

Mr. REID. Mr. President, I hope we can too, but this is really quite remarkable. I am told that Members from this body went and talked to the Republican caucus yesterday saying: Send us your plan B, and the Democrats will take care of it and send you back something you will like better.

We can all see what has happened in the press. I like JOHN BOEHNER, but gee whiz, I mean, this is a pretty big political battering he is taking. What he should do is allow a vote in the House of Representatives on a bipartisan bill. It will pass. Democrats will vote for it. Some Republicans will vote for it. That is what we are supposed to do. But he is trying to pass everything with that majority he has that cannot agree on anything among themselves. Bring in the Democrats. That is what the country was set up for. Our Founding Fathers set it up that way. But he wants some other method where everything is done by the slim majority they have.

This is absolutely incredible. We believe the Speaker should be concerned. I am confident he is, but maybe he is more concerned, as some have said, about his election to be returned as Speaker. He should be more concerned about what is going to happen to the country. If he showed leadership and walked out there and said: This is the right thing for the country, we are all going to vote on this, Democrats will vote for it and enough Republicans will vote for it to pass something that will take us away from that fiscal cliff. But this brinkmanship and this silliness that is going on over there you would not do in an eighth grade government election.

Mr. MCCONNELL. Mr. President, I add that the time for finger-pointing is gradually running out. The American people know we have a President, they know we have a Senate, and they know we have a House. They are anxiously awaiting whether we are going to solve this problem before the end of the year.

Mr. REID. Would the Chair announce the business of the day.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013—CONFERENCE REPORT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to the consideration of the conference report to accompany H.R. 4310, which the clerk will report.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construc-

tion, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, having met, have agreed that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment, and the Senate agree to the same, signed by a majority of the conferees on the part of both Houses.

(The conference report is printed in the RECORD of December 18, 2012.)

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be up to 1 hour of debate equally divided and controlled between the two leaders or their designees prior to a vote on adoption of the conference report.

The Senator from Michigan.

Mr. LEVIN. Mr. President, on behalf of the Senate Armed Services Committee, I am pleased to bring to the Senate, along with Senator MCCAIN, the conference report on H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. This conference report, which was signed by all 26 Senate conferees, all the members of the Senate Armed Services Committee, contains many provisions that are of critical importance to our troops. This will be the 51st consecutive year in which a national defense authorization act will be enacted into law.

I thank my dear friend Senator MCCAIN, our ranking minority member, for all that he did to bring us to this conclusion and for the years of great leadership on our committee. I have been lucky to have Senator MCCAIN as a partner. I know both of us are grateful to the chairman and the ranking member of the House Armed Services Committee, BUCK MCKEON and ADAM SMITH, for their hard work on reconciling the many differences between the House and Senate bill and for helping to produce a solid bill to support the men and women of our Armed Forces.

The conference report contains many important provisions that will improve the quality of life for our men and women in uniform. It will provide needed support and assistance to our troops who are deployed. It will make the investments we need to meet the challenges of the 21st century.

First and foremost, the bill authorizes a 1.7-percent across-the-board pay raise for all members of the uniformed services, consistent with the President's request.

The conference report contains strong additional sanctions on Iran. The Iran sanctions provisions will designate certain persons in Iran's energy, port, shipping, and shipbuilding sectors as entities of proliferation concern, subjecting many more transactions with such entities to sanctions. It will impose sanctions on persons selling or supplying or diverting to Iran a defined list of materials relevant to the aforementioned sectors, to certain Iranian specially designated nationals and blocked persons, or to be used in connection with certain Iranian military programs.

It is going to impose sanctions on any insurance or reinsurance provider or underwriter that knowingly provides underwriting service, insurance, or reinsurance for activities for which sanctions have been imposed to any person in the energy, shipping, or shipbuilding sector in Iran.

It will designate the Islamic Republic of Iran Broadcasting and its president as human rights abusers for their broadcasting of forced confessions and show trials, blocking their assets and preventing other entities from doing business with them and banning any travel to the United States.

The administration requested three modifications. In particular, one was additional time to implement the provision following enactment; the second was additional time between waiver renewals; and third was a modification of the exceptions clause from nondesignated Iranian "financial institutions" in the Senate-passed version to a broader term that would have incorporated nondesignated Iranian "persons." That conference report provides two of the three modifications—the additional time requested. It does not make a change in terms of the exceptions clause.

The conference report contains a few provisions addressing detainee issues. These provisions extend existing limitations on the transfer or release of Gitmo detainees for another year. We did not adopt the permanent limitations in the House bill. We also provided new flexibility for dealing with detainees who cooperate with U.S. intelligence and law enforcement authorities pursuant to pretrial agreements.

The report establishes new congressional notification requirements for military detainees held on naval vessels and for third-country nationals who are released from military detention in Afghanistan, but the report does not place any conditions or limitations on such transfers.

The conference report does not include the Senate language regarding military detention inside the United States. The House conferees would simply not accept this provision. Instead, we included a provision that says and states the following:

Nothing in the Authorization for Use of Military Force. (Public Law 107-40; 50 U.S.C. 1541 note) or the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) shall be construed to deny the availability of the writ of habeas corpus or to deny any Constitutional rights in a court ordained or established by or under Article III of the Constitution to any person inside the United States who would be entitled to the availability of such writ or such rights in the absence of such laws.

The provision in the fiscal year 2012 act, which is referred to in the language I just read—it is already law—that section in the 2012 act is section 1021. That section said the following:

Nothing in this section shall be construed to affect existing law or authorities relating to the detention of