

Throughout my service in Congress, I have almost always supported this annual measure, which authorizes funding for a wide range of programs upon which our military depends, from salaries and benefits to military health care to critical equipment and readiness accounts. I thus find it deeply unfortunate that the House Republican leadership chose to use this year's bill as a vehicle for advancing ill-advised policies that seek to tie the President's hands in the war on terror and expand the military's role in the detention and disposition of terror suspects, at the expense of our civilian justice system and our civil liberties.

To be sure, the original House version of this bill, which I opposed, was much worse. It would not only have indefinitely extended the Authorization for the Use of Military Force that was enacted in the wake of September 11, but would also have required suspects detained pursuant to that authorization to be prosecuted in military tribunals. My Republican colleagues' inexplicable insistence on forcing terror trials into military commissions instead of civilian courts flies in the face of the facts; our court system has a strong record of trying and convicting terrorism suspects, while the record of military commissions has been spotty at best. It is no wonder that the Obama Administration threatened to veto this bill—as any administration, Democrat or Republican, would almost certainly have done.

To their credit, our Democratic conferees succeeded in averting the worst aspects of the House bill in the conference report before us today. But they didn't go far enough. The measure would still require all foreign suspects detained in the war on terror to be kept in military custody, potentially disrupting critical anti-terrorism operations and muddying the waters of a process that should be crystal clear. As FBI Director Robert Mueller reiterated today, this provision would unnecessarily complicate interrogation and intelligence collection—the very capabilities that the provision's supporters claim they are trying to enhance. The conference report would also needlessly reaffirm our ability to detain terror suspects indefinitely, upholding an ambiguity in current law that should be resolved by the courts. And it would impose new consultation requirements that further restrain the discretion of the Attorney General to determine how to prosecute terror cases.

For these reasons, I intend to oppose the measure before us today, despite my strong support for the majority of its provisions. In the future, rather than using the defense authorization bill to advance their partisan agenda, I urge the Republican leadership to return to the past practice of leaving controversial policy debates for another time and place. Our men and women in uniform deserve nothing less.

Mr. TURNER of Ohio. Mr. Speaker, I rise today to speak in favor of passage of the conference report on the FY12 NDAA.

As the Chairman of the Strategic Forces Subcommittee, I'd like to briefly walk through some of the key provisions in the conference report.

First, concerning U.S.-Russia missile defense, the conference report contains a modified version of a provision offered by Mr. BROOKS of Alabama to require the President, before sharing any classified information about U.S. ballistic missile defenses, to prove that it is in the interest of the United States and to show how the information will be protected from third party transfers.

Second, regarding U.S. nuclear forces, the conference report imposes checks on the Administration's plans for nuclear reductions by requiring assessments of those reductions from the STRATCOM commander before any nuclear weapons reductions are made; requiring the Administration to disclose its plans for future reductions; and, re-asserting Congressional oversight of the nation's nuclear war plan.

Third, concerning LightSquared, we retained House and Senate provisions that will ensure that the FCC will not be able to attempt to slip one by Congress and the DOD in the dark of night again. And I note recent press reports that new proposals for LightSquared's network continue to impose unacceptable interference to DOD GPS systems.

Also, for the first time, DOD will be able to directly transfer funding to NNSA Weapons Activities for up to \$125 M per year if there are shortfalls in that budget in the event of an appropriations shortfall.

And the bill ensures that the credibility of the U.S. deterrent and extended deterrent will start to get equal billing with safety, security and reliability.

I also would like to thank Chairman HAL ROGERS and Chairman RODNEY FRELINGHUYSEN—I have appreciated their support for funding for NNSA's vital nuclear weapons programs, which are key to maintaining the safety, security, reliability and credibility of the U.S. nuclear weapons stockpile, and enabling any of the force reductions the Administration may plan, including those under the New START treaty.

I also hope that our NATO allies and the Administration read closely the provision on our extended nuclear deterrent in Europe and any future arms control negotiations with Russia, which states that if any negotiations occur they should focus on Russia's massive stockpile of tactical nuclear weapons and that for the purposes of the negotiations, consolidation or centralized storage of Russia's tactical nuclear weapons should not be viewed as elimination of those weapons.

This last position was recently endorsed by the NATO Parliamentary Assembly, the U.S. delegation to which I am the Chairman.

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In a short time after becoming a member of the House Armed Services Committee, I was struck to learn that this country's judicial system was using servicemember's deployments against them when making child custody determinations.

Just to be clear, we are asking an all volunteer force which consists of less than one percent of our population to engage in the longest conflict in our nation's history, endure more deployments than any other generation in our history, and do so at the peril of losing their children.

Recognizing this unconscionable injustice, the House Armed Services Committee has in-

cluded language in the past 5 NDAA's to provide servicemembers a uniform national standard of protection. This provision has also made it through the House Veterans Affairs Committee.

Unfortunately, despite overwhelming bipartisan support in the House and the support of the Department of Defense, the Senate once again failed our servicemembers and their families. It appears that they have done so using false information.

Earlier this year, Secretary Gates stated, "I have been giving this matter a lot of thought and believe we should change our position to one where we are willing to consider whether appropriate legislation can be crafted that provides Servicemembers with a federal uniform standard of protection." This year, I worked with the DoD and the House Armed Services Committee to provide that legislation. Yet, the Senate failed to provide the protections in the final bill.

Given all the sacrifices made by our servicemembers, I ask that the Senate finds it within themselves to reconsider their position and work with us to provide the protections our men and women in uniform deserve. It's the right thing to do and we owe it to them.

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

Pursuant to House Resolution 493, the previous question is ordered.

Pursuant to clause 1(c) of rule XIX, further consideration of the conference report is postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 27 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1740

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 5 o'clock and 40 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 1905, by the yeas and nays;

H.R. 2105, by the yeas and nays;

H.R. 3421, de novo;

H.R. 1264, de novo.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

IRAN THREAT REDUCTION ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the