Construction Authority	9/30/2013
North Atlantic Treaty Organization Security Investment Program	9/30/2013
Reintegration Activities in Afghanistan	12/31/2013
Military Special Pays and Bonuses • Expiring Bonus and Special Pay Authorities provided by P.L. 112-239, sections 611-615 (National Defense Authorization Act for Fiscal Year 2013) ..	12/31/2013
Travel and Transportation Allowances	12/31/2013
Authority to Waive Annual Limitation on Premium Pay and Aggregate Limitation on Pay for Federal Civilian Employees Working Overseas	12/31/2013
Non-Conventional Assisted Recovery Capabilities Support of Foreign Forces Participating in Operations to Disarm the Lord's Resistance Army ...	9/30/2013
Authority to Provide FAA War Risk Insurance to CRAF Carriers	12/31/2013
Authority to Provide Temporary Increase in Rates of Basic Allowance for Housing Under Certain Circumstances	12/31/2013
Acquisition Issues:	
New Starts, Production Increases, Multiyear Procurements	Various

LIST OF EXPIRING AUTHORITIES—Continued

Title	Expiration
80/20 Rule	N/A
General Transfer Authority & Special Transfer Authority	N/A
AP of Virginia Class	10/1/2013

UNITED STATES ARMY,
THE CHIEF OF STAFF,
December 10, 2013.

Hon. HARRY REID
Senate Majority Leader, U.S. Senate,
Washington, DC.

DEAR LEADER REID: Today, your Army has close to 70,000 Soldiers deployed around the world with nearly 40,000 of those brave men and women in combat in Afghanistan and several thousand more in hazardous duty postings such as the Persian Gulf and Horn of Africa. With many of the authorizations for their support and the support to their families set to expire later this month, I believe it is imperative that the Congress pass the National Defense Authorizations Act this December. Our Soldiers and their families require the many authorities that your bill, when passed, will provide for them to accomplish their missions overseas and here at home. For an Army still very much at war, it is vital that the Congress not allow these critical defense authorizations to lapse.

The Chairman of the Joint Chiefs of Staff has laid out the impacts of a lapse in defense authorizations on our Combatant Commanders' operations and on deployed troops. The impacts of not having a defense authorization bill passed in this calendar year will have a significant impact at home as well. From authorities that help us prevent and respond to sexual assault, restore readiness, allow for continuous work in our industrial base, and start important military construction projects, this NDAA is critical to your Soldiers, their Families, and the numerous local communities that support our installations. As a nation, we cannot afford to allow those authorities to lapse and delay the implementation of new authorities designed to make our National defense stronger and more effective.

With great respect, I urge you to find a way to work with the House in the days remaining prior to the Holiday Recess and pass the NDAA. Given these authorities, I look forward to returning to Congress in the early spring with Secretary McHugh and testifying on the Army's Posture.

Thank you for your continued support of our Army, Soldiers, Civilians, and Veterans. Sincerely,

RAYMOND T. ODIERNO,
General, United States Army.

CHIEF OF NAVAL OPERATIONS,
December 12, 2013.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR SENATOR REID: I am writing to request the expeditious passage of the FY14 National Defense Authorization Act.

Early in my tenure as Chief of Naval Operations, I established three tenets for the Navy: "Warfighting First," "Operate Forward," and "Be Ready." In support of these three tenets, I ask that you give every consideration to completing the FY14 NDAA before the end of the year. Passage of the bill will give me the authorities needed to support our Sailors through special pays, allowances, and enlistment and retention bonuses. Sailor readiness is the foundation of Fleet readiness. Support to our Civilians, Sailors, and their Families is central to Sailor readiness. Deferring the NDAA into calendar year 2014 would mean critical authorities expire,

which would exacerbate my readiness challenge and jeopardize our commitment to our service men and women.

Thank you in advance for your efforts and persistence in passing the FY14 defense authorization bill as soon as feasible.

JONATHAN W. GREENERT.

DECEMBER 9, 2013.

DEAR LEADER REID, I am writing you to express my strongest support for the passage of the National Defense Authorization Act (NDAA) prior to the end of this year. This year's NDAA contains authorities critical to our Nation's defense that enable us to protect the American people while keeping our promises to our Marines, Sailors and Civilian Marines. I believe that passage of a National Defense Authorization Act prior to the end of the current calendar year is a national security imperative.

As a member of the Joint Chiefs of Staff, I am gravely concerned that, without timely passage of the NDAA, critical authorities will expire. Without an NDAA, landmark legislation transforming the Uniform Code of Military Justice and improving the support provided to victims of sexual assault will be lost. I am also concerned about the adverse impact on logistical support for Coalition forces in Afghanistan, our ability to retrograde military equipment along the Northern Distribution Network, and the impact on Coalition Support Funds that support ground transportation of supplies and retrograde of equipment through Pakistan.

As the Commandant of the Marine Corps, I am concerned that failure to pass an NDAA will break faith with our Marines, Sailors and Civilian Marines on authorizations for their pay and benefits. Also, hard-won gains on the Twenty-nine Palms land expansion Senator Feinstein worked so hard over the past seven years to accomplish will be threatened.

I thank you for your willingness to reach across the aisle in a timely and creative fashion in order to pass this vital piece of legislation prior to the end of the year. Your continued support for the men and woman that wear our nation's uniform will add certainty to the force and simplify the duties of commanders around the globe who are providing for our common defense.

Again, thank you for all you do to support your Marines and Sailors. I remain . . .

Semper Fidelis,

JAMES F. AMOS,
General, U.S. Marine Corps,
Commandant of the Marine Corps.

DEPARTMENT OF THE AIR FORCE,
Washington, DC, December 12, 2013.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR LEADER REID: I write to urge Congress to pass the National Defense Authorization Act for Fiscal Year 2014 (FY14 NDAA) prior to the end of this calendar year. The FY14 NDAA contains critical authorities that enable us to protect the American people while keeping promises to our active duty, Guard, Reserve, and civilian Airmen. If this important legislation is not enacted, I worry about significant impacts to Air Force operations that could jeopardize the missions we are tasked to perform.

In addition to serious operational impacts, I am concerned that failure to pass an NDAA, would break faith with Airmen as authorizations for pay and benefits expire. As you know, today's Air Force faces many challenges, and we depend on the NDAA to provide policy direction on a variety of matters, ranging from sexual assault prevention and response to adjusting force structure and

manpower to meet future threats, all while complying with budget constraints. Simply put, we cannot operate effectively without your help and without the direction that the NDAA provides.

Thank you for your attention to our concerns and for considering action on the FY14 NDAA before this congressional session comes to a close. We are grateful for your continued support for all of the men and women who wear our Nation's uniform.

Sincerely,

MARK A. WELSH, III,
General, USAF, Chief of Staff.

NATIONAL GUARD BUREAU,
DEFENSE PENTAGON,
Washington, DC.

Hon. HARRY REID,
Majority Leader, U.S. Senate, Washington, DC.

DEAR MR. MAJORITY LEADER: I write to you to urge completion of the National Defense Authorization Act (NDAA). I understand you have received similar letters from the Army and Air Force Chiefs of Staff, highlighting the impact a lapse of authorization would have on federalized National Guardsmen. As Chief of the National Guard Bureau, I want to echo these sentiments as well as point out the harmful effects on non-federalized National Guardsmen, military technicians, and their families. Specifically, failure to enact an NDAA would break faith with our Army and Air Guardsmen by not re-authorizing special pay and bonuses. Also, authorities contained in the NDAA are crucial to maintaining the training, equipment, and opportunities necessary for the National Guard to remain an operational force ready to respond to domestic and overseas contingencies.

I truly appreciate your efforts to pass an NDAA and Appropriations Bill that support and enable our military to defend our Nation and keep it safe. Thank you for your continued support of all National Guardsmen, civilians, and their families.

Sincerely,

FRANK J. GRASS,
*General, U.S. Army, Chief,
National Guard Bureau.*

Mr. LEVIN. Finally, we have managed to pass a national defense authorization bill for 52 straight years, including a number of recent years when we were unable to pass a bill in the Senate, and therefore unable to go to a traditional conference. That is not best way to proceed. I think we all acknowledge that.

Our troops, their families, and our Nation's security, deserve a defense bill, and what we are offering to the Senate is the only practical way to get a bill passed and enacted.

Again, before I yield the floor, I wish to thank Senator INHOFE and his staff who have joined so closely with myself and all of the members of the Armed Services Committee and our staff to make it possible to get, as I said before, this close to the finish line.

I am confident we are going to cross that finish line because of the hard work of our members. I want to especially point out our subcommittee chairs and the ranking members as well as all of the members of the Armed Services Committee, including Senator BLUMENTHAL, who at this moment is presiding over the Senate and has personally played such an important role in getting us to where we are.

With that, and again with my thanks to Senator INHOFE, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first, I wish to say the same thing. It sounds as though it is all rehearsed, but it is not. It is actually a reality that I have always felt I could call and talk to the chairman about things we might not have in common—although I can only remember one issue where we were on opposite sides, but we have our reasons for being on opposite sides. Unless we work those out, then between John Bonnell and Peter, it is always a joy to be able to call and know I am reaching the top and we are going to be able to come up with a decision.

I talked to a lot of the Republicans who voted against this, and I want the chairman to be aware of this. I think almost all of them who voted against it voted that way for one reason; that is, the process. They wanted to have amendments. They are entitled to amendments. I think we said that over the last 10 years we have averaged 9 days of debate on this most significant bill each year. That is an average. We have had about 100 amendments on average. So that is something both the chairman and I agree should have happened, but it just didn't happen. We can't really blame one side more than the other.

Then, of course, when the nuclear option came, that got things pretty hostile here, and unfortunately what suffered was our bill.

I feel strongly that we have a good bill. In fact, a lot of people don't know how this process works when we cannot get a bill through the House and/or the Senate to make it a reality, and I had to go through this one year when I was on the House Armed Services Committee. Then they had the big four; that is, the chairman and the ranking member of the Senate and the chairman and the ranking member of the House, get together and put this together. That may not be the process—in fact, it is not the process we wanted—but the choice became, do we have a bill or do we not have a bill, and we have gotten down to that choice.

What I tried to do, and I failed—I am embarrassed to say I failed with many of our Republicans in explaining to them what would happen if we don't have a bill. I started writing what the chairman talked about that is in this bill, and I couldn't keep up. He was too fast. But I would like to mention a couple of things that I think perhaps were not mentioned.

Of course, we did cover Gitmo, and I look at it just a little bit differently than the chairman does. I like the restoration of the 1-year prohibition on the transferring of the detainees to the United States. That was a 12-month provision we had last time that we tried to get in, and we actually addressed this in our bill. But in this bill—the substitute bill we just voted on—I think it is very important and something I feel very strongly about.

On the sexual assault, we had both Senators MCCASKILL and GILLIBRAND,

and I recall both of them saying: Well, this isn't everything I wanted. But they both thought it sure was a lot better than not having a bill. So I think we have done a good job there.

I always pick out one area that shows how much this would cost. If we look at the CVN-78—75 percent finished right now, \$12 billion spent on it now—and if we didn't have this bill, I am sure we would try to do something, but work would stop, and people would be laid off. It would have then cost a lot more to wind things up and get back into it. When I say "a lot more," we are talking about millions of dollars more. So that is one of the great victories we have.

The one aspect so many of my constituents are concerned about that I think needs to be called to everyone's attention that is in this bill is the U.N. Arms Trade Treaty. I remember back when we had the bill that didn't ultimately pass, but we had an all-night session, and at 5 o'clock in the morning I passed my amendment that would preclude us from getting involved in that treaty. This was after our Secretary of State had already signed this treaty. We had 53 votes. We had all the Republicans and six of the Democrats vote in favor of that. That didn't pass, but it is very important that we address that, not just to protect Second Amendment rights but also to protect our ability to help our allies without having to go through the United Nations. And we have that provision in here, which is very significant.

On the BRAC, BRAC is controversial. I was opposed to the last BRAC round. My feeling at that time was that we were getting the force structure down artificially low, and I didn't feel comfortable bringing down the infrastructure to meet that because I was hoping we would be able to—that is the same reason I would not want to have a BRAC round right now. We have never been in such a critical fiscal condition in supporting our military as we are today.

One thing that is certain about BRAC rounds is that we can debate about how much ultimately they will save, but everybody knows what it costs in the first 5 years, and these are the first 5 years that we really can't afford it, particularly the first year.

The last thing I would mention is something I felt more strongly about than I think most of the rest of them did, and that is how much we have spent on these drop-in fuels, the biofuels, and we have language here that would say we would not do it unless they are cost-competitive. That is a huge issue to me personally.

The last two I would like to mention—people say in my conference, a lot of them are saying: Well, what is going to happen on December 31 if we don't pass the bill? I have a long list of expirations here that I ask unanimous consent to have printed in the RECORD. I will only mention three of them. One is on the aviation officer retention bonus.

I think we all know and most of us believe that we made a mistake in April when we shut down some of our squadrons and about a third of our fighter squadrons for a period of about 3 months. General Walsh presented a very persuasive case that it costs a lot more to get them back to current, as we started to do in July, than the money that was saved during the time they were down. I think we lost a lot of aviators at that time because they were grounded, they weren't flying, and they just decided they would go into the private sector.

If we take away the aviation officer retention bonus, that is going to accelerate the lost number of people who would otherwise stay in the military. That would have gone away on the 31st of December. I don't know how many of the aviators we would lose, but I do know this: It is a \$25,000 bonus, and the difference between retraining and retaining is huge. We can retain them, if the bonus would influence them, for \$25,000, but retraining, to get to the optimum—the first level being the F-22—is about \$7.5 million, but there is another \$9 million to get to the top proficiency. That means \$17 million as opposed to \$25,000. So I think we need to in the future always keep track of retraining and retaining.

The health care professional bonus would end on December 31. Why is that important? Because a lot of these people who are taking care of our wounded warriors—not just at the hospitals but also after they leave—have special pay to take care of our wounded warriors, those who have made the sacrifices, and that would have ended on December 31.

The reenlistment bonus for Active members would also end. I remember from my military days that when people were getting ready to leave, they looked at the bonus, and that is there to encourage them to stay. So it is not just aviators; it is the ground guys and gals too.

So we have done a lot. I really appreciate that opportunity.

The last thing I will say—and I will ask my staff to put up the picture—this is my appeal to the minority leader and the majority leader. We could play the game and extend this and be here until midnight, I guess, on Thursday night. It happens that tomorrow is my 54th wedding anniversary, and I would really like to ask both the majority and the minority if we couldn't yield back a little bit of time. We know we are going to have the votes for this. I would sure like help. Those 20 kids and grandkids are waiting for me for a big dinner on our 54th wedding anniversary tomorrow night. So have mercy, give us a break, and let's try to get this voted on and go home. And Merry Christmas to everybody.

There being no objection, the material was ordered to be printed in the Record, as follows:

NDAAs AUTHORITIES EXPIRING ON 31 DEC
TRAVEL AND TRANSPORTATION ALLOWANCES
MILITARY SPECIAL PAY & BONUSES PROVIDED BY
FY13 NDAA

Reenlistment bonus of active members
Healthcare Professional bonus and special
pays

Reserve forces bonus and special pays
Nuclear Officers Bonus and special pays
Assignment pay or special duty pay
Skill incentive pay or proficiency bonus
Retention incentives for critical military
skill or assigned to high priority units
Aviation officer retention bonus
Assignment incentive pay
Enlisted bonus

Accession bonus for new officers in critical
skills

Incentive bonus for conversion to military
occupational specialty to ease personnel
shortage

Incentive bonus for transfer between
armed forces

Accession bonus for officer candidates

Mr. INHOFE. I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I surely join Senator INHOFE in the plea that his time and much of the time between now and the 30-hour end point be yielded back. Somehow or other, I hope our leaders can manage that for not just Senator INHOFE's 54th wedding anniversary—I thought I was a heroic figure; my wife is more heroic than I—because we have been married 52 years.

Mr. INHOFE. Oh, you will make it.

Mr. LEVIN. She is the hero. But in any event, I surely join in that request.

Mr. President, I ask unanimous consent that a full list of our minority and majority staff who have given so much of themselves and their families be printed in the RECORD, including Peter Levine, John Bonsell, and then all of the other staff members, both the majority and minority staff.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Peter K. Levine, Staff Director; John A. Bonsell, Minority Staff Director; Daniel C. Adams, Minority Associate Counsel; Adam J. Barker, Professional Staff Member; Steven M. Barney, Minority Counsel; June M. Borawski, Printing and Documents Clerk; Leah C. Brewer, Nominations and Hearings Clerk; Joseph M. Bryan, Professional Staff Member; William S. Castle, Minority General Counsel; Jonathan D. Clark, Counsel; Samantha L. Clark, Minority Associate Counsel; Allen M. Edwards, Professional Staff Member; Jonathan S. Epstein, Counsel; Gabriella E. Fahrer, Counsel; Richard W. Fieldhouse, Professional Staff Member.

Lauren M. Gillis, Staff Assistant; Thomas W. Goffus, Professional Staff Member; Creighton Greene, Professional Staff Member; Ozge Guzelsu, Counsel; Daniel J. Harder, Staff Assistant; Alexandra M. Hathaway, Staff Assistant; Ambrose R. Hock, Professional Staff Member; Gary J. Howard, Systems Administrator; Michael J. Kuiken, Professional Staff Member; Kathleen A. Kulenkampff, Staff Assistant; Mary J. Kyle, Legislative Clerk; Anthony J. Lazarski, Professional Staff Member; Gerald J. Leeling, General Counsel; Daniel A. Lerner, Professional Staff Member; Gregory R. Lilly, Minority Clerk; Jason W. Maroney, Counsel; Thomas K. McConnell, Professional Staff Member.

Mariah K. McNamara, Special Assistant to the Staff Director; William G. P. Monahan, Counsel; Natalie M. Nicolas, Minority Staff Assistant; Lucian L. Niemeyer, Professional Staff Member; Michael J. Noblet, Professional Staff Member; Cindy Pearson, Assistant Chief Clerk and Security Manager; Roy F. Phillips, Professional Staff Member; John L. Principato, Staff Assistant; John H. Quirk V, Professional Staff Member; Robie I. Samanta Roy, Professional Staff Member; Brendan J. Sawyer, Staff Assistant; Travis E. Smith, Chief Clerk; Robert M. Soofer, Professional Staff Member; William K. Sutey, Professional Staff Member; Barry C. Walker, Security Officer.

Mr. LEVIN. Mr. President, I again thank all of the members of our committee and staff who worked—I don't know how to describe the effort that every year is put into our authorization bill. It is a round number—52, maybe now 53 years. It is a big number. It doesn't say what each year—each month of every year—our staffs put into the annual authorization bill. It is an extraordinary effort that they make. Senator INHOFE and our colleagues and I watch them really with amazement because of what they give up to accomplish this. We are not quite there yet. We have to have a final passage vote. I hope it comes a lot earlier than late tomorrow.

ENERGY SAVINGS PERFORMANCE CONTRACTING

Mrs. SHAHEEN. Mr. President, the Department of Defense is the largest single consumer of facilities energy in the Nation and spends more than \$4 billion a year to power military installations. Energy management is very important to DoD's mission, both as a matter of conservation and the proper stewardship of funds provided by Congress.

In recent years, the Department of Defense has made significant progress in reducing energy use on military installations. In fiscal year 2012, the Department achieved a 17.7 percent reduction in energy use from the fiscal year 2003 baseline established by law in the Energy Independence and Security Act of 2007. In addition to direct investment, the Department's use of energy savings performance contracting and utility energy savings contracting has historically played an important role in the achievement of the Department's facility energy management objectives. Energy Savings Performance Contracts, commonly known as ESPCs, provide private sector financing for energy improvements at government facilities, with that investment paid back over time from the agency's utility bill savings. As part of a broad administration effort established in 2011 to improve Federal energy efficiency, the Department has committed to award \$1.2 billion in performance-based contracts by the end of 2013.

I would pose a question to my colleague, the ranking member of the full committee and a manager of the bill, Senator INHOFE, who has long been a supporter of performance contracting, about this matter and whether he believes the Department can do more.

Mr. INHOFE. Mr. President, I thank the Senator from New Hampshire, the chair of the Subcommittee on Readiness and Management Support, for her question. I am a strong supporter of energy performance contracts that provide maximum savings for the Federal Government. It is my understanding that the components of the Department of Defense have identified additional opportunities for energy conservation and energy demand management that could benefit from performance contracting. However, in order to maximize taxpayer savings, it is vital that DoD contract for those projects that provide the greatest return on investment as opposed to directing the use of certain mandated energy sources without an assessment of relative costs over the life cycle of the project. I join with the Senator from New Hampshire to strongly encourage the Secretary of Defense and the Secretaries of the military departments to increase the use and streamline the administration of energy savings performance and utility energy savings contracting vehicles that will incorporate the most efficient and effective energy systems in order to maximize the reduction of operational costs, to conserve energy resources, and to improve the efficiency of building systems. I hope my colleague will join with me as part of our oversight responsibilities for the committee that we ensure energy performance contracts carried out by the Department of Defense meet the intent of the President's executive order of December 2011 to maximize cost reductions for the Federal Government by promoting projects to offer the greatest return on investment.

Mrs. SHAHEEN. Mr. President, I thank the Senator from Oklahoma and I look forward to working with him to improve DoD's management practices in this area.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I too wish to congratulate the Senator from Oklahoma and Kay for their 54th wedding anniversary. It is quite a landmark for an outstanding couple. I hope they get to celebrate on their day. I think that probably, if we knew the final vote on this was going to be the end of the whole process before Christmas, it probably would include time yielded back. But if there are going to be a whole bunch of things thrown in that really have relatively little importance before the end of the year, the Senator probably won't get his wish. So I am hoping we can end it with this bill.

I rise to express my disappointment that this National Defense Authorization Act on which we will soon be having a final vote is the product of another deal instead of the result of discussion, debate, and amendment process on the floor. Once again, the Senate has failed to do its job. The Senate majority leader has blocked all but two amendments to this NDAA from consideration, and those were to prevent

any other amendments from happening. That is not right. That is not the way we used to do it. If we want to know what is wrong with the Senate and why people of all political persuasions are upset with Congress, that is a big part of the answer right there—no amendments allowed.

Here we are at the end of the year—this didn't have to come at the end of the year. In fact, I never remember us debating it this late in the year.

Incidentally, this is the only committee that gets a bill every year. The other committees have to fight for some time and hopefully have a persuasive enough bill to get it. But every year I have been here, we have debated this National Defense Authorization Act, and it is important.

There are two primary things we are charged with, and one is spending for the United States and the other is national defense. And this is about the national defense. It shouldn't be crowded into 30 hours or even 1 week. There ought to be the ability to express what we think is important dealing with national defense, and we are not being allowed to do that.

This is an important bill for our country. There are a lot of important issues in it that we need to discuss. We haven't considered issues relating to our nuclear deterrent, to privacy concerns related to the National Security Administration, to detention of U.S. citizens, and the need to address sexual assault in the military, or a number of other important issues. In the past, we have spent multiple weeks on the Defense bill and considered dozens of amendments. That is what we should be doing this year too.

I understand we have come up against this December 31 deadline and how critical that is. That should not have happened. Our national security needs to be fully debated, and it needs to be debated by the whole Senate.

Every voice needs to be heard. That means every constituent out there whom we represent has to have at least an opportunity to have their interests reflected in this national bill. We all have some military in our States, and it is very important. That is how it is supposed to happen, and that is the way the Senate does its best work.

One of the things that have been holding it up, of course, are the nominations. Most of those nominations did not have urgency to them. They could have been done next year without hurting the United States at all—not the case with the National Defense Authorization Act. So we do not have priorities on what we are debating around here, and then we have limits because of the timeframe. It is not right.

One of those important issues we are skipping over is the nuclear deterrent. I offered several amendments on this issue because I believe the administration is playing a dangerous game with national security. The solution I proposed in my amendment was simple and straightforward. It would have en-

sured that American citizens and our allies would not be harmed by this administration's bad policy decisions—both today and for years to come—by ensuring that any further reductions in our nuclear arsenal could not be done by the administration unilaterally.

As background, here in the Senate I have the honor of representing the city of Cheyenne, WY, which is the home of F.E. Warren Air Force Base and the 90th ICBM Missile Wing. Those who proudly serve there have an awesome responsibility and a history of doing excellent work. We have entrusted the most powerful of our weaponry to the best, to the most capable of managing these weapons in a thoroughly professional and reliable manner. Every day, the top-notch men and women who are stationed at F.E. Warren work together to maintain the world's most powerful military force, our ICBMs. Seven days a week, 24 hours a day, they stand guard to ensure our safety and our freedom. They maintain a constant vigil from which they can never stand down because their mission is that critical. In a very real sense, that is why each one of us is able to sleep well at night. Moms and dads and grandpas and grandmas all across America know that when they tuck their kids in at night, someone is on duty and will continue to be watching through the lonely hours of the night to make sure their little ones are safe and secure.

Unfortunately, there are those in the administration who take the contributions of our military for granted. They do not have the sense of history that is needed to fully appreciate why these weapons were designed and put into operation in the first place. They do not see how much they are needed today and will still be needed tomorrow to ensure our future. They do not fully appreciate the key role they have played in the past either. They seem to think that nuclear weapons are part of a bygone era, a relic of the past that has not been needed since the Cold War ended.

The adoption of such a position is dangerous because it takes our position of strength for granted. What they fail to understand is the power of this deterrent and how it has kept us safe for decades. In the past, any nation that gave even a casual thought to threatening us or trying to do us harm had to quickly shelve those plans when the realization of what they would be up against was made clear. That is, after all, the point of having these weapons. That is one of the reasons why they are necessary. They have served us well ever since they were first deployed.

The administration's views on our nuclear deterrent should not come as a surprise to any of us who have watched the development of these ideas when they were first offered for consideration. We have seen President Obama promise to do all he can to reduce our nuclear arsenal—step by step. First, he rammed the New START treaty through the Senate by promising commitments that he ultimately did not

keep. One of those was the promise to modernize our nuclear force, which we are still waiting on. I voted against ratification of the New START treaty because I believe maintaining a strong nuclear force is a critical part of protecting our country. It still is.

The Obama administration has stated its intention to reduce the number of deployed nuclear warheads to as few as 1,000, which would be 550 fewer than is allowed under that New START treaty. What is more, in the factsheet on the Nuclear Posture Review Implementation Study, it states that the President could go outside the formal treaty-making process and reduce our nuclear arsenal unilaterally. That has “bad idea” written all over it. It means the administration can still make drastic nuclear reductions even if Russia will not agree to do the same. Does that make any sense? Should we just bargain with ourselves? That is something which should give us all pause and encourage us to go on record as to what needs to be done to keep our people safe.

In case you think I am overreacting, last year President Obama was caught on an open microphone promising former Russian President Dmitry Medvedev that he would have more flexibility to negotiate on nuclear defense issues after his election. Those comments are still before us, and they do not exactly instill trust and confidence that the President will not choose to bypass Congress and act unilaterally on nuclear reductions.

All we have to do is look around the world to see why we should be concerned. Everywhere we look, nations are looking to increase, not decrease, their weaponry. In fact, as the President makes plans for reducing our own nuclear arsenal, it appears Russia and China are looking for ways to modernize and update their own arsenals.

These are dangerous weapons, and we need to be certain we do everything we can to ensure that they continue to be fully monitored. They must never be used. But it seems to me that the best way to make certain they are never used is to be certain that no one would ever dare to think of using them against us or our allies.

The concerns I have that some other country might use these weapons first are increased, not decreased, when I see the administration sending signals that they might not wait for everyone to disarm; they might do it on their own first. It would be like taking your own team off the field and allowing the other team to score at will. Relying on the good will of the opponent rarely works, and it is clearly not a good strategy.

One final point. We are not the only ones who are relying on our nuclear arsenal for our safety and security. There are other countries that rely on the United States for their national security. If we make it clear that we are dropping out of this vital source of our strength as a nation, this could encour-

age other countries to increase their own nuclear capability because they will suspect that they can no longer rely on us. Increasing the number of nations that have a nuclear capability is clearly something we dare not encourage.

Simply put, this is exactly what my amendment was trying to stop. It would have ensured that any further reductions in our nuclear arsenal could not be done on a unilateral basis by the President alone. Instead, any changes would have to follow the application of the treaty system, which would give the Senate an opportunity to weigh in on this matter again when a proposal in the form of a treaty is brought before us for our consideration.

Just as ridiculous, the President threatened a veto if the amendment were in the bill. Now, unfortunately, due to the majority leader's actions, we are not going to be able to debate this and other important issues like I mentioned before—the privacy issue at the National Security Agency, the NSA listening in on telephone calls; the detention of U.S. citizens; addressing sexual assault in the military; and a number of others.

For all of these reasons, I cannot support moving forward on the Defense bill. I hope that on our next Defense authorization bill we will all recognize the importance of being allowed to fully debate these issues, so we will not wait until the end of the year when there is this looming deadline regarding bonuses, so our men and women in uniform can continue to fulfill their mission of keeping our Nation safe, secure, and free, knowing what their future is.

Something as important as the Defense authorization bill must not be drafted or taken up for a vote until it has made it through the whole legislative process. The legislative process was created for a reason, and we do ourselves and our constituents and those who serve in our Armed Forces a disservice when we fail to make full use of it. The bill has not made it through each step of the process. In my opinion, that is a fatal flaw. We can do better. We need to do better. We better do better in the future.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHATZ. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHATZ. I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BUDGET

Mr. SCHATZ. The budget agreement that we passed is an important step forward for our country and for our

government. I know Chairman PATTY MURRAY worked tremendously hard to get to a conference in the first place and to reach this agreement with the House. I commend Chairman MURRAY for all of her work.

The U.S. Government has been lurching from crisis to manufactured crisis and using short-term stopgaps to fund the government. The threat of a shutdown and the lack of uncertainty has hurt our economy and has eroded the American people's confidence in our ability to solve problems.

It is our job to produce a budget and to figure out a way to work together and not shut the government down. That is what the people expect of responsible leaders in a divided government.

This budget agreement is the way to move forward. It ends the reckless threats of government shutdown and lays a clear path to end sequestration.

The sequester hit my home State of Hawaii very hard. The across-the-board arbitrary cuts from sequester have been devastating for our middle-class families and to our economy.

I wish to read a letter that I received from a professor at the University of Hawaii at Manoa in September.

He wrote:

I was contacted today, as I often am, by a student wanting to join our graduate program in the Department of Geology and Geophysics.

Unfortunately, I had to tell this student that funding for accepting new students is low right now, which may make it impossible for me to accept him as a graduate student, despite his excellent qualifications.

This exchange reminded me that one source of the problem is the budget cuts to NSF (and other science funding agencies) that are the result of sequestration. The current situation is having the following impacts, which are happening right now at research centers nationwide, including UH Manoa:

Many scientific workers are being laid off or are not being hired—this includes individuals in Honolulu.

Research groups are being forced to cut infrastructure that took decades to build.

Some scientific discoveries that could help our society are not being made.

Some bright young students are not being given opportunities to advance their scientific careers.

I think that this last point is the saddest result because, it negatively impacts the hopes and dreams of many young people.

Furthermore, these students are the future of our scientific workforce—people that will be leading us toward the innovation and problem-solving that is crucial for our country's future.

This professor urged me and this Congress to do everything that we can to roll back the sequester. That is one of the many reasons why I supported the budget today.

Sequestration caused Federal workers to be furloughed or laid off throughout Hawaii. Sequestration hurt our national defense, U.S. competitiveness, and harmed education programs.

Head Start in Hawaii had to cut children from its programs this year. This early education program is critical for

a young child's success later in life. Some of these kids and parents don't have other options without Head Start.

Without this budget agreement, there would have been an additional \$20 billion cut to our defense programs hitting next month. Those defense cuts are going to disproportionately hurt my home State of Hawaii. Without this budget agreement, 25,000 Federal civilian workers in Hawaii could be furloughed or laid off.

Hawaii can't afford that. I voted for this budget to prevent those cuts.

The bipartisan budget agreement finally provides relief from the sequester and a path forward to get our economy on the right track. Most importantly, the budget protects Social Security and Medicare benefits.

Although this budget is the right choice for many reasons, we know it is not perfect. I do believe we need to work together to improve parts of it.

I find it unacceptable and inexplicable that the House of Representatives left town for the holidays without extending long-term unemployment benefits, and I know we are working on making it a priority as soon as we return in January.

In addition, Senator SHAHEEN has introduced legislation—which I am proud to support and cosponsor—to protect military retirees from the cost-of-living pay adjustment. The cost-of-living pay adjustment won't take effect until January of 2015, which means that we have time to fix this issue, but we must fix this issue.

This legislation that I am cosponsoring with Senator SHAHEEN will fully pay for the change by closing a loophole that some companies are using to avoid paying U.S. taxes with offshore tax havens. This is a commonsense fix that I believe we can get bipartisan support for. We need a long-term budget, but not at the expense of our military retirees.

We can replace the money raised by closing this tax loophole that some companies are abusing. We have time to fix this issue, and we have to do so before 2015. But now is the time to move forward, to protect jobs, and to give our country some economic certainty.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

VA EXPIRING AUTHORITIES EXTENSION ACT

Mr. LEVIN. I ask unanimous consent that the Senate proceed to the consideration of H.R. 1402, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 1402) to amend title 38, United States Code, to extend certain expiring provisions of law, and further purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEVIN. I ask unanimous consent that the bill be read three times and

passed and the motion to reconsider be laid upon the table, with no intervening action or debate.

The bill (H.R. 1402) was ordered to a third reading, was read the third time, and passed.

Mr. LEVIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEVIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. LEVIN. I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each and, further, that the time count postcloture.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL SECURITY

Mr. CHAMBLISS. Mr. President, I rise today to address the dire national security situation and the responsibility of this body to pass a national defense authorization bill this year.

Congress has passed this legislation for each of the last 51 years, always with broad bipartisan support. This year should be no different. Our service men and women are deployed around the globe in defense of our Nation. They put themselves in harm's way to further the American principles of freedom and democracy, yet we have failed to provide these men and women and our senior military leaders the fiscal certainty and legal authorities they need to complete their vital missions.

Instead, we have a Senate majority intent on fundamentally altering the way the Senate conducts business by pushing through bills without a full and open process. This is not the way the Senate was designed to function.

This year's National Defense Authorization Act was reported out of the Senate Armed Services Committee on June 20 of this year. Since that time it has been delayed time and again by the Senate majority leader as our Defense leaders struggle to implement our national security strategy. General Dempsey recently transmitted to congressional leadership an itemized list of 26 authorities that will expire at the end of this year or shortly thereafter.

We are not talking about legislating ancillary programs or nonessential functions, we are talking about military special pay and bonuses for deployed servicemembers, funds to transition security responsibilities to our Afghan partners, and critical counterinsurgency programs in the Middle East, as well as funding for our intelligence community.

While I support the underlying bill, I am deeply disappointed with the process that got us to this point and thus why I did not vote to invoke cloture. Frankly, I had several amendments I would like to have added to this bill addressing such issues as a technical correction giving Reservists and National Guardsmen proper credit toward retirement for time spent deployed, and an important land transfer of Camp Merrill in Georgia between the Army and the U.S. Forest Service.

I have seen many changes during my years in the Senate, but among those is a disturbing trend regarding the NDAA. We seem to be operating on the premise of fewer, faster, and later. By fewer, I mean fewer amendments. All Senators deserve the opportunity to amend this important piece of legislation. The 20-year average is 140 amendments per year. Last year we were only able to pass 106 amendments. This year we debated one.

As we have seen time and time again, the majority uses the amendment tree to shut down debate and move the bill quicker through the Senate. My colleagues and I have filed over 500 amendments to this year's NDAA. Through hard work and bipartisan support, the two Armed Services Committee staffs have striven to accommodate the concerns of the Senate. But even so, there are pressing issues that require full and deliberative debate in the Senate. These include military sexual assault, counterterrorism and detention policy, and sanctions against those regimes that would do America harm, including Iran.

By faster, I mean the bill spends less time on the Senate floor. The 20-year average is over 9 days, with a maximum of 19 days for the fiscal year 2008 bill. The 1 day we spent on this bill in November is insufficient time to debate the critical security issues confronting our Nation.

The Senate majority has gone to great lengths to keep the bill off the floor. When they could no longer avoid it, they have compressed the timeline for consideration or recommitted it to the Armed Services Committee. This is unprecedented and it is totally unacceptable.

By later, I mean a lack of urgency to take up the bill after committee action. Looking back over the last 40 years, the Senate has gone from passing the NDAA consistently before August to later and later in the year. Last year, it was December. This year we are running up against the end of the year.

I am deeply disappointed at the recent turn of events in the Senate.