

to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the Federal Register for publication the enclosed notice stating that the national emergency with respect to the actions and policies of certain members of the Government of Belarus and other persons to undermine Belarus's democratic processes or institutions that was declared in Executive Order 13405 of June 16, 2006, is to continue in effect beyond June 16, 2013.

In 2012, the Government of Belarus continued its crackdown against political opposition, civil society, and independent media. The September 23 elections failed to meet international standards. The government arbitrarily arrested, detained, and imprisoned citizens for criticizing officials or for participating in demonstrations; imprisoned at least one human rights activist on manufactured charges; and prevented independent media from disseminating information and materials. These actions show that the Government of Belarus has not taken steps forward in the development of democratic governance and respect for human rights.

The actions and policies of certain members of the Government of Belarus and other persons to undermine Belarus's democratic processes or institutions, to commit human rights abuses related to political repression, and to engage in public corruption continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13405 with respect to Belarus.

BARACK OBAMA.
THE WHITE HOUSE, June 13, 2013.

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 1960, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

Mr. NUGENT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 260 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 260

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 1960) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes. No further general debate shall be in order.

SEC. 2. (a) In lieu of the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amend-

ment in the nature of a substitute consisting of the text of Rules Committee Print 113-13, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived.

(b) No amendment to the amendment in the nature of a substitute made in order as original text shall be in order except those printed in part B of the report of the Committee on Rules and amendments en bloc described in section 3 of this resolution.

(c) Each amendment printed in part B of the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(d) All points of order against amendments printed in part B of the report of the Committee on Rules or against amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in part B of the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

SEC. 4. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1250

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

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

GENERAL LEAVE

Mr. NUGENT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. NUGENT. Mr. Speaker, House Resolution 260 is a structured rule that provides House consideration of amendments to this year's National Defense Authorization Act.

As I explained when I was down here yesterday, the Rules Committee receives hundreds of amendments to the NDAA every single year. This time we had 299 amendments to make our way through.

While the volume of amendments was massive, the Rules Committee evaluated each and every one in developing this rule. We were not able to make every amendment in order, but I believe this rule will allow for the exhaustive debate of a vast majority of the issues presented in committee.

Yesterday's rule provided for 1 hour of general debate on the underlying bill, H.R. 1960. Today, we're considering a structured rule that provides Members of the House with the opportunity to have copious and free-flowing debate on many of the issues contained in the underlying legislation.

As a member of both the Rules Committee and the Armed Services Committee, I know how complicated and far-reaching the National Defense Authorization Act can be. I've sat through multiple subcommittee marks on this legislation. We had a nearly 16-hour-long full committee markup on this bill, a meeting that started early Wednesday and lasted into Thursday morning. And now we've had two Rules Committee hearings on this bill, including yesterday's hearing, which took almost 10 hours from start to finish.

Having spent as much time with this legislation as I have, I can promise you this: the National Defense Authorization Act for fiscal year 2014 is a good bill. That's why the Armed Services Committee passed it with an overwhelming vote of 59-2. And we need to acknowledge Chairman MCKEON and Ranking Member SMITH for fostering such a bipartisan and collaborative approach. This rule is the next step in that transparent and cooperative process.

Of the 299 amendments that we received in the Rules Committee, H. Res. 260 makes 172 of them in order. To use a technical term, that's a lot of amendments. Despite that, my colleagues on the other side of the aisle will remind us that even with 172 amendments allowed on the floor, it's still not an open rule; and, clearly, they're right. But let me assure you that this is also a fair and inclusive rule.

Having considered each of the amendments that was offered in the Rules Committee, I can honestly say that what we have here today is a rule that gives the House the opportunity to debate all of the major topics contained in the underlying legislation without duplicating efforts and having multiple amendments on the same issue.

For example, we heard many Members speak on the House floor yesterday about sexual assault in the military. The underlying legislation takes significant and necessary steps to combat, prosecute, and prevent this heinous crime. But given the importance of this issue, the Rules Committee understandably received five different amendments all related to sexual assault. So I'm proud to say that H. Res. 260 provides the House with the opportunity to debate this issue and ask ourselves if there isn't more that we can do.

Another major topic, one that none of us can ignore, is the nature of our military's operation in Afghanistan. We need to ask ourselves what's going to happen at the end of 2014, at which time President Obama has indicated we will have moved strictly to a security operation in that country.

The Rules Committee received no less than four different amendments on Afghanistan. I'm happy to say the rule allows for debate on the issue by way of an amendment offered by my colleague from the Rules Committee, Mr. MCGOVERN, and I look forward to that. I look forward to having the opportunity to join the gentleman from Massachusetts in supporting that important—and I think commonsense—amendment, and my hat's off to you for that.

And the list goes on—energy, the use of drones, Guantanamo Bay, missile defense. The rule allows for amendments on all these important topics. I am going to vote for some of the amendments that this rule makes in order; I'm going to vote against others. But first and foremost, I'm going to vote for this rule.

The bill was done the right way. It went through the subcommittee process; it had a thorough and lively mark-up in the full committee; and it went to the Rules Committee, where we were diligent about making sure we gave it the consideration it deserves and provided it with two rules.

H. Res. 260 is the next step in a thoughtful, bipartisan process. I'm proud of this rule and the underlying legislation and the process that has gotten us to where we are today. For that reason, I encourage all of my colleagues on both sides of the aisle to join me in passing this rule, passing the National Defense Authorization Act for fiscal year 2014, and making sure our men and women in uniform have the tools and resources they need to complete the mission safely and successfully.

With that, I reserve the balance of my time.

Mr. MCGOVERN. I want to thank my friend, the gentleman from Florida (Mr. NUGENT), for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

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

Mr. MCGOVERN. Mr. Speaker, the rule for the defense authorization bill

is a structured rule. Over 300 amendments were submitted to the Rules Committee, and 172 were made in order.

This was a very difficult task, made even more difficult because the majority scheduled only 2 days for debate on amendments to this 850-page bill. But I would like to add a special word of appreciation for the Rules Committee staff, both majority and minority, who worked tirelessly for long hours to prepare this bill and its amendments for debate. I think most of my colleagues do not have the appreciation for what the staff and even the members of the Rules Committee have to go through, but I think they should appreciate their work even more after this rule that is being brought before the floor today.

I am pleased that one of the amendments included in this rule is my amendment on the war in Afghanistan. This is a bipartisan amendment which will be debated and voted on later today. It is cosponsored by WALTER JONES of North Carolina and Ranking Member ADAM SMITH of Washington, along with Representatives LEE and GARAMENDI of California.

A very similar amendment was not allowed debate last year; and I want to particularly thank Chairman SESSIONS, members of the Rules Committee, my good friend, Mr. NUGENT, and the Republican leadership of the House for allowing a debate on the war to occur this year. It is the right thing to do; and I appreciate that they take seriously the responsibilities of the House to debate issues of war and peace and to sending and keeping our servicemen and -women in harm's way.

However, I'm a little disappointed that the debate will only last for 10 minutes. That's the amount of time designated for this amendment. Ten minutes is not really enough time for a genuine debate on the war in Afghanistan and what might next be required of our troops, and how much staying in Afghanistan will cost us.

Afghanistan has turned into the longest war in American history—over 12 years so far. And heaven only knows, Mr. Speaker, it has cost us dearly in both blood and treasure. Those costs will haunt us for decades to come, as so many of our veterans have returned wounded in body, mind, and soul: 2,235 American military personnel have been killed in Afghanistan, and even more will be sacrificed before our troops come home. Over 17,000 have been wounded. It's estimated that over 30,000 Afghan civilians have been killed since 2001; 349 of our veterans committed suicide last year, more than the 310 servicemen and -women who were killed in theater in Afghanistan.

Since 2001, including the money in this bill, we have spent \$778 billion for Operation Enduring Freedom, nearly all of that in Afghanistan. Right now, as we speak on the floor of this House, we're spending over \$7 billion each month in Afghanistan. Every hour

costs us nearly \$10 million. And all this time we have helped support a corrupt Karzai government, a government that gets billions of dollars each year and billions more under the table.

□ 1300

Surely this war and the possible extended deployment of our brave troops for an indefinite period of time are worth a little bit more time than has been given for debate.

But, Mr. Speaker, Members will have the opportunity to debate and vote later today on ensuring the President completes his timeline to transfer all combat military and security operations to Afghan control by the end of 2014, at which time U.S. involvement in combat operations is to end; and to express that should the President determine to extend the deployment of U.S. troops in Afghanistan after 2014, then the United States Congress should specifically vote to authorize that mission.

I would urge all of my colleagues—Democrats and Republicans—to join us in supporting this very, very important amendment.

Again, I do want to express my appreciation to my colleagues on the Rules Committee for making it in order. While I am pleased that my amendment was made in order under the rule, several other amendments on very serious military security issues were excluded from debate. I would just like to mention a couple of them.

In a bipartisan fashion, Members of Congress have expressed their shock and outrage over the epidemic of rape and sexual abuse and assault in all branches of our military and at all ranks and military institutions. It is unacceptable, and it is intolerable. While H.R. 1960 has many provisions that address aspects of this crisis, there were several amendments that were not allowed, in particular, amendments dealing with military sexual assault offered by Representatives SPEIER and GABBARD.

These amendments were serious efforts to advance this debate and to let Members of this House as a whole decide whether more needs to be done to prevent and reduce the level of military sexual assault, to prosecute and to bring to justice the perpetrators of sexual abuse, and to hold accountable the military chain of command and institutions that have allowed, facilitated, or tolerated this abuse. They should have not been excluded from this rule, and they deserve our most serious attention.

So because these and some other important issues fail to be included in the rule, I reluctantly urge my colleagues to oppose this rule.

Again, I thank my colleague, Mr. NUGENT, for his courtesies and for his kind words about my amendment, and I will now reserve the balance of my time.

Mr. NUGENT. Mr. Speaker, I yield 3 minutes to the gentlewoman from South Dakota (Mrs. NOEM).

Mrs. NOEM. Mr. Speaker, I thank the gentleman for yielding.

Today, during this debate, you may hear that some of the reforms that are in H.R. 1960 do not go far enough, that commanders absolutely have to be taken out of the decision process in sex-related offenses. Well, I disagree, Mr. Speaker, and let me tell you why. Holding commanders responsible and accountable for their actions and decisions is the most effective way to change the military culture, especially with regard to sex-related events.

Proposals to take the commander out of the military justice decision process, they believe that it will improve those prosecutions. I disagree. They believe it will improve convictions and overall confidence of victims in the military justice system. There is no evidence to support these assertions.

In fact, in 2005, the HASC heard similar assertions about the need to conform the UCMJ section on rape and sexual assault to the Federal law on those offenses. Congress made that revolutionary change and found that it did not make things better. In fact, the change made things worse. Cases were thrown out, the court of military appeals declared parts of the changes were unconstitutional, and justice for victims was delayed and ignored completely in some instances. Congress had to rewrite the UCMJ to fix the harm done. The lesson from that is to slow down when you're making major changes to UCMJ to make sure that you're doing the right thing.

H.R. 1960 does exactly that. It asks both the Secretary of Defense and the independent panel established by fiscal year '13 NDAA to closely examine the role of the commanders under the UCMJ and make recommendations for change as appropriate. It's time that we focus on what's best for our victims of sexual assault in the military and how to bring those perpetrators to justice.

Let me talk a little bit about some of the reforms that are included in the bill because there are so many of them on a bipartisan basis that were added to the bill that are going to help reduce the incidences of sexual assault in our military.

One of them is that it would strip the commanders of their authority to dismiss a finding by a court-martial. It would limit commanders' ability to reduce, suspend, or dismiss a sentence. It would also establish minimum sentencing guidelines—dismissal or dishonorable discharge for sex-related offenses. Currently, such guidelines only exist in the military for the crimes of murder and espionage. Now it would include those that have to do with sexual assault in the military.

There are whistleblower protections that were put in here, advocated by Members of both parties—Republicans and Democrats—that would add rape, sexual assault, or other sexual misconduct to the protected communications of servicemembers with a Mem-

ber of Congress or an Inspector General.

I want to talk about some provisions that I championed that were included in this bill. One of them, that it would review the practices by military criminal investigative organizations in sex-related crimes. It will put forward standardized training procedures that every branch of the military would have to adhere to. It would make our commanders much more accountable throughout that process.

The last one that I will mention today, Mr. Speaker, is development of uniform criteria for selection of sexual assault response coordinators.

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

Mr. NUGENT. Mr. Speaker, I yield an additional 30 seconds to the gentlelady.

Mrs. NOEM. Mr. Speaker, in the past, yes, absolutely justice has been delayed and we have not seen the answers for our victims that they need that have been victims of sexual assault in our military. I wasn't here to work on the other NDAA bills. I wasn't here to have the debate during those conversations that were had in the past. A lot of the things that were done and discussed were empty words and broken promises.

Today, I'm here to say that these reforms that are included in H.R. 1960 will help our victims and will stop sexual assault in the military today.

Mr. McGOVERN. Mr. Speaker, it is my privilege now to yield 3 minutes to the gentleman from Maryland, the Democratic whip, Mr. HOYER.

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

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding, and I rise in opposition to this rule as it fails to make in order several important amendments, including ones from Representatives SPEIER and GABBARD, that would have continued a critical debate on the urgent problem of sexual assault in the military.

The previous speaker has pointed out how important an issue this is. If it's such an important issue, it really deserves broader debate in this House fully. Unfortunately, the Rules Committee saw fit not to allow those amendments in order.

But I want to thank the Rules Committee for making in order by the ranking member, Mr. SMITH, to close the detention facility in Guantanamo Bay, Cuba. I've been to Guantanamo—I don't know how many of my colleagues have been there, but I've been to Guantanamo—and Guantanamo is a significant drain on the Department of Defense's resources.

There are other reasons to close Guantanamo, which I will speak of, but the numbers speak for themselves. It costs us \$1.6 million per detainee. That's versus \$34,000 for Federal prisoners. \$1.6 million per detainee. \$247 million authorized in this bill to replace temporary facilities at Guanta-

namo. Overall, \$264 million a year to keep this facility operational for 166 people. For every dollar spent on a detainee we spend one less dollar on our troops in the field. At a time of great fiscal uncertainty, it is astounding that this facility stays open.

Guantanamo costs us not only in economic might, but in moral might as well. We are a Nation of laws, and it is our continued adherence to the Founders' vision of a lawful society that allows us to lead the world in confronting threats to peace and stability.

I urge all of my colleagues to think about the damage Guantanamo's continued operation causes to our national security as our moral might slips, as terrorists continue to use Guantanamo as a recruitment tool, and as our allies grow leery of cooperating with us for fear that a transferred detainee could end up at Guantanamo.

I also urge all of us to remember that hundreds of terrorists—hundreds—have faced justice in civilian courts and are currently serving time in prison in the United States. Among them are Faisal Shahzad, the Times Square bomber; Richard Reid, the shoe bomber; Zacarias Moussaoui, who conspired to kill nearly 3,000 innocent Americans on 9/11—all of them in our prisons here.

□ 1310

We don't have to worry about these individuals because our system works. Not a single terrorist—not one—or anyone else has ever escaped from one of our maximum security prisons.

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

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

Mr. HOYER. Since 9/11, 494 terrorists have been convicted in our civilian court system. In stark contrast, there have been only seven terrorists convicted by the military commissions in Guantanamo. Five of these, by the way, were pleas.

To quote General Colin Powell from 2010:

We have 300 terrorists—it's now less—who have been put in jail not by a military commission but by a regular court system . . . We ought to remove this incentive that exists in the presence of Guantanamo to encourage people and give radicals an opportunity to say, "You see? This is what America is all about."

That's Colin Powell.

We should be proud of our Nation's long history of bringing to justice those who commit crimes that threaten the peace and freedom of innocent people around the world. Guantanamo is a stain on that record. It should be closed.

I urge my colleagues to support this amendment.

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

Mr. McGOVERN. I yield the gentleman 30 additional seconds.

Mr. HOYER. Additionally, let me say there are a few other amendments that, I hope, Members will support.

One is the amendment from my friend JIM MCGOVERN—a sense of Congress that this body should have the right—indeed, the duty—to engage in a debate about the continued path forward in Afghanistan.

I urge my colleagues to support that amendment.

Mr. NUGENT. Mr. Speaker, I yield 3 minutes to the gentlewoman from Indiana (Mrs. WALORSKI).

Mrs. WALORSKI. I rise today to speak in support of this rule.

Being new to the HASC Committee, I was very encouraged to see the bipartisan fashion in which this bill was crafted. We worked together as a committee, and we had vigorous debates on these issues in the committee. I even had the privilege to work with colleagues across the aisle to address the issue of sexual assault language.

I want to thank Chairman MCKEON and Ranking Member SMITH for making efforts to combat sexual assault as a cornerstone of this bill.

Within this bill are provisions that would strip commanders of their authority to dismiss findings. My bipartisan provision adds rape, sexual assault or other sexual misconduct to the protected communications of service-members with a Member of Congress or with an inspector general. This bill also establishes minimum sentencing guidelines. It establishes an independent panel to examine the role of the commander in sex-related offenses. It also reviews the practices of military criminal investigative organizations in sex-related crimes.

Mr. Speaker, we spent months debating and drafting all of the reforms I just mentioned in this bill. There are a lot of good things in the overall bill. The time for Congress to eradicate sexual abuse in the military is now. I urge my colleagues to support the rule so that we can move these much-needed reforms one step closer to becoming law.

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

(Ms. JACKSON LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON LEE. I thank my good friend, and I thank the manager of the underlying legislation and this rule.

Happy Father's Day to all of the men who serve in the United States military, for this legislation points, in some instances, to the needs of these great servants—and to the women who serve in the United States military as well.

I, too, would have wanted to see the Speier-Gabbard amendment be included. I am glad for an amendment that I submitted to post sexual assault prevention information and to be able to ensure that there are ways of getting resources to those victims, the number of whom we want to see diminished. I am also glad to note that Mr. MCGOVERN's amendment has been put in another amendment by Mr. CONYERS

that has to do with not using force in Iran. Also, we recognize that our soldiers suffer from PTSD, and I am glad that an amendment has been made to extend the mental health services and counselors for our soldiers.

One that I have been working on for a long time has come to fruition—and I want to thank the Rules Committee and, of course, the Armed Services Committee—which is to collaborate between the National Institutes of Health and the Department of Defense on finding the biomarkers on triple-negative breast cancer. It will save the lives of so many women.

I had hoped that we could have moved the 1.8 percent salary increase to 2.2 percent. I know that it costs money—yes, it does—but our soldiers are valuable.

Finally, I wish we could have had a thoughtful discussion to restore the trust of Americans around our civil liberties, and to simply rein in the number of private contractors that deal with intelligence gathering, and I intend to introduce legislation.

Mr. NUGENT. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. TURNER).

Mr. TURNER. We have a significant problem of sexual assaults in the military, and this bill addresses many of the issues that we know legislatively will help both change the culture and change the environment in the military.

Recent surveys indicate that over 28,000 people have indicated that they have been sexually assaulted in the military, but slightly fewer than 3,000 are willing to come forward and actually ask that their perpetrators be prosecuted. When you look at that number further, the survey indicates that 62 percent of those who came forward indicated that they felt they were persecuted in the workplace for having done so.

Many victims of sexual assault in the military report that they have been revictimized, that they, in fact, fear the system, and that there is a sense that if one reports a sexual assault that it will negatively impact one's career and perhaps even put one at risk for further violence.

What we have tried to do in this bill on a bipartisan basis, in working with NIKI TSONGAS—my cochair of the Sexual Assault Prevention Caucus—and in working with Chairman MCKEON and Ranking Member SMITH, is to look at ways in which the commander's role can be restricted and to require that the decisionmaking on sexual assaults be pushed up the chain of command, and to instill upon the entire system an evaluation process so that those who are making decisions are held accountable for those decisions.

We have taken away from the commander the ability to set aside a conviction for sexual assault, and we have added a mandatory minimum so that, if you commit a sexual assault, you are out of the military. If there is an inap-

propriate relationship between a trainee and a trainer, you are out of the military.

We tried to make certain in this that we had bipartisan consensus. Now, there are those who say that we need a whole new judicial system in order to be able to address sexual assault, but, in fact, the judicial system hasn't been the failure; the chain of command has been the failure, and we have addressed that by restricting the authority of the chain of command by requiring decisions be pushed up the chain of command and by imposing criteria of holding them accountable.

Mr. MCGOVERN. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Thank you, Mr. MCGOVERN.

I want to follow up on the previous comments.

A strong case was made for changing the way in which rape is handled and sexual assault is handled, but it doesn't go far enough. Unfortunately, the rule doesn't allow for a full discussion and a full vote by the House on this very, very important issue being brought to us by my colleague from California (Ms. SPEIER). We need to have that debate here. We need to really go outside the chain of command for the most important piece, and that is the charging of the incident.

Beyond that, the Rules Committee did pick up an issue that I put forward. The Afghan National Army is going to receive \$7.7 billion in this legislation. Unfortunately, \$2.6 billion has been added to last year's money, and there is no indication as to how that \$2.6 billion will be spent. So the Rules Committee did adopt my amendment, and it will be en bloc. It deals with: we can't spend that money until we find out how it is going to be spent, which is the basic policy that we apply to every military acquisition in our own military.

The east coast missile defense site remains and is not to be debated on the floor. That's unfortunate. It's \$2.25 million this year and more in the future. Language in this bill about Syria ought to be debated on the floor. Fortunately, it will. We are going to also debate the authorization to use force.

□ 1320

We need that debate. Unfortunately, in the committee markup, only moments were spent on the Afghanistan war, and more than \$80 billion will be spent there.

At a time when we are reducing our forces by 40 percent, we're actually spending at least as much as we're spending in the current year. Why? We need to ask that question. Why are we spending that amount of money as we reduce our forces? It was not discussed at all during the markup. We need that full debate on the floor. And therefore, for these reasons, I oppose the rule.

We must debate this \$700 billion bill in full.

Mr. NUGENT. Mr. Speaker, I yield 4 minutes to the gentleman from Utah (Mr. BISHOP), my colleague on both the Rules Committee and the Armed Services Committee.

Mr. BISHOP of Utah. Mr. Speaker, I appreciate the gentleman from Florida yielding. I now owe you one more.

This is an impeccably good rule. It made in order 172 amendments, which makes someone wonder why we have committees in the first place. I wish to bring to light three of those particular amendments so they're not overlooked in the rhetoric that we have going here today, because each does have an impact on the readiness taking place.

The first one is one by the gentleman from New Mexico (Mr. PEARCE), which would ask the agencies of this government to communicate with the military when something actually would impact the military; in this case, BLM making a decision which would have a great deal of impact on our military lands in New Mexico. We saw this earlier when NASA decided to change its flight program—it had a great deal of impact on the cost of our missile defense system—and when the FAA decided to close towers, which impacted three military bases and made their security much more tenuous, and all of these cases without ever discussing the impact of those decisions with the military. We have an administration that seems to have the problem of interagency communication—when the actions of one impact the actions of the other—and this is the first step to move it that way.

Mrs. LUMMIS of Wyoming has an amendment which would create a warm line for the ICBM. Not only would this increase our security, but it ensures we have an adequate industrial base. We cannot turn on and off our industrial base like a spigot: when we need them, they're there; and when we don't need them, they can go off. This would require us to have a strong industrial base and would move us forward in the area of security.

Finally, I wish to address an amendment by Mr. RIGELL of Virginia which deals with A-76. On the surface, this looks like a wonderful idea. Who can be opposed to competition? Especially when it's fair and apples to apples. Unfortunately, this particular amendment is comparing artichokes to avocados, which have only the fact that they start with the letter "A" in common and the fact that I hate both of them equally.

Five years ago, the Office of Management and Budget asked the Government Accountability Office to review A-76, as well as the inspector general of the Department of Defense. They concluded that this program should be suspended because there were structural flaws within the system that was dealt with on its implementation. None of those suggested structural flaws have been fixed in the meantime. This system has been studied and found wanting.

At the same time, the Department of Defense has come up with a DTM process, which is required to be reviewed by the underlying base bill. Now is not the time to change that process of A-76 until that review has also been completed.

Let me be kind of honest here. The idea before A-76 is really about lowest price but not necessarily best value. With lowest price, you're doing a product that will be put on the open market that will sell or not sell. Who really cares what happens to it. But when you're dealing with the military, you're dealing with military equipment that must be repaired on a timely basis and be available on a timely basis or lives are lost, and that becomes the significance of this particular issue.

What we should be doing, instead of trying to go backwards to A-76, is do a public-private partnership, which many of our depots are actually doing. In that case, I am appreciative that Mr. RIGELL did put one sentence that would not interfere with any public-private partnerships that we are doing at the present time. But the idea of allowing the creativity of the private sector to meet with the stability of the workforce from a public sector would be the ideal solution, rather than trying to do some other program which would create a food fight, which would be costly, counterproductive, harm our readiness, and destroy the morale of our workforce, which is already harmed because of the furloughs they're facing.

In this particular amendment, the Office of Management and Budget is opposed to it. The Department of Defense is opposed to this amendment, and so should we be on the floor of the House.

Mr. McGOVERN. Mr. Speaker, it's my privilege to yield 1½ minutes to the gentleman from Texas (Mr. CASTRO).

Mr. CASTRO of Texas. I thank my friend, Mr. McGOVERN, for yielding.

I rise to speak today on sexual assault in the military and the need for justice and reform. This issue carries great significance for me, as I represent the area around Lackland Air Force Base in San Antonio, Texas.

The community in San Antonio, like communities across the country, was appalled to learn of the events that took place at Lackland. The sexual misconduct by military training instructors at Lackland has been one of the largest sexual misconduct scandals and investigations within the military. Similar stories have also surfaced from the academies to forward operating bases and now in the Pentagon.

When events like this occur, we must do two things: first, we must provide justice swiftly, and second, we must implement reforms to prevent future transgressions.

I'll continue to work with the committee to make sure that the recommendations for reform are implemented and serve as a model for the other branches of service.

This legislation does make progress in combating military sexual assault,

but let us not forget that there is still much work to be done.

Mr. NUGENT. Mr. Speaker, I yield 1½ minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN of Tennessee. Mr. Speaker, I thank the gentleman for yielding, and I rise in support of this very fair rule which has allowed 172 amendments.

I rise in strong support of the amendment by the gentleman from North Carolina (Mr. JONES), which would accelerate the paced withdrawal from Afghanistan.

Mr. Speaker, the American people do not want forever wars that now have lasted three or four times longer than World War II. Afghanistan has simply become little more than a gigantic money pit, with President Karzai and his cronies ripping off American taxpayers for billions of dollars. President Karzai has made it very clear that even he wants us out, but, of course, he still wants us to send him our billions. It is long past the time.

In fact, Mr. Speaker, there never should have been a time in the first place for needless wars that keep resulting in the killing and maiming of young American soldiers. The wars in Iraq and Afghanistan have always been more about money and power than about any real threat to the American people.

William F. Buckley changed his views before he died and came out strongly against the war in Iraq. What he said in 2005 regarding the war in Iraq can be said about Afghanistan today. Mr. Buckley said:

A respect for the power of the United States is engendered by our success in engagements in which we take part. A point is reached when tenacity conveys not steadfastness of purpose, but misapplication of pride.

Mr. Speaker, as other speakers have pointed out before me, the underlying bill calls for a spending of \$85 billion, or \$7 billion a month, for the war in Afghanistan. That is too much.

It is time to bring our troops home.

Mr. McGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. LOWENTHAL).

Mr. LOWENTHAL. Mr. Speaker, I'm here today, and I stand in support of the Smith amendment to close the detention facility at Guantanamo Bay.

Guantanamo Bay has become a symbol around the world for an America that has lost sight of its own cherished principles: due process, habeas corpus, and the rule of law.

I recently visited the Guantanamo Bay detention camp. Seeing this camp made it clear to me that we cannot keep these detainees forever without charging them with crimes and giving them their day in court. It is not humane. It is not just. It is not American.

Some prisoners must go home; some must face trial; some prisoners will spend the rest of their lives in jail. In the end, though, we must close this chapter and ensure that justice is done. Guantanamo must close.

Keeping the Guantanamo camp open is a complete waste of taxpayers' money. The solution is to support Congressman SMITH's amendment to close the Guantanamo detention center.

Mr. NUGENT. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS).

□ 1330

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I thank the gentleman formerly from the great State of Illinois.

Mr. Speaker, I rise today in support of the rule, and I appreciate the time to talk about a very critical issue that the underlying bill addresses. As the father of a 16-year-old daughter, I don't know how comfortable I would be if she came to me and said she would like to join the military, especially given the current culture regarding sexual assault. This year alone, 26,000 men and women in the military have been impacted by sexual assault.

The National Defense Authorization Act is a step in the right direction in ending this culture and establishing an intolerance, as it includes mandatory sentencing requirements and strips commanders of their authority to dismiss a conviction by court-martial.

The Department of Defense estimates there were 19,000 victims of sexual assault in FY 2011 alone, but only 2,700 victims actually filed a report.

In early May, I was pleased to cosponsor H.R. 1864, a military whistleblower bill which extends whistleblower protections to those who report instances of sexual misconduct. This valuable provision has been added to the National Defense Authorization Act. I am pleased to see Congress respond to the issues of sexual assault within the military. I look forward to the day when all fathers will be comfortable sending daughters like mine into the military to fight for our freedoms, and without second thoughts about their safety.

Mr. MC GOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from Oregon (Ms. BONAMICI).

Ms. BONAMICI. Mr. Speaker, I rise in opposition to the rule. I thank Mr. MC GOVERN for yielding.

Last week, this House passed the Ruth Moore Act to help support the victims of sexual assault and trauma in the military, but more must still be done to stop those crimes before they occur.

I thank the Armed Services Committee members for their work on this issue to date; but, unfortunately, the Sexual Assault Training Oversight and Prevention amendment, sponsored by Representative JACKIE SPEIER, was not made in order. This amendment would help stop sexual violence in our military and remove sexual predators from its ranks, and we should have an opportunity to vote up or down on the provision. We're missing a crucial opportunity to stop the unwanted sexual contact that is now experienced by one in five servicewomen.

I've heard from Oregonians who live with the painful memory of sexual assault they experienced while serving and veterans associations concerned for the safety of those who answer the call of duty.

We all agree that these crimes have no place in our society and no place in our military. It's too bad that we were deprived of an opportunity to do something meaningful about it.

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

Mr. MC GOVERN. Mr. Speaker, I am proud to yield 2 minutes to the gentlewoman from California (Ms. SPEIER).

Ms. SPEIER. Mr. Speaker, I thank the gentleman from Massachusetts for allowing me to speak.

My colleagues have all spoken eloquently on the floor today about the importance of addressing this issue of sexual assault and rape in the military. What we hasten to do around here is pat ourselves on the back for all the things we have done.

But let me tell you what the elephant in the room is here today. The elephant in the room here today is we have not had a robust debate on chain of command. And why are my good friends on the Republican side of the aisle unwilling to have that debate? Let's just air it. The Senate has taken up this issue in their committee. They've had a full-out hearing on it, and yet we have not done that in the House in the Armed Services Committee. I had an amendment that was taken up last night by the Rules Committee. It had 134 cosponsors. It was bipartisan in nature. What's wrong with taking up an amendment with over a quarter of the membership of this House on the floor in what is supposed to be an open debate on this issue?

We will not fix this issue, Members, if we don't fix it on the front end; and the problem is on the front end where people feel they cannot file their complaint for fear of retaliation. And when complaints are filed, and there were 3,300 of them filed in 2011, only 500 of them were investigated and sent to court-martial, and less than 200 actually had convictions. So why would anyone who was raped or sexually assaulted in the military feel with confidence that they will receive justice?

We deserve an opportunity to have a robust debate on the chain of command and whether or not we should take these cases out of the chain of command.

Britain, Canada, Australia, New Zealand, and Israel all have taken these cases out of the chain of command. At the very least, we should be able to debate it.

Mr. NUGENT. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. TURNER).

Mr. TURNER. Mr. Speaker, there are two things that I think are important to note about the Speier amendment. First is that the author of the amendment is actually a full member of the Armed Services Committee and chose

not to offer this amendment in the Armed Services Committee where there could have been unlimited debate on the substance of the amendment; instead choosing to offer it in this more limited format where there were hundreds of amendments and certainly limited time and issues of great import.

Also, it is cast in the light of the fact that you have bipartisan, full support for the provisions that are in our bill that do address sexual assault. The second thing that is important about the Speier amendment is that, as the author noted, there had been debate on this in the Senate. And in that debate, in fact, it was rejected—the structure that was being proposed in the Speier amendment. So we already have the Senate's view, and we also have a bipartisan view of this House on what needs to be done. And we share with the author the absolute commitment that this needs to be addressed.

The manner in which we've done it, again on a bipartisan basis, is by moving it up the chain of command and restricting the chain of command. No more can a commander, by their signature, set aside a conviction for sexual assault. No more can someone who's convicted of a sexual assault stay in the military. We will never have another victim who has to report that after a conviction of a perpetrator for sexual assault, that they were forced to salute their attacker. That attacker will be out.

Now, there is more that we can do. In fact, I want to thank the Rules Committee for having ruled in order my amendment, the Turner amendment, that would also include 2 years of incarceration along with the mandatory minimum of being thrown out. I would encourage everyone to support the Turner amendment that actually would like to increase the penalties beyond what we've done.

Mr. MC GOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. O'Rourke).

Mr. O'Rourke. I thank the gentleman for yielding me this time.

I rise today in support of the McGovern-Smith-Lee-Jones-Garamendi amendment to responsibly end the war in Afghanistan.

I have the distinct honor of representing Fort Bliss in El Paso, Texas, home to 33,000 Active Duty Army servicemembers and their families.

Since the start of this war in Afghanistan, 41 soldiers from Fort Bliss have lost their lives in combat. In April of this year, five Fort Bliss soldiers lost their lives in a single IED attack. All five of them had already been awarded both a Bronze Star and a Purple Heart. Just this past month, three Fort Bliss soldiers were killed in a single attack. More than 100 have been injured in combat and awarded the Purple Heart. Countless soldiers are coming back to our community with unseen mental injuries, including post-traumatic stress disorder. And already this year, three

soldiers at Fort Bliss have committed suicide.

This terrible loss of life should focus us on our solemn responsibility to know when to bring our soldiers home to their families. We are grateful to their service and their achievements. Because of them, Osama bin Laden has been killed. The Taliban has been weakened, and the Afghan people have been given the opportunity to develop a stable and democratic state, if they so choose.

I believe now is the right time to responsibly end the longest war in our Nation's history. The amendment would help ensure that the President sticks to his timetable to end combat operations by the end of this year and bring our soldiers home from Afghanistan by the end of next year. This amendment will save lives, and it honors the sacrifice of our soldiers who have lost their lives by guaranteeing that Congress fulfills our constitutional responsibility to decide when to send our soldiers into harm's way and how long to keep them there.

I urge all of my colleagues to support it, and bring our soldiers home.

Mr. NUGENT. I reserve the balance of my time.

Mr. MC GOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. VEASEY).

Mr. VEASEY. Mr. Speaker, I'm proud today to stand with my colleagues, Congresswoman TULSI GABBARD and Dr. BENISHEK, in support of their amendment to include the Military Justice Improvement Act of 2013 in the National Defense Authorization Act, and I regret that this rule for this bill did not allow that.

The Military Justice Improvement Act will reform the military legal procedure for handling sexual assault cases by giving a military attorney outside the victim's chain of command the ability to initiate legal proceedings. This is a fundamental change from currently requiring a sexual assault victim to first turn to their commanding officer to investigate and decide how to advance the case.

□ 1340

As a member of the House Armed Services Committee, I'm proud to support this bill that will decrease the occurrence of sexual assault within our military ranks.

The current state of 26,000 reported sexual assault incidents in 2012 is completely unacceptable. This amendment will strengthen initiatives already in the Defense bill that aim to reduce this way-too-high number. Our military men and women deserve better, and this bill is a strong step in the right direction.

Also, Mr. Speaker, I rise today in opposition to the amendment by Mr. COFFMAN that would direct the Defense Department to contract any function not considered to be inherently governmental, with no regard to policy, risk, or costs.

At a time when service and contract costs to our military have risen by 200 percent in the last 10 years and civilian personnel costs have remained relatively flat, I believe it's irresponsible to require our military to outsource important governmental work like developing budgets, overseeing contracts, and interpreting regulations to private contractors.

We cannot allow our Federal employees and civilian personnel to continue to serve at the first line of cuts and furloughs in an effort to cut costs. Federal employees and civilian personnel are a critical component to our national security and consistently deliver their services at significantly lower costs than private contractors. In fiscal year 2010, the Pentagon reported saving nearly \$900 million by using civilian workers instead of private contractors.

I urge my colleagues to oppose this amendment and let the defense workers continue their service.

Mr. NUGENT. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MC GOVERN. Mr. Speaker, I'm happy to yield 2 minutes to the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS. Mr. Speaker, yesterday, I joined with many of my colleagues here on the floor to urge the Congress and the Rules Committee to take seriously the disturbingly high incidences of sexual assault in the military and to act quickly and responsibly to address the issue.

Yesterday, on this floor, we were promised full consideration and open debate on an issue that affects, at a minimum, 26,000 individuals in the United States armed services. And yet here we are today with a closed rule, consideration of only some amendments. And, frankly, the amendments that would actually do the most to strengthen the hand of survivors and prosecutors aren't being considered on this floor, and that's really unfortunate.

I feel that we have let 26,000 victims of sexual assault down. We've just let them down. And for all the good intentions—and I think that there were good intentions. The Congress has considered, for the last 20 years, testimony and information from the Department of Defense on its efforts to eliminate sexual assault from its ranks. These well-intentioned efforts are falling well short, and we know that.

But we can't wake up on another day, or in another 20 years to say, You know what? We still have to solve the problem. And so I would urge us, we have to do that today for those victims. And with the estimated 26,000—that's up even 19,000 from 2011—we know that something is not working.

While some of the provisions that are being considered today are good-faith efforts, the dozens, including the Speier amendment, supported by experts, advocates, and legal experts and proposed before the Rules Committee

to take additional steps to show that we really do mean business are not being considered. It's really unfortunate that only half of those amendments were made in order. And with an issue as pervasive and damaging as this, where Republicans and Democrats, men and women, agree that we have to do something, why, for those 26,000 victims, aren't we doing everything that we can?

We can't stand on the side of the perpetrators. We must stand on the side of victims and survivors.

Mr. NUGENT. I continue to reserve the balance of my time.

Mr. MC GOVERN. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Maine (Ms. PINGREE).

Ms. PINGREE of Maine. Thank you to my good friend for yielding.

Mr. Speaker, as we confront the issue of sexual assault in the military, we can't forget the survivors who continue to serve.

One area that has needed reform is the questionnaire that must be filled out to obtain or renew a security clearance. One of the questions, Question 21, asks if you have ever sought mental health counseling. Knowing the question is there, and believing that answering "yes" might jeopardize their chances at a security clearance, survivors of sexual assault often decided not to get the mental health counseling that they needed.

The Director of National Intelligence has listened to us on this and has issued guidance saying survivors of sexual trauma do not have to report counseling related to that assault. But that change won't do the survivors any good unless they know it has taken place, which is why I've introduced an amendment that is part of a package we are considering later today that would require the Department of Defense to inform servicemembers of this change.

Mr. Speaker, I regularly hear from survivors of sexual assault who want to know when the change will be made. It's time they get their answer.

It's unfortunate that this rule does not allow more time for debate on these critical topics.

Mr. NUGENT. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MC GOVERN. Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Let me thank the gentleman for yielding, for your support, and for your tremendous leadership on so many issues.

Let me rise, first of all, in strong opposition to this rule. I am extremely disappointed that Congress was denied the opportunity on this floor to have a full and necessary debate about our constitutional role in declaring war and our obligation to conduct vigorous oversight, accountability, and to demand transparency.

While I appreciate the committee making my bipartisan amendment

with Congresswoman ILEANA ROS-LEHTINEN with regard to HIV discrimination in order, I offered a number of other amendments to audit the Pentagon and to end the overly broad 2001 Authorization to Use Military Force, which is a blank check.

I have long called for repeal of this authorization, dating back to the horrific days of 9/11, right when we debated that resolution for no more than an hour on September 14. We did not have a meaningful debate 12 years ago, and by blocking my amendment, this Congress will not be able to exercise its constitutional war-making duties today.

Let me also say that I am pleased to join Representatives McGOVERN, JONES, GARAMENDI, and our Armed Services ranking member, ADAM SMITH, on an amendment which was made in order, which will at least give us an opportunity to open that door and begin to talk about the fact that it is time to bring our troops home, and that once 2014 is here, then we need to determine what Congress will authorize, if anything.

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

Mr. McGOVERN. I yield the gentlewoman an additional 10 seconds.

Ms. LEE of California. Also, let me just say it's important, the amendment that was made in order, Congressman HANK JOHNSON and myself, with regard to prohibiting permanent military bases, so important.

So finally let me just say, Congress must debate and authorize any future troop presence in Afghanistan beyond 2014.

Mr. NUGENT. Mr. Speaker, I continue to reserve the balance of my time.

Mr. McGOVERN. Mr. Speaker, may I inquire how much time is remaining?

The SPEAKER pro tempore. The gentleman has 2½ minutes.

Mr. McGOVERN. I am happy to yield 1 minute to the gentlewoman from Arizona (Ms. SINEMA).

Ms. SINEMA. Mr. Speaker, I'm very disappointed that the Rules Committee chose to disallow my amendment from being heard today. The amendment that I offered, in conjunction with Representative BENISHEK and Representative GABBARD, simply allowed for victims of sexual violence in the military to have an opportunity to seek justice in court, in the light of day, without fear of retribution or recrimination from their superiors.

This amendment, Mr. Speaker and Members, would have taken the policy outside of the chain of command so that victims of sexual assault would have the opportunity to seek justice, and that those perpetrators who have committed sexual assault against their fellow servicemembers would be held accountable, accountable for the acts which they have committed.

In this instance, Mr. Speaker and Members, this amendment would ensure that the victims could report the

crimes, seek justice without fear of retribution or, even worse, having a superior who ignores or downplays the severity of the incident which has occurred.

Mr. NUGENT. Mr. Speaker, I continue to reserve the balance of my time.

Mr. McGOVERN. Mr. Speaker, may I inquire from my friend how many more speakers he has on his side?

Mr. NUGENT. I have none.

Mr. McGOVERN. Okay. Then I will yield myself the balance of the time.

Mr. Speaker, I'm going to urge that we defeat the previous question. And if we defeat the previous question, I will offer an amendment to make this an open rule so that Members have the opportunity to offer any amendment allowed under the rules of the House.

□ 1350

Mr. Speaker, I ask unanimous consent to include for the RECORD the text of the amendment in the RECORD along with extraneous materials immediately prior to the vote on the previous question.

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

There was no objection.

Mr. McGOVERN. Mr. Speaker, let me just say that I think the Rules Committee had a difficult task given the fact that the leadership of this House has kind of only allocated 2 days for debate on the defense authorization bill. They had to deal with 300 amendments. They made 172 in order. I know that everybody worked hard to try to be fair. I appreciate, again, the courtesy extended to me on my amendment with regard to Afghanistan, and I appreciate my colleagues on the Republican side for their support.

I think the controversy still is around the issue of sexual assault in the military. A number of amendments, particularly those offered by Ms. SPEIER and Ms. GABBARD, were not made in order. That, unfortunately, makes it very difficult for many on our side to support this rule.

But I want to thank, again, the staff of the Rules Committee and the Members for work on this. I urge a “no” vote on the previous question and a “no” vote on the rule. I yield back the balance of my time.

Mr. NUGENT. Mr. Speaker, this may be my third National Defense Authorization Act as a Member of Congress, but it's my first NDAA as a member of the Armed Services Committee. Let me tell you, it's been an experience. It's an educational, time-consuming and sometimes an exhausting experience, but it's always been a gratifying one.

As the father of three sons that currently serve in the United States Army, I never forget the overarching purpose for all of our work on the Defense Authorization Act. I know that my HASC colleagues never forget it either.

I've had sons that have served in Iraq and Afghanistan, sometimes simulta-

neously. I know what it's like to send a son or a daughter off to war. As a family, it's something that causes you anguish all the time. It's not something that should be done lightly. So I appreciate the McGovern amendment because it's going to provide the opportunity to actually discuss and put on the floor an ability for this House to actually authorize or continue authorization of any force.

I think this House has been, unfortunately, somewhat derelict in its duties because of what we've done in the past and what we've called the President to do when we went into Libya, even though limited by air support only. We should never put our men and women at risk unless this House has a say in that which is so precious to us, and that's our sons and daughters.

You heard Mr. TURNER speak as relates to sexual assault, and I heard a lot on the floor about Ms. SPEIER. She had the ability in the Armed Services Committee—the committee I serve on—she had the ability to bring that up in committee and have unlimited debate—unlimited debate—within that body in regards to her amendment. She chose not to do that. Instead, she chose to bring it in front of the Rules Committee that has a limited time slot.

Of the 299 amendments that were brought forward, 172 were made in order that are going to be heard on this floor today. That's what this rule is about, about giving everybody access and to be heard on all the important aspects of the NDAA. So to say that she was locked out just isn't so. The ability was there. As a Member of the HASC Committee, she had the ability to have unlimited debate.

Remember, the NDAA passed out of that committee 59–2. That's about as bipartisan as you can get, and it really talks about the issues that are important to America and particularly as it relates to protecting our sons and daughters that are called upon to protect this Nation and called upon to go out and sacrifice for this Nation. We owe them that much. We want to make sure that they're successful in any mission that they're sent forward to participate in to protect the interests of this Nation and our Allies.

The American people hear in the news media about how partisan Congress is today. Although we have our disagreements, and I know those reports and folks back home can't be looking at the work we're doing on the Armed Services Committee if all they see is partisanship, because it's not there. If they were looking at the Armed Services Committee and this year's National Defense Authorization Act, they'd see the kind of collaboration that legislation is supposed to be about. They'd see a chairman and a ranking member who work together on a common goal. They'd see staff that works to benefit our warfighters and not a political party. They'd see an

NDAA that was passed out of the largest committee in the House of Representatives with only two people opposing it.

And, tomorrow, I hope they'll see a House of Representatives that can put politics aside and support our troops by overwhelmingly passing the National Defense Authorization Act for fiscal year 2014.

It's a good bill. H. Res. 260 makes it even better by allowing the House to consider amendments covering all the major issues covered by NDAA and the Department of Defense at large. I always like to say that nobody has a monopoly on good ideas. And that truism is evidenced by the 299 amendments that were offered to this legislation. The rule provides time for a vote on the majority of those ideas. That's why I support the rule, I support the underlying legislation, and I hope the House, as a whole, can do the same.

Mr. HONDA. Mr. Speaker, I rise today to express my disappointment in the Rules Committee for not making my amendment to H.R. 1960, the National Defense Authorization Act or Fiscal Year 2014, in order.

House Republicans have once again failed to live up their promises of openness and transparency by denying me the opportunity to offer this important amendment to protect the privacy of students and parents with regard to military recruiters.

I sought to offer this amendment in support of parents and students within my own Silicon Valley district and from across the country. The privacy of high school students across our nation is compromised by a provision of the Elementary and Secondary Education Act, also known as No Child Left Behind, which requires school districts to provide the personal, private information of students to military recruiters at the risk of losing scarce federal education dollars, unless parents opt out in writing.

Parents in my district complained to me that, in some instances, their children were persistently contacted at home by military recruiters. These parents wanted to know how the military got their children's personal, confidential information, including home phone numbers and addresses. They wanted to know why they were getting calls during dinner, especially when they had already gotten off of telemarketing lists.

My amendment sought to change this to an "opt in" requirement, under which parents would need to provide written permission in order for schools to be allowed share student information with recruiters.

The decision to join the military is a solemn one. Ideally, this decision should be made in consultation with people who love and care for the child—not with a government official, however well-intentioned, whose very job is to recruit for the military. This cannot be guaranteed if recruiters are able to contact students without explicit parental approval, as those parents may not realize their students are receiving such calls.

Other federal privacy statutes explicitly recognize individual privacy rights, particularly those of minors. The Children's Online Privacy Act prohibits commercial websites or online services from releasing personally identifiable information of minors. Federal agencies are

prohibited from divulging personal information without written consent. Yet under current law it is acceptable to force schools to provide military recruiters with personal information of their students. This violates the trust between schools and students.

Our nation has the best-trained and most powerful armed forces in the world, and maintaining our military superiority depends on effective recruiting. This country also has a proud history of personal rights and privacy protection. I believe we can sustain one while preserving the other.

We must protect the children and students who represent the future of our country. This includes protecting their privacy.

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

**AN AMENDMENT TO H. RES. 260 OFFERED BY
MR. McGOVERN OF MASSACHUSETTS**

Strike all after the resolved clause and insert:

That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 1960) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes. No further general debate shall be in order. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill. The amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

**THE VOTE ON THE PREVIOUS QUESTION: WHAT IT
REALLY MEANS**

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

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

yield to him for an amendment, is entitled to the first recognition."

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

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

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

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

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 233, nays 195, not voting 6, as follows:

[Roll No. 220]

YEAS—233

Aderholt	Black	Cantor
Alexander	Blackburn	Capito
Amash	Bonner	Carter
Amodei	Boustany	Cassidy
Bachmann	Brady (TX)	Chabot
Bachus	Bridenstine	Chaffetz
Barber	Brooks (AL)	Coble
Barletta	Brooks (IN)	Coffman
Barr	Broun (GA)	Cole
Barton	Buchanan	Collins (GA)
Benishek	Bucshon	Collins (NY)
Bentivolio	Burgess	Conaway
Bilirakis	Calvert	Cook
Bishop (UT)	Camp	Cotton

Pallone	Sánchez, Linda T.	Thompson (MS)
Pastor (AZ)	Sanchez, Loretta	Tierney
Payne	Sarbanes	Titus
Pelosi	Schakowsky	Tonko
Perlmutter	Schiff	Tsongas
Peters (MI)	Schrader	Van Hollen
Peterson	Schwartz	Vargas
Pingree (ME)	Scott (VA)	Veasey
Pocan	Scott, David	Vela
Polis	Serrano	Velázquez
Price (NC)	Sewell (AL)	Visclosky
Quigley	Sherman	Walz
Rahall	Sinema	Wasserman
Rangel	Sires	Schultz
Richmond	Slaughter	Waters
Rohrabacher	Smith (WA)	Watt
Royal-Allard	Speier	Waxman
Ruiz	Swalwell (CA)	Welch
Ruppersberger	Takano	Wilson (FL)
Rush	Thompson (CA)	Yarmuth

NOT VOTING—7

Campbell	Markey	Shea-Porter
Chu	McCarthy (NY)	
Herrera Beutler	Pascarell	

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So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GRIJALVA. Mr. Speaker, on roll-call votes 217 and 218, I was unavoidably detained. My vote should be noted as a “yea” on rollcall 217 and a “no” on rollcall 218.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

Mr. McKEON. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 1960, pursuant to House Resolution 260, amendment Nos. 18, 19, and 20 printed in part B of House Report 113–108 may be considered out of sequence.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 260 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. 1960.

Will the gentleman from Nebraska (Mr. TERRY) kindly take the chair.

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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. 1960) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, with Mr. TERRY (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, June 12, 2013, all time for general

debate pursuant to House Resolution 256 had expired.

Pursuant to House Resolution 260, no further general debate shall be in order. In lieu of the amendment in the nature of a substitute recommended by the Committee on Armed Services, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–13, modified by the amendment printed in part A of House Report 113–108. The amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1960

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2014”.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into four divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

(4) Division D—Funding Tables.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Organization of Act into divisions; table of contents.

Sec. 3. Congressional defense committees.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS**TITLE I—PROCUREMENT****Subtitle A—Authorization of Appropriations**

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 111. Limitation on availability of funds for Stryker vehicle program.

Subtitle C—Navy Programs

Sec. 121. Multiyear procurement authority for E-2D aircraft program.

Sec. 122. Cost limitation for CVN-78 aircraft carriers.

Subtitle D—Air Force Programs

Sec. 131. Multiyear procurement authority for multiple variants of the C-130J aircraft program.

Sec. 132. Prohibition on cancellation or modification of avionics modernization program for C-130 aircraft.

Sec. 133. Retirement of KC-135R aircraft.

Sec. 134. Competition for evolved expendable launch vehicle providers.

Subtitle E—Defense-wide, Joint, and Multiservice Matters

Sec. 141. Multiyear procurement authority for ground-based interceptors.

Sec. 142. Multiyear procurement authority for tactical wheeled vehicles.

Sec. 143. Limitation on availability of funds for retirement of RQ-4 Global Hawk unmanned aircraft systems.

Sec. 144. Personal protection equipment procurement.

Sec. 145. Repeal of certain F-35 reporting requirements.

Sec. 146. Study on procurement of personal protection equipment.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**Subtitle A—Authorization of Appropriations**

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Limitation on availability of funds for ground combat vehicle engineering and manufacturing phase.

Sec. 212. Limitation on Milestone A activities for Unmanned Carrier-launched Surveillance and Strike system program.

Sec. 213. Limitation on availability of funds for Air Force logistics transformation.

Sec. 214. Limitation on availability of funds for defensive cyberspace operations of the Air Force.

Sec. 215. Limitation on availability of funds for precision extended range munition program.

Sec. 216. Limitation on availability of funds for the program manager for biometrics of the Department of Defense.

Sec. 217. Unmanned combat air system demonstration testing requirement.

Sec. 218. Long-range standoff weapon requirement.

Sec. 219. Review of software development for F-35 aircraft.

Sec. 220. Evaluation and assessment of the Distributed Common Ground System.

Sec. 221. Requirement to complete individual carbine testing.

Sec. 222. Establishment of funding line and fielding plan for Navy laser weapon system.

Sec. 223. Sense of Congress on importance of aligning common missile compartment of Ohio-class replacement program with the United Kingdom’s Vanguard successor program.

Sec. 224. Sense of congress on counter-electronics high power microwave missile project.

Subtitle C—Missile Defense Programs

Sec. 231. Prohibition on use of funds for MEADS program.

Sec. 232. Additional missile defense site in the United States for optimized protection of the homeland.

Sec. 233. Limitation on removal of missile defense equipment from East Asia.

Sec. 234. Improvements to acquisition accountability reports on ballistic missile defense system.

Sec. 235. Analysis of alternatives for successor to precision tracking space system.

Sec. 236. Plan to improve organic kill assessment capability of the ground-based midcourse defense system.

Sec. 237. Availability of funds for Iron Dome short-range rocket defense program.

Sec. 238. NATO and the phased, adaptive approach to missile defense in Europe.

Sec. 239. Sense of Congress on procurement of capability enhancement II exoatmospheric kill vehicle.

Sec. 240. Sense of Congress on 30th anniversary of the Strategic Defense Initiative.

Subtitle D—Reports

Sec. 251. Annual Comptroller General report on the amphibious combat vehicle acquisition program.

Sec. 252. Report on strategy to improve body armor.

Sec. 253. Report on main battle tank fuel efficiency initiative.

Sec. 254. Report on powered rail system.

Subtitle E—Other Matters

Sec. 261. Establishment of Cryptographic Modernization Review and Advisory Board.