

I was advised by the Parliamentarian that my original amendment as drafted would not be germane postcloture. However, in consultation with the Parliamentarian, we have come up with a technical modification which essentially would strike what are called the findings that would support the need for the legislation. In essence, it strikes the A section and the B section and leaves only the C section remaining. This, of course, at this point in the proceedings would require unanimous consent.

In consultation with Senator MCCAIN, the ranking member of the Senate Armed Services Committee, I am advised that our friends across the aisle will not grant unanimous consent for us to modify what is really a technical modification for this amendment so we can get a vote on it. I realize that at this point we are in morning business and it is not appropriate, perhaps, for me to ask unanimous consent, but I will ask unanimous consent at a later and appropriate time because I would like to get an explanation from the distinguished chairman of the Armed Services Committee as to why in the world there would be an objection to an amendment that enjoys such broad bipartisan support on a clearly appropriate legislative vehicle.

Madam President, I see the distinguished chairman on the floor. So I would at this time, if it is appropriate, ask unanimous consent to modify my pending amendment, to strike the findings under section A and under section B, and to leave section C, which states in full:

Sale of aircraft. The President shall carry out the sale of no fewer than 66 F-16 C and D multirole fighter aircraft to Taiwan.

We have been advised by the Parliamentarian that this section is indeed germane and would be eligible for a vote with that modification. So I ask unanimous consent to so modify my amendment.

The PRESIDING OFFICER (Mrs. HAGAN). Is there objection?

Mr. LEVIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, there is objection on this side, and I will attempt to bring together Senator CORNYN and the objectors so he can hear from them why they object, but in the meantime I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Texas.

Mr. CORNYN. Madam President, I am disappointed, but more than disappointed, I look forward to that explanation. I hope there will be an opportunity to have a colloquy and a discussion here on the floor so the American people can see why a piece of legislation that enjoys such broad bipartisan support can't even get a vote.

When people watch what is happening in Washington these days, I think they are tempted to avert their

gaze because they ask the question of me—and I am sure, when the Presiding Officer is back in North Carolina, of her as well—why can't people get anything done? Well, it is because, unfortunately, of things like this. These are technical objections that are not based on the substance or the merit of the legislation.

I respect the chairman of the Armed Services Committee, who says there is an objection on the Democratic side, and he personally is not making that objection but is on behalf of some unnamed other party. I hope that person will be named. I hope they will come to the floor. I hope they will explain to the American people and to our Democratic allies in Taiwan why it is they object to a vote on this amendment.

I believe that if we are able to get a vote on the Defense authorization bill, this has a high likelihood of passage, and I think it would send a strong message to our friends and allies around the world that, yes, you can count on your friend and ally, the United States of America. Conversely, if we are thwarted in our attempt to try to get this amendment voted on and passed, then this will send a countervailing message—that you cannot depend on America—and it will embolden bullies around the world.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Michigan.

ORDER OF PROCEDURE

Mr. LEVIN. I ask unanimous consent that the Senate proceed to the consideration of the pending Feinstein amendment No. 1125; that there be 30 minutes of debate equally divided and controlled in the usual form; that upon the use or yielding back of time, the Senate proceed to vote in relation to the Feinstein amendment, with no amendments in order prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1867, which the clerk will report.

The bill clerk read as follows:

A bill (S 1867), to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

Merkley amendment No. 1174, to express the sense of Congress regarding the expe-

ditioned transition of responsibility for military and security operations in Afghanistan to the Government of Afghanistan.

Feinstein amendment No. 1125, to clarify the applicability of requirements for military custody with respect to detainees.

Feinstein amendment No. 1126, to limit the authority of the Armed Forces to detain citizens of the United States under section 1031.

Franken amendment No. 1197, to require contractors to make timely payments to subcontractors that are small business concerns.

Beigich amendment No. 1114, to amend title 10, United States Code, to authorize space-available travel on military aircraft for members of the Reserve components, a member or former member of a Reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents.

Shaheen amendment No. 1120, to exclude cases in which pregnancy is the result of an act of rape or incest from the prohibition on funding of abortions by the Department of Defense.

Collins amendment No. 1105, to make permanent the requirement for certifications relating to the transfer of detainees at U.S. Naval Station Guantanamo Bay, Cuba, to foreign countries and other foreign entities.

Collins amendment No. 1155, to authorize educational assistance under the Armed Forces Health Professions Scholarship Program for pursuit of advanced degrees in physical therapy and occupational therapy.

Collins amendment No. 1158, to clarify the permanence of the prohibition on transfers of recidivist detainees at U.S. Naval Station Guantanamo Bay, Cuba, to foreign countries and entities.

Inhofe amendment No. 1097, to eliminate gaps and redundancies between the over 200 programs within the Department of Defense that address psychological health and traumatic brain injury.

Inhofe amendment No. 1099, to express the sense of Congress that the Secretary of Defense should implement the recommendations of the Comptroller General of the United States regarding prevention, abatement, and data collection to address hearing injuries and hearing loss among members of the Armed Forces.

Inhofe amendment No. 1100, to extend to products and services from Latvia existing temporary authority to procure certain products and services from countries along a major route of supply to Afghanistan.

Inhofe amendment No. 1093, to require the detention at U.S. Naval Station Guantanamo Bay, Cuba, of high-value enemy combatants who will be detained long-term.

Casey amendment No. 1139, to require contractors to notify small business concerns that have been included in offers relating to contracts let by Federal agencies.

McCain (for Cornyn) amendment No. 1200, to provide Taiwan with critically needed U.S.-built multirole fighter aircraft to strengthen its self-defense capability against the increasing military threat from China.

McCain (for Ayotte) amendment No. 1068, to authorize lawful interrogation methods in addition to those authorized by the Army Field Manual for the collection of foreign intelligence information through interrogations.

McCain (for Brown (MA)/Boozman) amendment No. 1119, to protect the child custody rights of members of the Armed Forces deployed in support of a contingency operation.

McCain (for Brown (MA)) amendment No. 1090, to provide that the basic allowance for housing in effect for a member of the National Guard is not reduced when the member transitions between Active-Duty and