NOT VOTING—17

Braley (IA)	Hastings (WA)	McCarthy (NY)
Duncan (TN)	Israel	Pastor (AZ)
Filner	Jackson (IL)	Pingree (ME)
Frelinghuysen	Johnson, Sam	Turner
Giffords	Jones	Whitfield
Hanabusa	Long	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 2 minutes remaining in this vote.

□ 1845

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Madam Chair, on rollcall 337, I was away from the Capitol region attending the Civil Rights Freedom Riders' 50th Anniversary Celebration. Had I been present, I would have voted "aye."

Stated against:

Mr. TURNER. Madam Chair, on rollcall No. 337, I was unavoidably detained and did not vote. Had I been present, I would have voted "no."

Mr. GUTHRIE. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mrs. CAPITO, Acting Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1216) to amend the Public Health Service Act to convert funding for graduate medical education in qualified teaching health centers from direct appropriations to an authorization of appropriations, had come to no resolution thereon.

GENERAL LEAVE

Mr. MCKEON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1540.

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

There was no objection.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012

The SPEAKER pro tempore. Pursuant to House Resolution 269 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1540.

□ 1849

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1540) to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2012, and for other purposes, with Mr. WOMACK in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Mr. MCKEON. I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 1540, the National Defense Authorization Act for Fiscal Year 2012, which overwhelmingly passed the Committee on Armed Services on a vote of 60–1. In keeping with the committee's tradition of bipartisanship, Ranking Member SMITH and I worked collaboratively to produce the bill and solicited input from each of our Members.

The legislation will advance our national security aims, provide the proper care and logistical support for our fighting forces and help us meet the defense challenges of the 21st century. The bill authorizes $553 billion for the Department of Defense base budget, consistent with the President's budget request and the allocation provided by the House Budget Committee. It also authorizes $18 billion for the development of the Department of Energy's defense programs and $118.9 billion for overseas contingency operations.

The legislation we will consider today also makes good on my promise, when I was selected to lead the Armed Services Committee, that this committee would scrutinize the Department of Defense's budget and identify inefficiencies to invest those savings into higher national security priorities. We examined every aspect of the defense enterprise, not as a target for arbitrary funding reductions, as the current administration has proposed, but to find ways that we can accomplish the mission of providing for the common defense more effectively.

The National Defense Authorization Act for Fiscal Year 2012 achieves these goals by working to:

Ensure our troops deployed in Afghanistan, Iraq and around the world have the equipment, resources, authorities, training and time they need to successfully complete their missions and return home safely;

Provide our warfighters and their families with the resources and support they need, deserve and have earned;

Invest in the capabilities and force structure needed to protect the United States from current and future threats, mandate physical responsibility, transparency and accountability within the Department of Defense; and

Incentivize competition for every taxpayer dollar associated with funding Department of Defense requirements.

Mr. Chairman, I know there have been many questions raised by the ACLU and others relating to a provision in our bill dealing with the 2001 authorization for use of military force. I would like to address some of those concerns now.

Section 1034 of the NDAA affirms that the President is authorized to use all necessary and appropriate force against nations, organizations, and persons who are part of or are substantially supporting al Qaeda, the Taliban and associated forces.

It also explicitly affirms the President's authority to detain certain belligerents who qualify under this standard I just described, which Congress has never explicitly stated. It's important to note that the U.S. Supreme Court has accepted the President's authority to detain belligerents as within the powers granted by the AUMF.

Moreover, the language in section 1034 is very similar to the Obama administration's interpretation of the authorities provided pursuant to AUMF, in particular, a March 13, 2009, filing in the U.S. District Court for the District of Columbia. While U.S. courts have accepted the administration's interpretation of the AUMF, it is under constant attack in litigation relating to the petitions filed by Guantanamo detainees.

Because of these ongoing challenges, the administration's interpretation may receive less favorable treatment over time if Congress refuses to affirm it. Section 1034 is not intended to alter the President's existing authority pursuant to the AUMF in any way. It's intended only to reinforce it. I believe that our men and women in uniform deserve to be on solid legal footing as they risk their lives in defense of the United States.

Finally, some have suggested section 1034 was included in the dark of night. I note that this language was originally included in the Detainee Security Act of 2011 introduced on March 9 and was discussed during a committee hearing on March 17. We have sought input from the administration, as well as Ranking Member SMITH, his staff and numerous outside experts. Moreover, the process used to craft this legislation is historic in its transparency. In fact, a copy of my mark was distributed to committee members' offices 5 days before our markup. The legislation, including funding tables, was posted online nearly 48 hours in advance of our markup.

It's also noteworthy that there are no earmarks in the National Defense Authorization Act for Fiscal Year 2012. Every Member request to fund a defense capability was voted on and includes language requiring merit-based or competitive selection procedures. To those who are concerned that members may unduly influence the Department of Defense to direct funds to a particular entity, I can only recall the words of my good friend, the former chairman of the Armed Services Committee, Ike Skelton, who would say, Read the amendment. What does it say? If DOD chooses to violate the law and the text of a provision in the

NDAA requiring merit-based selection, the Armed Services Committee will take them to task.

Finally, I thank the chairman and the ranking member of the Rules Committee for working with us to bring this measure to the floor. I urge all of my colleagues to support passage of this bill. In partnership with you, we look forward to passing the 50th consecutive National Defense Authorization Act.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I yield myself such time as I may consume.

I too rise in support of this bill, the 2012 National Defense Authorization Act. I want to begin by thanking the chairman and our staffs for the outstanding work that they have done putting together this bill.

I think Mr. MCKEON has more than risen to the level of the bipartisan tradition of our committee. He has upheld the tradition held by our predecessors that this committee should work together, Republicans and Democrats, that it should be an open and transparent process.

I can say that I and my staff feel very, very good about the open process that we have had, although we have not agreed on everything—we do not agree on everything—that is in the bill; but where there were disagreements, we had an open and honest dialogue. We had votes in the committee, and now we will have votes on the floor.

And overall I think the chairman and the members of both parties and staffs have put together a very strong bill that will protect our national defense and meet the primary duty of this Congress, and that is provide for the national defense and the national security of our country. So I thank the chairman and his staff for that work, and I look forward to continuing to work with him throughout this process.

I also want to note one of our members, who was not able to be there during the course of our markup as she usually is, but nonetheless contributed greatly to the process. We all miss Congresswoman GABRIEL GIFFORDS' presence on the committee, but we work very closely with her staff on issues and priorities that have been important to her during her time on the committee, and she and her staff are still doing an outstanding job with the committee in contributing to this process. So I thank them, and we all look forward to GABBY coming back to this body and continuing her work.

In putting together this bill, there are five main areas of priorities that I think we should focus on. First and foremost, whenever we have troops out in the battlefield, as they are in Afghanistan and Iraq, and also spread out in a whole lot of other countries, priority number one has to be to make sure that we give them the support, the equipment and the means necessary to carry out the mission that we have given them.

I believe that this bill prioritizes that, both within the base bill and within the overseas contingency operations funding to make sure that our troops in Afghanistan and Iraq, elsewhere, have the equipment they need to carry out the mission that we have given them.

Second, I believe the counterterrorism in the fight against al Qaeda must continue to be a top priority of this committee, and I believe that we strongly support that once again. We all learned as a Nation and the world, with the killing of Osama bin Laden, how effective our Special Operations Command and other elements of our counterterrorism policy can be, but we also need to be mindful that the job is not done, and we continue to fund those priorities.

I do want to specifically commend the folks at the Special Operations Command. I had the great privilege of chairing the subcommittee that has had jurisdiction over the Special Operations Command for 3 years. They do a fantastic job for our Nation. Certainly, everybody saw that in the case of getting bin Laden; but they do it every day in many, many ways that many people do not know and do not recognize, so I thank them for their outstanding work.

We also have a huge challenge with the budget. As the chairman mentioned, finding efficiencies in the Defense budget is going to be critical. As we have heard on this floor over and over in many contexts, we have a massive deficit. We have a deficit that is over 33 percent of what we spend. The Defense budget is 20 percent of the overall budget. You cannot take 20 percent of the overall budget off the table and effectively deal with a deficit of that size.

□ 1900

We are going to have to look carefully at where we spend our money in defense, just like everywhere else, to make sure that we're getting the most for our dollar. I believe we have done that effectively in this bill, but I also believe that going forward that task is going to get harder, not easier. We must find ways to save money and spend it more efficiently within the Department of Defense. I also believe that our policy in Afghanistan is going to be critical.

As I mentioned, we certainly fund our troops in the effort that they are performing right now in Afghanistan, but going forward, we are going to really need to begin to bring those troops home to complete that mission. We will have some amendments that address that issue during the course of this bill. I look forward to that debate because I think that Congress needs to play a strong role in concluding our mission successfully in Afghanistan.

Lastly, the issue that the chairman mentioned that I think is very important in this bill is detainee policy and the AUMF. The chairman very early on identified this as a clear priority, and I think he is absolutely right that Congress' voice should be heard on these very, very important issues. We've worked closely on that. We have reached some agreement. We have some areas of disagreement. The biggest one we're going to have an amendment on this is the idea of whether or not article 3 courts should continue to be available for Guantanamo Bay detainees and those who would be captured in similar situations in the future. I believe that it should. We shouldn't always have them in article 3 courts. Military commissions have their place. Indefinite detention of enemy combatants has its place. But article 3 courts have effectively served this country for over 200 years. We have tried and convicted over 400 terrorists in article 3 Federal courts. Right now in the United States of America, we have over 300 of them safely locked up. We can do it. It's an option we should not take away from the President.

So, again, I want to thank the chairman for a very open process. Bipartisanship is the tradition of this committee. He has upheld that very well. I look forward to working with him as we go forward in this process.

I reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, I yield 3 minutes to my friend and colleague, the chairman of the Subcommittee on Tactical Air and Land Forces, the gentleman from Maryland (Mr. BARTLETT).

Mr. BARTLETT. I rise in support of H.R. 1540, the National Defense Authorization Act of 2012. I have the privilege of serving as the chairman of the Armed Services Committee's Tactical Air and Land Forces Subcommittee. Our jurisdiction includes approximately $78 billion of selected programs within the Army, Navy, Marine Corps, Air Force, and Office of the Secretary of Defense procurement and research and development accounts.

I first want to thank the subcommittee's ranking member, SILVESTRE REYES from Texas, for his support this year in putting the bill together. Ours is a truly bipartisan effort, as it is for the full committee under the leadership of Chairman MCKEON and Ranking Member SMITH. The committee's focus is on supporting the men and women of the Armed Forces and their families, providing them the equipment they need and the support they deserve.

Our first priority, of course, is in providing the equipment to support our military personnel serving in Iraq and Afghanistan. The bill adds no additional funding for the Department of Defense programs within the subcommittee's jurisdiction. The bill, however, reallocates approximately $1.5 billion from canceled, delayed, or otherwise lower priority programs to higher priority requirements.

First, an additional $425 million is provided for modernization of Abrams tanks and Bradley fighting vehicles. The Army budget request would result

in a costly production break for these two programs in 2013, which could last anywhere from 1 to 3 years. These production lines cannot be turned on and off like a light switch. The unique skills of the workforce cannot be just put on the shelf to be retrieved several years down the road. For the Abrams tank production alone, there are almost 900 suppliers. Seventy-five percent of these suppliers are small businesses. Based on the information we have received to date, it is more efficient to keep these lines warm than it would be to shut them down and start them up again.

Second, an additional $325 million is provided for the National Guard and Reserve Equipment Account for equipment shortfalls.

Thirdly, the bill increases funding at Army and Air Force test ranges by $209 million. The Pentagon has recently acknowledged its proposed large fiscal year 2012 reductions in Test and Evaluation in the Army and Air Force could lead to ''unintended consequences'' and acknowledged the need to readdress this issue, especially in regards to complying with the Acquisition Reform Act.

Finally, acquisition and sustainment of the engine for the F–35 aircraft over its lifetime is estimated to cost well over $100 billion. The Armed Services Committee has believed and continues to believe that the F–35 engine acquisition and sustainment should be done on a competitive basis. That is why, on a bipartisan basis, the committee has strongly supported the final development phase of the F–35 competitive engine program since it began nearly 6 years ago. Although the committee's bill provides no additional funding for the F–35 aircraft competitive engine program, the bill takes strong bipartisan action that was supported by a recent vote of 55–5 by the committee to enable the competitive engine contractor to continue development of the competitive engine at no expense to the government or the taxpayer.

I strongly urge all of our colleagues on both sides of the aisle to support this bill's innovative approach to continue the F–35 competitive engine development program.

Mr. Chairman, I want to thank a truly superlative staff, and again want to thank the chairman and ranking member for assistance on a really good bill.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentleman from Texas, the ranking member on the Air and Land Subcommittee, Mr. REYES.

Mr. REYES. I would like to thank the gentleman for yielding and compliment both the chairman and the ranking member for setting the tone to once again work in a bipartisan basis, as has been mentioned by all three of my colleagues that have spoken here this evening.

Mr. Chairman, each year the Tactical Air and Land Forces Subcommittee is charged with conducting oversight of hundreds of thousands of dollars in Department of Defense programs that total more than $135 billion. All of the members of this subcommittee take this task very seriously because the troops in the field depend on Congress to provide them with what they need.

Conducting this oversight is a challenge because the budget, as we get it from the Department of Defense, is often far from perfect. It is the subcommittee's responsibility, therefore, to identify any wasteful spending, very critical at a time when the budget is under stress, find unexecutable funding and also find redundant programs. In addition, the subcommittee must also consider pressing DOD needs that are not addressed in the budget. That's the role of Congress. Doing all of that while making sure that equipment continues to flow to the troops in the field therefore is sometimes no easy task.

Despite these challenges, I am pleased to report again this year, under the leadership of our chairman, Chairman BARTLETT, the subcommittee has put together a very well balanced product that cuts waste, reallocates funding for more critical priorities, and ensures that our troops will continue to have the very best equipment available.

I am also pleased with how the bill supports the Army and Marine Corps in particular. These two armed services have borne the heaviest burden over the past 10 years of war. And this mark does an excellent job, I believe, of helping them to rebuild combat power and prepare for the future.

H.R. 1540 fully supports and funds the Army's number one development program, the ground combat vehicle. This bill provides an increase of $425 million for additional M1 Abrams tanks and M2 Bradley fighting vehicles and keeps the production line open. The budget request assumed that a 3-year shutdown of both the Abrams and the Bradley production lines that would cost the taxpayer $1 billion, eliminate thousands of jobs, and diminish the United States defense industrial base was the way to go. We changed that. So rather than spending money to lose American jobs, this bill provides funding that will protect those American jobs while it also provides the Army with better and more modern equipment.

While this issue will not be fully dealt with in one budget year, I do believe that this bill lays down a better and smarter way that will maintain the Army's ground combat vehicle critical to the needs of both the Army and the Marine Corps. Finally, the bill fully funds the Marine Corps' $2.6 billion request for procurement of ground combat vehicle and support equipment.

For those reasons and many more, Mr. Chairman, I urge all Members to support H.R. 1540. It's the right balance and a great bipartisan product.

Mr. MCKEON. Mr. Chairman, I yield 3 minutes to my friend and colleague, the vice chairman of the Armed Services Committee and chairman of the Subcommittee on Emerging Threats and Capabilities, the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. I thank the chairman for yielding. And, Mr. Chairman, I first want to commend the chairman of the committee and Ranking Member SMITH for their leadership in shepherding a complex and important bill to this stage of the process. A 60–1 vote coming out of committee is a significant achievement and is a testament to the attitude of putting the national security interests of the whole country first, which has been the hallmark of this committee, and their leadership exemplifies the best of that in my opinion.

□ 1910

Mr. Chairman, the Emerging Threats and Capabilities Subcommittee is charged with looking ahead at those national security threats that are coming at us, and also helping to develop new capabilities to meet those threats. We oversee the Special Operations Command and counterterrorism efforts. Now, throughout the country, there is a greater appreciation, I think, for the capabilities within the Special Operations Command after the successful raid on Osama bin Laden, but I think it is important to emphasize that those folks in that command conduct that sort of raid just about every night somewhere with the same sort of precision and professionalism that the country now appreciates from the Osama bin Laden raid that got all of the attention. But they do much more.

They are also responsible for helping train and advise other militaries, building up the capacities of those governments to defend themselves, and they are doing very impressive work in all parts of the world, including Afghanistan where, among other things, they are helping to train the military and train local police to help provide security for individual villages. Our bill provides a modest funding increase for this command, as well as meeting some real unmet needs that they have.

Our part of the bill also deals with research that leads to future capabilities. In tight budgets, it is always tempting to cut research and development, science and technology programs, but it is a mistake to do so. In this budget, the funding for such programs at least holds steady with some added emphasis in some key areas that are important.

The largest dollar amount in this subcommittee's portion of the bill is with DOD IT and cyber. This area may actually be the preeminent area of emerging threats in warfare. This mark takes some important steps forward in dollars and policies. But, Mr. Chairman, I think we should all acknowledge that there is a lot more work for this Congress and for this country to do in the area of cybersecurity. Not all of it is military; most of it is not. But yet the military is affected, as are we all.

Mr. Chairman, a lot has changed since September 11, 2001. Al Qaeda is a changed organization; and with the death of Osama bin Laden, it will change further. But I think it is important to emphasize that this Congress must fulfill its responsibilities to affirm and update the authorization for the use of military force to deal with al Qaeda. There have been some wild exaggerations about the attempt to do so in that bill. I think if Members read the exact language and look at exactly what we are doing and why, that they will support it and agree that it is a fulfillment of our responsibility.

Mr. SMITH of Washington. Mr. Chairman, I yield 2½ minutes to the gentlewoman from California (Ms. LORETTA SANCHEZ), the ranking member on the Strategic Forces Subcommittee.

Ms. LORETTA SANCHEZ of California. I would like to thank my ranking member and Chairman MCKEON for really a great bipartisan bill. I am feeling pretty good about this one.

Actually, in my subcommittee with Chairman TURNER and all our subcommittee members, we were really able to come together and make a very good contribution. I thank Mr. TURNER for his leadership. It is pretty exciting to have a subcommittee like this in the new session of the Congress.

Overall, we agree on so many of the provisions, encouraging fiscal responsibility and protecting national security. We have come together on a lot of issues on this subcommittee, including: improving satellite acquisition; encouraging efficiencies; ensuring efficient development, testing, production and sustainment schedules for missile defense and for our nuclear enterprise; for conducting oversight of very large-scale construction sites that we have; building on good progress related to improving efficiencies at nuclear sites; and, of course, implementation of the New START nuclear reductions.

I also want to highlight the work that our subcommittee did with respect to nonproliferation programs and working on this. This is so incredibly important to our security. It is not just about how many weapons people have, but really about what old weapons, what weapons need to be turned in, where weapons are, and how we safeguard weapons around the world. So we really came together on that.

One of the areas where we disagree, and you will see some amendments along the way, is this whole area of our ground-based missile defense. Quite frankly, the Pentagon's and the President's budget we feel was enough money to continue our work of research and development and testing in that arena. Unfortunately, the Republican side of the committee wants to put more unnecessary funding into that. And of course I oppose the provisions which restrict the President's authority over nuclear weapons, including implementing reductions in the number of nuclear weapons and restricting U.S. nuclear employment strategy, which I personally believe undermine our efforts to reduce the danger of nuclear weapons. The statement of administration policy has noted a potential veto threat because of those provisions that we could not agree upon.

But again, I would like to reiterate my thank you to Chairman TURNER and to all of the members of our subcommittee. I look forward to this debate.

Mr. MCKEON. I yield 2 minutes to my friend and colleague, the gentleman from Missouri (Mr. AKIN), the chairman of the Subcommittee on Seapower and Projection Forces.

Mr. AKIN. Mr. Chairman, I rise in support of H.R. 1540, the National Defense Authorization Act for Fiscal Year 2012.

In review of the portions of the President's budget request relevant to Seapower and Projection Forces, the subcommittee this year held hearings on the Navy shipbuilding plan and on amphibious warfare, along with briefings on the replacement for the *Ohio* class ballistic missile submarine, the Expeditionary Fighting Vehicle, and the new long-range strike bomber.

Being a maritime nation, we must support our troops with supplies delivered by sea and by air, while maintaining the global reach to do so. Protection of the sea lanes of communication, projection of credible combat power, forward presence, and humanitarian assistance are all capabilities supplied by forces for which the subcommittee has oversight and where it must focus.

This bill provides for a multiyear procurement of *Arleigh Burke* class destroyers. It funds 10 ships which were in the President's budget request. It also has provisions which would inject some discipline in programs just starting, such as the amphibious vehicle which will replace the cancelled Expeditionary Fighting Vehicle and the Navy's unmanned carrier-launched airborne surveillance and strike system.

I urge my colleagues to support this bill.

I wish to thank the members of the subcommittee, particularly my ranking member, the gentleman from North Carolina (Mr. MCINTYRE).

Mr. SMITH of Washington. Mr. Chairman, I yield 2½ minutes to the gentleman from Rhode Island (Mr. LANGEVIN), ranking member on the Terrorism Subcommittee.

Mr. LANGEVIN. I thank the gentleman for yielding.

I first want to begin by thanking Chairman MCKEON and Ranking Member SMITH, as well as the chairman of my subcommittee, the Subcommittee on Emerging Threats and Capabilities, Chairman MAC THORNBERRY, for putting forward a bill that truly supports our men and women in combat, enhances our national security, and is in keeping with the true bipartisan history of the House Armed Services Committee.

While I don't agree with every provision in the bill, I am proud that both parties worked together to reach compromises on many measures that support our national defense. As the ranking member of the Emerging Threats and Capabilities Subcommittee, I am especially pleased to support our Armed Forces. You need global reach around the world and in cyberspace.

I have also been a long-time supporter of our Special Operations Forces, and the incredible raid on the Osama bin Laden compound several weeks ago is a true testament to their patriotism, their training, their strength and dedication, and I commend them for their incredible work. These brave men and women are a critically unique asset to our national security, and this bill affirms our commitment to supporting their efforts.

□ 1920

This mark also prioritizes the department's cybersecurity efforts, which have long been a chief focus of mine, by strengthening provisions to protect our Nation from insider threats, analyzing threats to military readiness, highlighting vulnerabilities in critical infrastructure, and increasing cooperation with international allies and domestic partners.

Regrettably, there are also several provisions included that deeply concern me—from attempts to derail the successful repeal of DOD's Don't Ask, Don't Tell policy to measures tying the President's hands over decisions about our nuclear arsenal and the closure of Guantanamo Bay. It is my hope that these issues will be further considered and improved upon by the conference committee.

However, overall, this bill reflects the recognition of the Congress of the incredible sacrifices that our brave men and women in uniform make for our country every day. I am certainly honored to be a part of this process, and I certainly look forward to supporting this bill as it moves through the legislative process and moves into law.

Again, I want to thank Chairman MCKEON and Ranking Member SMITH for their leadership, as well as the chairman of my subcommittee, MAC THORNBERRY. We work, truly, in a bipartisan fashion.

Mr. MCKEON. Mr. Chairman, I yield 3 minutes to my friend and colleague, the chairman of the Subcommittee on Readiness, the gentleman from Virginia (Mr. FORBES).

Mr. FORBES. I would like to first thank the gentleman for yielding and for his leadership in bringing this very bipartisan bill to the floor.

Mr. Chairman, over the last several months, the Armed Services Readiness Subcommittee has attempted to answer one question: Are we ready? I believe this bill makes several significant improvements to the readiness posture of our Armed Forces and remedies many of the shortfalls that we found.

The bill takes several steps to ensure that U.S. troops are properly trained

and their equipment is properly maintained so they can succeed in their missions and have the facilities and services they deserve when they return home.

It also makes needed adjustments to civilian personnel policies and service contracting, and promotes energy security, and ensures that projects offer the best return on investment to the taxpayer.

The bill fully supports the President's request for expanded training as dwell times increase, the continued reset of combat-damaged Army and Marine Corps equipment, and military construction and family housing.

The legislation also makes notable investments in Navy ship and aircraft depot maintenance, facility sustainment and modernization, Army base operations, Guard and Reserve flight training, and Air Force weapon systems sustainment.

To increase the readiness of our depots, the bill includes several of the recommendations included in the study on the future capability of the Department of Defense maintenance depots, directed by the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009.

Mr. Chairman, we have no greater responsibility than to ensure our men and women in uniform are fully trained, equipped and ready for the challenges they face every day. I believe this bill fulfills that commitment, and I thank the chairman and the ranking member for their work.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mr. MCINTYRE), ranking member of the Seapower Subcommittee.0

Mr. MCINTYRE. I thank my friend, Ranking Member SMITH, as well as full committee Chairman MCKEON, and also thanks to the subcommittee chairman and my good friend, TODD AKIN, for all of their hard work in helping us not only on this full armed services bill but also, in particular, on the Seapower and Projection Forces portion of this bill, which passed with strong bipartisan support in our subcommittee and in the full subcommittee.

The work of the subcommittee continues the long tradition of providing strong support for our men and women in uniform. The projects authorized in this bill are critical to our country's ability to project power anywhere in the world at any time.

This bill includes $14.9 billion for shipbuilding that would authorize a total of 10 new ships, including two Virginia class submarines, one Arleigh Burke class destroyer, four Littoral Combat Ships, one San Antonio class amphibious ship, one Mobile Landing Platform Ship, and one Joint High Speed Vessel. This mark also authorizes $1.1 billion for the National Defense Sealift Fund.

There are a number of legislative provisions included in this bill which are aimed at providing a more efficient way to procure ships and weapons systems. In addition, this bill includes several provisions that require increased oversight over critical programs that will ensure they stay on schedule and on cost. In particular, this bill requires the Comptroller General to conduct an annual review and report on the progress of the KC–46 tanker program.

All of these provisions, plus others, represent the subcommittee's commitment to ensuring that all major programs receive the proper oversight to ensure that taxpayer dollars are spent wisely and effectively. This bill is a balanced authorization of programs under the jurisdiction of the subcommittee, and it meets the needs of our men and women in uniform.

Again, I want to thank Chairman AKIN for his hard work, and I strongly urge all of my colleagues to support this bill.

Mr. MCKEON. Mr. Chairman, I yield 2 minutes to my friend and colleague, the chairman of the Subcommittee on Military Personnel, the gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. I thank the gentleman for yielding me time.

Congratulations, Mr. Chairman, on your leadership—achieving a 60–1 favorable vote on the bill that we are considering this evening.

As we begin, we are grateful for the professionalism of our military forces in killing the mass murderer Osama bin Laden. It was a proud day for all Americans, especially for our military, their families and veterans, that justice was achieved.

The military personnel provisions of the National Defense Authorization Act of 2012 are the product of an open, bipartisan process. Some of the more important personnel provisions are the following:

A 1.6 percent increase in military basic pay;

A revised policy for measuring and reporting unit operations tempo and personnel tempo, reflecting the committee's continuing concern about stresses on the force, especially at a time when we must continue our resolve for victory in the current mission requirements.

Another important initiative is the reform of the military recruiting system to include graduates of home schooling, charter schools and virtual schools. I see military service as opportunity and fulfilling, and these are extraordinary patriots.

The bill also clarifies the legal authority for the administration and oversight of Arlington National Cemetery. I believe the bill is strong in the multiple provisions dealing with sexual assault, child custody, mental health, traumatic brain injury, and posttraumatic stress disorder.

In conclusion, I want to thank Ranking Member SUSAN DAVIS and her staff for their contributions and support of this process. We have benefited from an active and informed and dedicated set of subcommittee members. Their recommendations and priorities are clearly reflected in the bill.

Additionally, I appreciate the dedicated Military Personnel Subcommittee staff: John Chapla, Jeanette James, Mike Higgins, Craig Greene, Debra Wada, and Jim Weiss. I also want to thank congressional Military Legislative Assistant Brian Eisele and Military Fellow Marine Captain Sam Cunningham.

Mr. SMITH of Washington. Mr. Chairman, I now yield 3 minutes to the gentlelady from Guam (Ms. BORDALLO), who is the ranking member on the Readiness Subcommittee.

Ms. BORDALLO. I rise today in support of H.R. 1540, the National Defense Authorization Act for Fiscal Year 2012.

This bill works to ensure our men and women in uniform are well trained and equipped. I am proud that the House Armed Services Committee, through this bill, continues to close the readiness gaps that have been created in our Armed Forces by a decade of continuous deployments.

This bill authorizes $23 billion for the training of all active duty and reserve forces to increase readiness as troops experience longer periods at home following the Iraq drawdown, including $1 billion to support the Army's planned return to full-spectrum training, also funding for the Navy ship and aircraft depot-level maintenance, and for the upkeep of the Department of Defense facilities. We fully fund the President's budget request for the reset of Army and Marine Corps equipment and for the sustainment of Air Force weapons systems. We provide additional funding to meet the full requirement for the upkeep of our military facilities, increased funding to operate Army bases, and authorize $14.7 billion in military construction.

I am pleased that this bill includes a number of initiatives that focus on reducing operational and installation energy consumption while improving military capabilities.

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It also reflects the priorities in the area of energy conservation of our colleague, GABRIELLE GIFFORDS, who has been a champion of these issues through the Readiness Subcommittee.

The bill supports environmental leadership while putting defense capabilities and missions first. I also note we have included a provision that extends the SIKES Act coverage to state-owned National Guard facilities and enables development and implementation of integrated natural resources management plans for state-owned National Guard installations.

The bill continues our committee's tradition of providing stringent and comprehensive oversight of the military buildup on Guam. The committee remains committed to understanding the importance of the realignment of military forces in the Pacific demonstrated through a full authorization

of military construction funding. And further, this bill continues to demonstrate its keen understanding of the strategic importance of Guam in responding to the growth of traditional threats in the Pacific region and the freedom of movement Guam provides our military forces in responding to regional nontraditional threats.

Mr. Chairman, I'd like to take this opportunity to thank our chairman, Mr. MCKEON, and our ranking member, Mr. SMITH, of the Armed Services Committee, and also to the chairman of my subcommittee, Mr. RANDY FORBES, for conducting the meetings in a very bipartisan manner.

I ask my colleagues to support this very important measure.

Mr. MCKEON. Mr. Chairman, I yield 3 minutes to my friend and colleague, the chairman of the Subcommittee on Strategic Forces, the gentleman from Ohio (Mr. TURNER).

Mr. TURNER. I thank the gentleman from California, our chairman, Mr. MCKEON, for his leadership on this bill as it's moving through the House, and Ranking Member SMITH. I would also like to thank all of my colleagues on the Strategic Forces Subcommittee, and in particular my ranking member, LORETTA SANCHEZ, and the staff for their work on this year's Strategic Forces mark. And particularly I would like to thank our director, Kari Bingen.

This bill builds off a strong bipartisan and bicameral consensus and fully funds the NNSA, the National Nuclear Security Administration, and supports continued modernization of our nuclear forces and infrastructure. It also supports robust oversight of the administration's implementation of the New START Treaty and establishes prudent measures to slow down the rush towards nuclear disarmament.

The bill responds to the effects of prior cuts by this administration to missile defense, providing an increase of $110 million above the President's request. It adds these funds to fix the system that protects the United States homeland from long-range ballistic missile threats. It also provides an increase in funds to support the implementation of the administration's Phased Adaptive Approach and important cooperative efforts with Japan and Israel, while recommending reductions in future capabilities that are less viable.

Equally important, this bill advocates on behalf of servicemembers and their families. I want to thank Chairman WILSON and Ranking Member DAVIS for incorporating bipartisan language from the Tsongas-Turner Defense STRONG Act that seeks to enhance sexual assault protections as well as improved training requirements to better protect servicemembers.

I also want to thank Chairman WILSON for his support for this bill, which includes a provision that would protect the fundamental child custody rights of military parents and ensures that servicemembers do not lose custody of their children as a consequence of their service to the Nation. This provision corrects an unconscionable injustice and has the full endorsement of Secretary Gates and the Department of Defense. And I would like to thank Lieutenant Eva Slusher from Kentucky, who has been working diligently in this fight.

Lastly, I would like to note that earlier today the President issued a veto threat on several provisions contained in the NDAA related to nuclear modernization and objections to provisions relating to missile defense. This is curious because these provisions are consistent with the administration's own stated policies and that of our NATO allies. By this threat, is the President saying he does not intend to implement the nuclear modernization guarantees that were part of the New START Treaty? Does the President intend to unilaterally withdraw nuclear forces from Europe? Does the President want to share sensitive data of missile defense technology with Russia? And does the President intend to strike deals with Russia to limit our missile defense capabilities? If the answer to these questions is no, then the administration should have no objections to these provisions. If, on the other hand, the answer to these questions is yes, then it is all the more reason to make these provisions law.

I urge the passage of the National Defense Authorization Act for 2012.

Mr. SMITH of Washington. Mr. Chairman, I now yield 2½ minutes to the gentlewoman from California (Mrs. DAVIS), ranking member on the Personnel Subcommittee.

Mrs. DAVIS of California. Mr. Chairman, I join my colleagues on the House Armed Services Committee in support of H.R. 1540, the National Defense Authorization Act for Fiscal Year 2012.

As the ranking member of the Military Personnel Subcommittee, I want to recognize Chairman MCKEON and Ranking Member SMITH for their leadership, as well as subcommittee Chairman WILSON for his bipartisan work to enhance the quality of life for our servicemembers, retirees, survivors and their families.

As Americans, it is our responsibility and our privilege to support our men and women in uniform and their families given the enormous sacrifices they make to ensure the security of our Nation. These men and women have volunteered to give their lives to protect and defend what we hold dear, liberty and freedom. Nothing can substitute for their commitment and sacrifice.

I am proud to support a 1.6 percent pay raise in our bill. Our servicemembers have earned this pay raise and deserve no less. I am also pleased that this bill includes authority for the Secretary of Defense to establish apprenticeship programs to help servicemembers transition out of the military. Far too many of our brave men and women are returning home and finding it a challenge to become or remain employed. The number of homeless veterans in our younger generations continues to grow, and apprenticeship programs could provide these individuals the skills they need to succeed.

While this bill allows for a modest increase in TRICARE fees, it does protect military retirees and their dependents from future significant hikes by limiting increases to military retiree cost of living allowances.

And lastly, this bill continues the efforts by this subcommittee over the last several years to reduce sexual assaults and harassment within the services. This is an important issue that has a direct impact on military readiness, and I want to thank Congresswomen SLAUGHTER, SANCHEZ, and TSONGAS for their hard work.

Mr. Chairman, while there are many good provisions in this bill, I must raise my extreme disappointment with several sections that were included by the majority that seek to delay and prevent gays and lesbians from serving in uniform. One of the liberties that we as Americans hold dear is that we are all created equal. These individuals should be entitled to serve their Nation in uniform and should not be denied the opportunity.

The CHAIR. The time of the gentlewoman has expired.

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

Mrs. DAVIS of California. A Nation that values democracy cannot discriminate against an individual because of their sexual orientation.

But I must say, Mr. Chairman, that ultimately I do support this bill, and I encourage my colleagues to do the same. I want to thank the many staff members who have worked very hard on this legislation, and we look forward to this being signed into law.

Mr. MCKEON. Mr. Chairman, I yield 2 minutes to my friend and colleague, the chairman of the Subcommittee on Oversight and Investigations, the gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. Mr. Chairman, I would like to thank Chairman MCKEON for his leadership on the National Defense Authorization Act, and also recognize Ranking Member SMITH for his efforts on what I believe is an extraordinarily good bill.

I am pleased today to support H.R. 1540. It recognizes the need for fiscal constraint while at the same time ensuring our Nation's security and fulfills our sacred obligations to our brave men and women in uniform. The bill also strengthens protections against ill-considered efforts to release detainees held at the Guantanamo Bay detention facility.

In December, the Director of National Intelligence reported that 25 percent of those formerly held at Gitmo were confirmed or suspected of returning to the fight against us and our allies. This rate is alarming and unacceptable. I am concerned that the government did not conduct significant

due diligence when identifying detainees for release and that this failure has potentially grave ramifications for our troops serving on the battlefield.

H.R. 1540 strengthens our protections in several important ways. First, it prohibits transfers to foreign countries where there are known cases of re-engagement; it requires careful consideration of established criteria before other transfers are accomplished; and it mandates that government agencies provide Congress the information we need to properly assess the threats our Nation and our troops face from detainees who have rejoined the fight and continue to commit terrorist acts.

H.R. 1540 also ensures continued oversight of Arlington National Cemetery. It directs the timely establishment of the Oversight Council and creates a date certain for record digitization.

Mr. Chairman, I urge my colleagues to support H.R. 1540. I would like to end with thanking the staff, including Michelle Pearce, for their great work on the Oversight and Investigations Subcommittee.

Mr. SMITH of Washington. Mr. Chairman, I am now pleased to yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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Mr. ANDREWS. Twenty-three nights ago, a focused and brave group of young Americans climbed into helicopters and focused on their mission. Over 3 weeks ago, a group of American leaders met in the Situation Room of the White House focused on their mission. And over a 10-year period, a group of intelligence analysts and signal intelligence specialists and brave Americans all over the world focused on their mission to eliminate the menace of Osama bin Laden from this Earth. They succeeded in eliminating that menace, they succeeded in capturing valuable intelligence that will help us track down his coconspirators and stop them, and they sent a powerful message to any other evil rich person that wants to target the United States of America that such targeting is an act of suicide.

We should salute those with that focus here tonight and reflect on the fact that our focus as Republicans and Democrats in passing this bill is to give other focused Americans in the military, our intelligence community, and those who support them the tools they need to do their job.

I'm proud of the work that Chairman MCKEON, Ranking Member SMITH, and all of the subcommittee chairs and ranking members did on this bill. There are controversial aspects of this bill, but this is a work that is focused on the defense of our country in the same tradition of those who so nobly served us 23 days ago.

We should all join in a ''yes'' vote for this bill because it continues that tradition of our national security in a bipartisan sense. I urge a ''yes'' vote.

Mr. MCKEON. I yield 2 minutes to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Mr. Chairman, I rise to engage the distinguished chairman of the Armed Services Committee in a colloquy to discuss an issue that I believe is imperative to financial accountability in the defense intelligence community.

I have been working with my colleagues in various congressional committees on language that would improve the ability of the defense intelligence elements to be appropriately audited. While we are not quite to the finish line on final language, I want my colleagues to be aware of this issue as we work on the NDAA this week.

Mr. MCKEON. I thank the gentleman from Texas for raising this important issue.

As the gentleman is well aware, oversight of DOD financial accountability issues is of high importance for our committee. We continue to work with the department to ensure they continue aggressive measures to get the department to a point where we have confidence in their financial statements.

Mr. CONAWAY is a CPA and brings great expertise to the Congress.

Mr. CONAWAY. Thank you, Mr. Chairman, for those kind words.

While I'm disappointed that we were not able to work out an agreement that would include this language in the NDAA, I do understand that there have been issues raised with the amendment, as currently written, that may not provide the focused solution that we need to track disbursements and provide better accounting in the intelligence community.

I look forward to continuing our work on this and other provisions to provide sufficient, yet directed authority that will improve the financial accountability in the Department of Defense.

It is our responsibility, Mr. Chairman, to the American taxpayer to ensure that the intelligence community has the proper management tools to manage our precious resources that we provide to them.

Mr. MCKEON. I applaud the gentleman from Texas on his continued efforts to shine light on financial responsibility at the Pentagon. The language he's working on is certainly needed by the intelligence community to meet the financial accounting standards we require of the rest of the Federal Government. If all committees can agree upon language, I would welcome the opportunity to support such an amendment.

Mr. CONAWAY. I want to thank the chairman for the colloquy and urge adoption of the underlying NDAA.

Mr. SMITH of Washington. I yield 1 minute to the gentleman from Rhode Island (Mr. LANGEVIN).

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

Mr. LANGEVIN. I thank the gentleman for yielding.

Mr. Chairman, while I support the underlying bill, I rise in opposition to language in the National Defense Authorization Act that exempts the Department of Defense from section 526 of the Energy Independence and Security Act, a critical energy security provision which also supports the development of domestic alternative fuels.

This exemption, Mr. Chairman, will derail the DOD's efforts to strengthen national security through reducing dangerous greenhouse gases. The current Chairman of the Joint Chiefs of Staff, Admiral Mike Mullen, recently warned that climate change will have a significant effect on increasing competition for water and food, potentially causing humanitarian crises that could lead to failed states.

Further, this concern is not new to DOD. In 2008, the Defense Science Board recommended to avoid investing in processes that exceed the carbon footprint of petroleum. This provision proposes to do exactly that.

I would hope that we would remove this language and allow the department to experiment and use alternatives that would not exceed the current limit on the current carbon footprint on greenhouse gases.

Mr. MCKEON. Mr. Chairman, I yield 1½ minutes to my friend and colleague, a distinguished member of the Armed Services Committee, the gentleman from New Jersey (Mr. RUNYAN).

Mr. RUNYAN. Thank you, Chairman MCKEON and Ranking Member SMITH, for your leadership on this important legislation for our men and women in uniform. It is an honor to serve with the both of you.

Mr. Chairman, as a result of the 2005 BRAC, Joint Base McGuire-Dix-Lakehurst in my home district was combined into one installation from three separate military installations, which caused a problem. One issue this bill addresses is pay parity.

Currently at Joint Base MDL, which used to be the separate Fort Dix and McGuire bases, wage grade system employees are paid at the Philadelphia locality pay rate, while at the Lakehurst side, the people doing the same jobs are paid at the New York locality rate.

While OPM has indicated they want to resolve this situation, no change has yet been made.

The language in the bill will work towards fixing this inequity by requiring OPM to work with the DOD to implement OPM's recommendation with respect to the Department of Defense Federal Wage System employees working at all joint military installations.

Additionally, I want to recognize my colleagues on the House Armed Services Committee, Congressman ROB ANDREWS and Congressman FRANK LOBIONDO, for their work on this issue, as well as Congressman CHRIS SMITH of New Jersey, who also has been active in assisting the employees at the joint base.

Again, I thank you, Chairman MCKEON and Ranking Member SMITH, for your support on this, and I want to express my strong support for H.R. 1540 and our Nation's war fighters.

Mr. SMITH of Washington. Mr. Chairman, I yield 30 seconds to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. I thank the gentleman for yielding.

I rise for the purpose of entering into a colloquy with my colleague from New Jersey, Congressman ANDREWS.

During the full committee markup of the defense authorization bill, you offered, and the committee supported, an amendment which would ''ensure that the Secretary, at no cost to the Federal Government, provide support and allows for the use of such property by the contractor under such contract to conduct research, development, testing, and evaluation of the F136 engine, if such activities are self-funded by the contractor.''

Mr. ANDREWS. If the gentleman will yield, that is correct.

Mr. COURTNEY. Thank you, Mr. ANDREWS.

I simply would like to reiterate that it is your intention and understanding that there is no government funding provided to the F136 contractors by your amendment in any section of this bill.

Mr. ANDREWS. If the gentleman will further yield, it is my understanding and intent that there be no FY12 government funding for the F136 contractor.

Mr. COURTNEY. I thank my colleague.

Mr. MCKEON. I yield 1 minute to my friend and colleague, a distinguished member of the Armed Services Committee, the gentleman from Indiana (Mr. YOUNG).

Mr. YOUNG of Indiana. Mr. Chairman, as a former U.S. Marine, I understand the importance of a strong national defense, especially during this time of war.

That's why I'm glad to rise in support of this National Defense Authorization Act of 2012. It provides our troops with the resources they need and enables them to carry out the missions we've asked of them.

Now, I'd like to especially thank our chairman, Chairman MCKEON, for his leadership in this process. In particular I can say as a freshman, he's taken great time and attention to the issue of reforming how we do our quadrennial defense review. He said that we need to take a further look at this in the future.

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This, I believe, is the key to ensuring that we efficiently spend our defense dollars as we look to next year's bill. But this bill addresses the military issues we face today. It does so in a responsible manner. And it's being offered with an eye to improving the process in the future. So that's why I am supporting this National Defense Authorization Act.

I urge my colleagues to vote ''yes'' on this bill.

Mr. SMITH of Washington. I yield 1 minute to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. There is much in this bill to recommend, particularly the way in which it deals with the men and women that are in arms, the support that they need, the benefits that they require, and the care that they require following their missions.

However, there is in this bill a missed opportunity, and I must therefore oppose the bill, the opportunity to change the direction of the war in Afghanistan, a war that seems without end, and a war that seems to be perpetual. A successful raid and the successful taking of bin Laden is an opportunity to pivot, and we are missing that opportunity in this bill, and continuing to spend over $100 billion on that war in Afghanistan.

Also in this bill is section 1034, the continued authorization for the use of force. That too must be eliminated. For those reasons, I oppose this legislation.

Mr. MCKEON. Mr. Chairman, I yield 2 minutes to my friend and colleague, the gentleman from Texas (Mr. NEUGEBAUER).

Mr. NEUGEBAUER. Thank you, Chairman MCKEON, for allowing me to speak today.

Mr. Chairman, I rise today in support of the B–1 bomber. My district, the 19th Congressional District of Texas, is home to 5,000 military and 1,000 civilian personnel at Dyess Air Force Base, located in Abilene, Texas. The Dyess houses, among other missions, the 7th Bomb Wing, representing 36 of the 66 remaining B–1 Lancer bombers.

As I testified before the Armed Services Committee last month, I am concerned about the proposed cuts to the B–1 fleet. Let me tell you why. Since 2001, the B–1 has flown over 70 percent of the bomber combat missions, while representing only 40 percent of the bomber fleet. Before combat in Libya, the B–1 bomber was the only bomber to be used in combat since May of 2006, and was used heavily at that. In fact, the B–1 is in the air, supporting troops deployed to the Middle East, almost every day.

The B–1 has flown over 8,000 sorties for the past several years, and it has logged over 93,000 hours of operation over Iraq and Afghanistan in the last decade. Last year alone, it flew 1,253 missions and dropped 741 bombs. By any measure, the B–1 is the backbone of the bomber fleet.

I am very pleased that the committee has decided to change the recommendation of the administration. And I look forward to working with the chairman to make sure that America's bomber fleet is at the cutting edge in the future. We don't have a replacement for the B–1; and it's important until such time we get a replacement bomber that we make sure that we maintain the fleet that we have today, because particularly the B–1 is one of our most used weapons systems currently in Iraq and Afghanistan.

I look forward to working with the chairman and the committee as we make sure that America's security is never compromised.

Mr. SMITH of Washington. Mr. Chairman, I yield myself the balance of my time.

The CHAIR. The gentleman is recognized for 4½ minutes.

Mr. SMITH of Washington. Again, I just want to thank the chairman and the staff for putting together an outstanding bill. This is no small enterprise. It is $691 billion. It is critical policy to provide for the national security for our country, critical policy to make sure that our troops and their families are properly taken care of, they have the equipment and support that they need to do the job that we ask them to do. And I think Mr. MCKEON, the members of the committee, and the staff have done an outstanding job.

I do want to also recognize our past chairman, Mr. Skelton. As I mentioned in my opening remarks, there is a strong bipartisan tradition on this committee. Mr. Skelton upheld that very well, and Mr. MCKEON has done so as well. It was an honor to work with Mr. Skelton. I appreciate his leadership and guidance for all of us on the committee.

I do just want to mention one issue that I neglected to mention in my opening remarks, and that is to associate myself with the remarks of Mr. LANGEVIN with regard to the energy amendment that was contained in this bill. I think it's critical that we give the Department of Defense the ability to pursue alternative sources of energy that actually do improve our position in terms of greenhouse gases, and improve our position in terms of reducing our dependency—well, sorry, increasing our ability to use clean-burning sources of fuel.

The amendment that was attached to this would allow to be considered alternative the use of fuels that really aren't. They are not clean burning or renewable. So I think that it is imperative that we strike that provision from this bill. But overall I am very supportive of the bill. I appreciate the chairman's leadership. I look forward to working with him over the course of the next couple of days as we deal with the amendments that are coming our way, and as we go into conference with the Senate to hopefully get this bill done, to the President for signature. It is critical to our national security interests that we do that.

I thank the chairman again for his leadership.

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

Mr. MCKEON. I yield myself such time as I have remaining.

Mr. Chairman, one of the great things on serving on this committee,

the experience that I have had, is getting to know Mr. SMITH during these last few months much better than previously and the members of the staff who have worked so hard and so diligently to get us to this point. Last week, or week before, when we marked this up in full committee, we went from 10 in the morning until 2:30 the next morning. And everybody was at work again the next day ready to go.

We get to meet with the troops, we get to see the young people, and some that are not so young, serving us around the world to preserve our freedoms and freedoms of other peoples. And our job is to do all we can to help make their job easier, to help make their job—to help, as I said earlier, give them the equipment, the training, the leadership, the time, all the resources that they need to return home safely to their families.

I think this bill does that. I feel very good about all of the members of the committee, the hard work that they have done to get us to this point. I look forward to the next few days working on the amendments and turning out a final finished product; and, hopefully, then we can encourage the other body to get their work done, and we can get this bill as our 50th bill to the President for his signature.

Mr. KUCINICH. Mr. Chair, to my friends on the other side of the aisle, I am offering an amendment to the Defense Authorization Bill which would defund the war in Libya.

The war is unconstitutional. The President did not come to this Congress, he went to the U.N. Security Council, he went to a number of international bodies, but he didn't come to the United States Congress. Last week, the President did not observe the tolling of the War Powers Act, so he's in violation of the statute.

The action over in Libya has already exceeded the U.N. mandate; it's in violation of the U.N. mandate and there have been violations of international law.

What are we doing there? Why does anyone think we can afford it? Why aren't we trying to find a path to peace so we aren't called upon to spend more money there? These are questions we have to be asking; that's why Congress needs to say we're not going to spend more money there.

People are saying it's not the United States, it's NATO. The Guardian in the U.K. did a study which showed that 90 percent of the cruise missiles are paid for by the U.S. Sixty-six percent of the personnel working against Libya are from the U.S., 50 percent of aircraft, 50 percent of all ships—and our government is saying this is a NATO operation? We have to recognize what's going on here, which is an expansion of the war power by the Executive and it's time we challenge that.

One thing we certainly shouldn't do is to support the amendment offered by my friend, Mr. MCKEON, which will hand over to the President Congress' constitutional authority to declare and authorize war, substantially altering the delicate balance of power the Founding Fathers envisioned.

The annual re-authorization contains unprecedented and dangerous language which gives the President virtually unchecked power to take this country to war and to keep us there. The bill substantially undermines the Constitution, the institution that the Constitution set up that is Congress and sets the United States on a path to permanent war. Congress has to protect the American people from the overreach of any Chief Executive—Democrat, Republican—any Chief Executive who's enamored with unilateralism, preemption, first strike and the power to prosecute war without constitutional authority or statutory prescriptions.

Permanent global war isn't the answer. It's not going to increase our national security. Far from ridding the world of terrorism, it will become a terrorist recruitment program. The war in Iraq is based on lies; the war in Afghanistan is based on a misreading of history.

Yet in Iraq we'll spend over $3 trillion. In Afghanistan we've spent over half a trillion dollars.

We have people out of work here. We have people losing their homes, losing their health care, losing their retirement security. All we hear from the White House is "we want more war or more authorization for more war." We have to stop that and while stopping that we have to stop this national security state and stop the extension of the Patriot Act which is also in this bill.

Mr. MCKEON. I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. THORNBERRY) having assumed the chair, Mr. WOMACK, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1540) to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2012, and for other purposes, had come to no resolution thereon.

REPEALING MANDATORY FUNDING FOR GRADUATE MEDICAL EDUCATION

The SPEAKER pro tempore. Pursuant to House Resolution 269 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1216.

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IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1216) to amend the Public Health Service Act to convert funding for graduate medical education in qualified teaching health centers from direct appropriations to an authorization of appropriations, with Mr. WOMACK (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, pending was amendment No. 7 printed in the CONGRESSIONAL RECORD, offered by the gentlewoman from North Carolina (Ms. FOXX).

Mr. WEINER. I move to strike the last word, Mr. Chairman.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. WEINER. Mr. Chairman, you may recall, I was standing here approximately 2 hours ago waiting to speak with several other Members on the efforts of my Republican friends to eliminate Medicare as we know it, and for reasons that are known only to the Chair, I was denied the ability to do that. Well, I am back.

And just to review the bidding, here is where it was before that order was made. We had the chairman of the Republican Congressional Campaign Committee, a good man, a guy I like, stand down in the well and say, oh, no—and this, by the way, is someone who was elected by the Republican Members to represent him in races all around the country, saying that the Ryan plan wasn't a plan. It was—and I am quoting here—a construct to develop a plan. And he said that the proposal was not a voucher program. And then he said it was a one-size-fits-all, that Medicare was draining our economy is what he said.

Well, ladies and gentlemen, that might be the rationale for our Republican friends wanting to eliminate Medicare, but none of those things are true. It is not a construct to develop a plan. It is the proposal of the Republican Party of the United States of America to eliminate Medicare as a guaranteed entitlement. If you don't believe me, go get the book that they wrote. Go get the budget that they wrote, go get the bill that they wrote.

And if you believe that it's not a voucher program, listen to their own Members talk about it. The Medicare program today is not, I say to my friends, one size fits all. My good friend from Georgia (Mr. GINGREY) was on the floor before talking about how it's one size fits all. How can it possibly be you can be a Member of the United States House of Representatives and not understand how Medicare works?

Each individual senior gets to go to the doctor of their choosing, gets to go to the clinic of their choosing, gets to decide for themselves where they go, and then the doctor and the patient make decisions.

The only question is: Are we going to say to citizens who are 65 and older, Here is a coupon. Go buy private insurance at 25 and 30 percent overhead rather than the Medicare program, which the actuaries say cost 1.05 percent in overhead?

We have also heard them say, You are demagogueing. We don't really want to get rid of it. You do.

Now, there is a saying here in Washington that a gaffe is when the Republicans actually say what they think. So there have been plenty of opportunities to see this gaffe in full play. Now, they