

five resulted from pleas. The sentences handed down in these five cases have been much shorter than those meted out in Federal court convictions. In contrast, our Federal courts have a long and distinguished history of successfully prosecuting even the most atrocious violent acts, and our judicial system is respected throughout the world.

The vital role of the rule of law and our judicial system in the fight against terrorism is also strongly supported by leaders of our military who served honorably to protect our nation and uphold the Constitution. On December 10, 2010, a group of retired generals and admirals voiced their opposition against restricting law enforcement's ability to try terrorists in Federal criminal courts, and wrote that, "By trying terrorist suspects in civilian courts we deprive them of the warrior status they crave and treat them as the criminals and thugs they are. As long as Guantanamo is open it offers America's enemies a propaganda tool that is being used effectively to recruit others to their cause and undermines U.S. efforts to win support in the communities where our troops most need local cooperation to succeed."

I believe strongly, as all Americans do, that we must do everything we can to prevent terrorism, and we must ensure severe punishment is imposed upon those who do us harm. As a former prosecutor, I have made certain that perpetrators of violent crimes receive serious punishment. I also believe strongly that we can ensure our safety and security, and bring terrorists to justice, in ways that are consistent with our laws and values. Congress should not limit law enforcement's ability to do just that.

Mr. LEVIN. Mr. President, the proud tradition our committee has maintained every year since 1961 continues with the Senate's passage of this, the 49th consecutive national defense authorization bill. We always have to work long and hard to pass this bill, but it is worth every bit of the effort we put into it because it is for our troops and their families as well as, obviously, our Nation. I thank all Senators for their roles in keeping this tradition going.

Our bipartisanship on this committee makes this moment, as late as it is, possible. I am proud to serve with Senator McCain and am grateful for his partnership.

I thank all our committee staff members. With their extraordinary drive and many personal sacrifices to get this bill done—and we had to get it done twice because we had to modify the bill that was originally presented to the Senate, as everybody here knows. Our staff has given another meaning to this season of giving. Led by Rick DeBobes, our committee's staff director, and Joe Bowab, our Republican staff director, they have given everything imaginable, and some things unimaginable, to get this bill passed. So we thank all of them.

I ask that, as a tribute to the professionalism of our staff, and our grati-

tude, their names be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Richard D. DeBobes, Staff Director; Joseph W. Bowab, Republican Staff Director; Adam J. Barker, Professional Staff Member; June M. Borowski, Printing and Documents Clerk; Leah C. Brewer, Nominations and Hearings Clerk; Christian D. Brose, Professional Staff Member; Joseph M. Bryan, Professional Staff Member; Pablo E. Carrillo, Minority Investigative Counsel; Jonathan D. Clark, Counsel; Ilona R. Cohen, Counsel; Christine E. Cowart, Chief Clerk; Madelyn R. Creedon, Counsel; Gabriella E. Fahrer, Counsel; Richard W. Fieldhouse, Professional Staff Member; Creighton Greene, Professional Staff Member; John W. Heath, Jr., Minority Investigative Counsel; Gary J. Howard, Systems Administrator; Paul C. Hutton IV, Professional Staff Member; Jessica L. Kingston, Research Assistant; Jennifer R. Knowles, Staff Assistant.

Michael V. Kostiw, Professional Staff Member; Michael J. Kuiken, Professional Staff Member; Kathleen A. Kulenkampff, Staff Assistant; Mary J. Kyle, Legislative Clerk; Christine G. Lang, Staff Assistant; Gerald J. Leeling, Counsel; Daniel A. Lerner, Professional Staff Member; Peter K. Levine, General Counsel; Gregory R. Lilly, Executive Assistant for the Minority; Hannah I. Lloyd, Staff Assistant; Jason W. Maroney, Counsel; Thomas K. McConnell, Professional Staff Member; William G.P. Monahan, Counsel; Davis M. Morriss, Minority Counsel; Lucian L. Niemeyer, Professional Staff Member; Michael J. Noblet, Professional Staff Member; Christopher J. Paul, Professional Staff Member; Cindy Pearson, Assistant Chief Clerk and Security Manager; Roy F. Phillips, Professional Staff Member; John H. Quirk V, Professional Staff Member.

Robie I. Samanta Roy, Professional Staff Member; Brian F. Sebold, Staff Assistant; Russell L. Shaffer, Counsel; Travis E. Smith, Special Assistant; Jennifer L. Stoker, Security Clerk; William K. Sutey, Professional Staff Member; Diana G. Tabler, Professional Staff Member; Mary Louise Wagner, Professional Staff Member; Richard F. Walsh, Minority Counsel; Breon N. Wells, Staff Assistant; Dana W. White, Professional Staff Member.

Mr. LEVIN. I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KERRY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

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

EXECUTIVE SESSION

TREATY WITH RUSSIA ON MEASURES FOR FURTHER REDUCTION AND LIMITATION OF STRATEGIC OFFENSIVE ARMS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive ses-

sion to resume consideration of the following treaty, which the clerk will report.

The assistant legislative clerk read as follows:

Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms.

Pending:

Corker modified amendment No. 4904, to provide a condition and an additional element of the understanding regarding the effectiveness and viability of the New START Treaty and United States missile defense.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts is recognized.

Mr. KERRY. Mr. President, we currently have two amendments, one of which I believe we will be able to accept and one of which we are working on with the Senator from Arizona to determine whether it would need a vote. We should know shortly. We will begin debate on an amendment of the Senator from Arizona. Subsequently, the Senator from Connecticut, Mr. LIEBERMAN, and the Senator from Tennessee, Mr. CORKER, have an amendment they want to proceed on with respect to missile defense. Those are the only two at this time. We hope to be able to get to final passage on this treaty without delay. The Senator from Arizona assured me they are trying to work through what that means. So I think we will proceed without any attempt to pin that down with a unanimous consent agreement at this point. Obviously, for all Senators, we want to try to do this as soon as is practical.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona is recognized.

Mr. KYL. Mr. President, would it be in order for me to call up an amendment at this time?

The ACTING PRESIDENT pro tempore. The Senator is recognized for that purpose.

AMENDMENT NO. 4892, AS MODIFIED

Mr. KYL. I call up amendment No. 4892, as modified. The modification is at the desk.

The ACTING PRESIDENT pro tempore. The amendment is so modified.

Mr. KERRY. Mr. President, if we could begin the consideration, as I mentioned, we are working on that language. I do not want to agree to the modification yet until we have had a chance to talk with the Senator about it. I am not saying we will not agree to it. I want to see if we can get that done. If we can begin on the amendment as originally filed, we can interrupt to do it with the modification. I want a chance to clear it.

Mr. KYL. I am not asking at this time there be an agreement. I am simply saying that the amendment I want to bring up is the amendment I filed.

Mr. KERRY. I have no objection to the as modified to consider it.

Mr. KYL. I will describe the modifications. They were made in an effort