

make a user-friendly database available to seniors across the country. For the first time, seniors will be able to comparison shop for their prescription drugs, just like they do for cruises, shoes and other necessities.

Also, since that time, we have seen the growth of Health Savings Accounts that were part of that legislation. There are some interesting figures about Health Savings Accounts. Almost half of the people signing up for Health Savings Accounts earn under \$50,000 a year, hardly a program that just benefits the rich, but we hear that over and over again.

Fifty-six percent of the people that have signed up for Health Savings Accounts are under 40 years of age. Sixty-two percent are families, as opposed to just individuals, and there are comparable benefits after the deductibles are met.

The most important thing, though, Mr. Speaker, is this is money that patients own and they control. It is their accounts, not the government's.

HELPING HARD-PRESSED FAMILIES IS CRITICAL

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLUMENAUER. Mr. Speaker, helping hard-pressed families is a valuable activity here on the floor of the House. We have an opportunity to do it today. Yet my Republican friends are advancing a fundamentally flawed proposal.

For two families each with three children, one making minimum wage, the other over \$300,000 a year, my Republican friends propose a new benefit for the family that makes over \$300,000. They will however slam the door on the family at minimum wage earning \$10,300; no benefit for them.

I keep hoping my Republican friends will show the same compassion for the people who need our help the most as they shower new benefits on those who need our help the least.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005

The SPEAKER pro tempore (Mr. BURGESS). Pursuant to House Resolution 648 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. 4200.

□ 1152

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. 4200) to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2005, and for other purposes,

with Mr. LAHOOD (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Wednesday, May 19, 2004, a request for a recorded vote on Amendment No. 14 printed in House Report 108-499, offered by the gentleman from Missouri (Mr. SKELTON) had been postponed.

Pursuant to the order of the House of that day, the amendments numbered 29, 30, 31 and 32 are in order as though printed in the report and Amendment No. 13 is modified.

It is now in order to consider Amendment No. 7 printed in House Report 108-499.

It is now in order to consider Amendment No. 8 printed in House Report 108-499.

REQUEST TO INCLUDE MEMBER AS COSPONSOR OF AMENDMENT

Mr. KENNEDY of Minnesota. Mr. Chairman, I ask unanimous consent that the name of the gentleman from Arkansas (Mr. SNYDER) be added as a cosponsor of the amendment.

The CHAIRMAN pro tempore. While a Member may not designate a co-officer of an amendment, the RECORD will reflect his request.

AMENDMENT NO. 8 OFFERED BY MR. KENNEDY OF MINNESOTA

Mr. KENNEDY of Minnesota. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. KENNEDY of Minnesota:

Strike section 2821 (page 514, beginning line 19) and insert the following new section:

SEC. 2821. PREPARATION OF REPORTS AS PART OF 2005 BASE CLOSURE ROUND REGARDING FUTURE INFRASTRUCTURE REQUIREMENTS FOR THE ARMED FORCES.

Section 2912 of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), as added by section 3001 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1342), is amended by adding at the end the following new subsection:

“(e) INFRASTRUCTURE-RELATED REPORTS.—

“(1) REQUIRED REPORTS.—The Secretary shall prepare the following reports related to infrastructure requirements for the Armed Forces:

“(A) A report containing the Integrated Global Presence and Basing Strategy of the Department of Defense, including the location of long-term overseas installations, installations to be used for rotational purposes, and forward operating locations, anticipated rotational plans and policies, and domestic and overseas infrastructure requirements associated with the strategy.

“(B) A report describing the anticipated infrastructure requirements associated with the probable end-strength levels and major military force units (including land force divisions, carrier and other major combatant vessels, air wings, and other comparable units) for each of the Armed Forces resulting from force transformation.

“(C) A report describing the anticipated infrastructure requirements related to expected changes in the active component

versus reserve component personnel mix of the Armed Forces.

“(D) A report describing the anticipated infrastructure requirements associated with the so-called ‘10-30-30 objective’ of the Secretary to ensure that military forces are capable of deployment overseas within 10 days in sufficient strength to defeat an enemy within 30 days and be ready for redeployment within 30 days after the end of combat operations.

“(E) A report containing the results of a complete reassessment of the infrastructure necessary to support the force structure described in the force-structure plan prepared under paragraph (1) of subsection (a) and describing any resulting excess infrastructure and infrastructure capacity, which were previously required by paragraph (2) of such subsection. The reassessment shall be based on actual infrastructure, facility, and space requirements for the Armed Forces rather than a comparative study between 1989 and 2003.

“(F) A report describing the anticipated infrastructure requirements associated with the assessment prepared by the Secretary pursuant to section 2822 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136; 117 Stat. 1726), in which Congress required the Secretary to assess the probable threats to national security and determine the potential, prudent, surge requirements for the Armed Forces and military installations to meet those threats.

“(2) TIME FOR SUBMISSION OF REPORTS.—The Secretary shall submit the reports required by paragraph (1) to the congressional defense committees at the same time as the Secretary transmits the recommendations for the closure or realignment of military installations under section 2914(a).”.

The CHAIRMAN pro tempore. Pursuant to House Resolution 648, the gentleman from Minnesota (Mr. KENNEDY) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. KENNEDY).

Mr. KENNEDY of Minnesota. I yield myself 3 minutes.

Mr. Chairman, I rise today to urge my colleagues to support the amendment I am offering with my friend, the gentleman from Arkansas (Mr. SNYDER). The Kennedy-Snyder amendment repeals the 2-year BRAC delay that was included in the Defense Authorization Act reported out by the committee.

Our amendment also requires DOD to report to Congress on our overseas basing posture and other issues raised by the committee in March of 2005 when DOD transmits its base closure and realignment recommendations to the BRAC Commission.

Under the terms of our amendment, Congress would have 6 months to consider the report before a potential vote to disapprove the recommendations of the BRAC Commission. This would give the House ample time to hold hearings and decide if DOD paid attention to such important issues as our overseas basing structure. Furthermore, estimates show that the 2-year delay of BRAC could waste as much as \$16 billion in lost savings.

Mr. Chairman, this is money that would be better used to modernize our weapons systems and improve the quality of life for our service men and women.

I know some of my colleagues on this floor are opposed to the BRAC process. They argue that now is not the time to conduct a round of base closures, not while the country is at war. I disagree. I believe that now is as important a time as ever.

The critical nature of our war on terrorism and our military actions in Iraq and Afghanistan demand we go forward with BRAC. Right now, we have a perfect opportunity to see what infrastructure the military really needs for our modern-day challenges. After all, if it is not essential where our military is engaged in two countries simultaneously, in addition to all of our other responsibilities being undertaken by our men and women in uniform, when will it be needed?

But that is not just my opinion. The Chairman and Vice Chairman of the Joint Chiefs of Staff, along with the Army Chief of Staff, the Air Force Chief of Staff, the Chief of Naval Operations and the Commandant of the Marine Corps recently warned a delay in the BRAC amendment will seriously undermine our ability to fundamentally reconfigure our infrastructure to best support the transformation of our forces to meet the security challenges we face now and will continue to face for the foreseeable future.

For this reason, the administration has issued a statement of administration policy that says anything that delays, weakens or repeals the BRAC would trigger a veto.

Mr. Chairman, we cannot afford that risk. For those of my colleagues really concerned about BRAC, I would ask them to remember that the BRAC process works. Congress and the President each must act to accept or reject the recommendations of the BRAC Commission. They do not take effect until both Congress and the President accept the list. That means a vote for the Kennedy-Snyder amendment is not a vote to close any base; it is a vote for a process proven to work, free from political posturing, that puts the needs of the military and taxpayers ahead of parochial interests.

Mr. Chairman, the BRAC process is a significant innovation that relies upon shared oversight to strengthen our military and produce significant savings in the defense budget. We have had significant savings in the past BRAC closings.

The CHAIRMAN pro tempore. Who seeks time in opposition?

Mr. HEFLEY. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN pro tempore. The gentleman is recognized for 10 minutes.

Mr. HEFLEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the 2-year delay that is in the bill is in direct response to widespread concern that the Department of Defense is experiencing too many stresses and changes to make effective base closure decisions by May of 2005. Our Nation cannot afford to close a base in the 2005 BRAC round

only to discover in 2010 that the assets at that base were both irreplaceable and now lost forever.

We have had this happen in the past, at Cecil Field in Florida, and we also lost port space down in Charleston Harbor that we could very well use today.

The press releases, what I have heard from the gentleman from Minnesota, seems to be that he is mostly concerned about the saving of money. I would like to share with the gentleman from Minnesota (Mr. KENNEDY) the BRAC math that we get by serving on the committee.

The DOD's claim that BRAC will result in a savings of \$3 billion are only half the story. It is like looking at a financial sheet and just seeing the assets and not the deficits. In truth, 3 years after the next BRAC round, we can expect DOD to have spent approximately \$5 billion more than they have saved.

In other words, DOD will have realized a cumulative savings of \$4 billion, but they will have spent \$9 billion in the process. Even 6 years after the BRAC rounds, we can expect DOD BRAC costs to exceed their cumulative savings by more than \$100 million.

These figures are real. These are not my figures. They are based on GAO's reports on costs and savings from the past two BRAC rounds.

Let me repeat. DOD will actually need increased budgets to implement base closures, and by 2011, DOD will actually have spent more than it has saved from base closure actions.

□ 1200

Let me share two additional reasons for why delaying the BRAC until 2007 is the responsible thing to do. First, we are undergoing the most significant realignment of overseas forces and bases since World War II. And these changes may result in tens of thousands of military personnel returning to the United States. We do not know what this is going to amount to. In addition, I am concerned about the Department's overseas proposals. According to CBO, all the proposals under consideration have substantial upfront cost, as much as \$9 billion; and several of the approaches under consideration would actually result in decreased operational capability.

DOD plans to roll these overseas realignment decisions into BRAC. This is too significant an issue for Congress to accept without time for consultation, oversight, and approval.

Mr. Chairman, I reserve the balance of my time.

Mr. KENNEDY of Minnesota. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Arkansas (Mr. SNYDER).

Mr. SNYDER. Mr. Chairman, I rise in support of the Kennedy amendment. It just maintains current law to move ahead with the process of necessary base closure.

With regard to the previous statements made about BRAC math, GAO, CBO, the Department of Defense, and

the Army Audit Agency have all concluded that prior rounds have indeed saved substantial sums of money and more savings are expected. But just as important is the realignment, the R in the BRAC. Our forces are currently going through readjustments as they come back home, as we are fighting a war. We need to give the authority to go ahead and do this process to enable more jointness and more effectiveness in crossing service lines.

We also have to remember that both former-President Clinton and President Bush have supported moving ahead with another line of base closures. This is a bipartisan effort from both administrations.

We also hear the argument that this is a difficult time to do this, that we are at war, that the military is under stress. But the world is not going to take a time-out for 3 or 4 years while we to this. That is not how the world works. It is time to move ahead with this. There is not going to be a perfect time to do it.

I have great concerns about communities, as we all do. I do not see how another delay of 2 years, forcing these communities to be apprehensive about this, to hire more lobbyists, to be involved in this process for an additional 2 years, a prolongation of this process, how that helps communities. They probably are in as good shape now as they are ever going to be.

The most important point I want to make is that this is a bipartisan effort that has gone on through multiple Secretaries of Defense from both Republican and Democratic administrations, from both President Clinton and President Bush. Now is not the time to delay another round of base closures.

The gentleman from Colorado (Mr. HEFLEY) in his amendment before the Committee on Armed Services wanted six additional reports. The language in the Kennedy amendment retains those six reports. If his amendment passes, that would be added to the current base closure process.

I encourage a vote of "yes" on the Kennedy amendment.

Mr. HEFLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. MURTHA).

Mr. MURTHA. Mr. Chairman, it is hard to add anything to what the chairman said, but I have found over the years it has cost us more in many cases to close these bases than we have saved. But in this particular case, I think we have got a different problem. About a year ago, General Jones of NATO and the Supreme Allied Commander said to me, we will realign the troops in Europe. Secretary Rumsfeld not long ago spent some time talking to me about the realignment in Europe and in the United States. For us to start to look at base closing before they get the realignment done would be a real mistake. I think it would be counterproductive.

In the first place, we do not know when these troops come back. We are

going to increase the size of the forces. We have already increased the Army by 30,000. They want to increase the brigades by about 25 percent. All those things have to be stationed someplace. Until they get the global strategy, the global footprints set up, I do not think there is any way we should make a decision like this.

When it comes to savings, we spent in the Presidio, they talk about how much money we will save when we close the base. We spent \$100 million in cleaning up that base afterwards. In Southern California, we spent almost \$100 million cleaning up the base.

We have ammunition depots, ammunition targets where we spend. The Navy Yard in Philadelphia, they figure to clean it up it would cost \$1 billion. So it leaves a hole in Philadelphia where if you do not clean it up, you lose the jobs; and in addition to that you spend an awful lot of extra money.

I think as all the chiefs say in the letter dated 18 November 2004, this is not the time to do a BRAC. Naturalization of our domestic infrastructure as conducted by BRAC must closely follow the global posture review. I agree with that. I would urge Members to vote against this amendment.

Mr. KENNEDY of Minnesota. Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I stand in support of the Kennedy-Snyder amendment. This is an area that is inherently controversial, but we have finally put a process in place that helps depoliticize it. The bill, in its current form, represents an unfortunate step backward.

I want to speak to a point my friend from Pennsylvania (Mr. MURTHA) raised because I have talked to him repeatedly about what I think is a scandal. We do not deal with the unexploded ordnance and the military clean-up. Yes, there will be some costs that are associated with base closures, but they are costs that are our responsibility now. If we did a better job of cleaning up after ourselves with the toxics, the unexploded ordnance and the pollution, we would save money in the long run and we would not have communities go ballistic. In fact, they would have a resource that could be recycled.

Ultimately, we will have to pay the cost for the military clean-up. Delaying another round of BRAC is not going to save money; it is going to cost money. It is going to delay returning that land to productive use, and it is going to have us engage in politics that will be unseemly and very difficult.

Mr. HEFLEY. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. JONES).

Mr. JONES of North Carolina. Mr. Chairman, I want to thank the chairman, and I want to say that this debate is always very interesting; and I want to rise in strong opposition to the Kennedy-Snyder amendment. I want to say

as a member of the Committee on Armed Services that this was debated and discussed in the committee, and I do not remember anyone raising any opposition in the committee about this language that is in the bill today.

I want to say also that I believe and disagree with the gentleman that just spoke that actually what this one year will do, this 1-year extension will make the process less political and make it more of a streamlined business process where the Congress can really analyze the needs, working with the military, the needs of our defenses. Because this world we live in is very unsafe, and I can say that we will not know until we analyze the needs overseas, the needs here in this country as to what we should do that will be the right decision for the American people and the future defense of America.

Mr. Chairman, again I am in opposition to this amendment, and I hope that we can defeat it at the proper time.

Mr. KENNEDY of Minnesota. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Illinois (Mr. KIRK), a Reserve member of the U.S. Navy.

Mr. KIRK. Mr. Chairman, a base in my district was the poster child for the first base closings bill. People back home demanded that the base be saved, but it was closed and our civilian economy took off. Over \$300 million was invested in that community by the new housing and activity at the closed base.

We lost another base in the second base closings bill. New investment there was not \$300 million; it was \$800 million in new investment. Over 20,000 soldiers are needed for the war on terror, but instead soldiers guard bases we do not need. We are at war, and it is time for the Congress to treat the military budget as a defense bill and not a jobs bill. Base closings save the taxpayer \$1.7 billion and the next round will save \$3 billion.

This amendment supports the policy of President Bush, Secretary Rumsfeld, and Joint Chiefs Head General Myers. We need more beans and bullets for Americans in uniform, not pointless guard duty outside an empty building at a base that died long ago.

Mr. HEFLEY. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. ORTIZ), the ranking member on the Subcommittee on Military Readiness which oversees base closures.

Mr. ORTIZ. Mr. Chairman, this is a time to step back and see what is being done, to look at, like we say, the whole ball of wax.

The base closure legislation was created back in 1989. We are now involved in two very serious wars. We are going to increase the troop level by 39,000 people. We have now begun to rely so much on the National Guard and Reserve. We have got 40,000 contractors all over the place.

Is it not time to step back and look at what is happening? When the service Secretaries appear before us, we ask

them, Which base do you want to close? They have yet to name one base.

Savings? If there were so much savings, how come we have got a \$419 billion budget?

Let us do the responsible thing and vote against this amendment.

Mr. KENNEDY of Minnesota. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Chairman, I rise in strong support of the Kennedy-Snyder amendment. I urge its adoption.

This debate we are having right now points up the importance of having a nonpolitical process. That is why the BRAC came about. That is why we have to stick to the schedule.

The Chairman of the Joint Chiefs of Staff representing all the chiefs want the Congress to continue the 2005 rounds of the base alignment and closures as authorized by Congress. They do not want us to leave this issue in because of the savings they want to accrue. This will be essential for the restructuring of the military forces. To delay all the efforts of the military, to accomplish this restructuring, to leave our bases and local communities in doubt for another 2 years is not doing either the military or the community any favor.

Delaying the transformation of military bases overseas and at home, it ties the hands of our military at the same time they are fighting the war on terrorism.

We owe it to our Armed Forces to give them the savings and the restructuring reprocess that they need. I urge strong adoption of this amendment. I thank the gentleman for offering it.

Mr. HEFLEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

Mrs. JO ANN DAVIS of Virginia. Mr. Chairman, as a member of the House Committee on Armed Services, I stand in strong support of the BRAC provision in the committee report, and I oppose the Kennedy amendment because it is the wrong time. It sends the wrong message to our men and women in uniform to close bases at a time when we are at war. When this round of BRAC was signed, Congress had no idea that we would be fighting a war against terrorism, and our Armed Forces need our support now more than ever.

My colleagues who offered this amendment have said we need it to save money. But the estimated cost to implement BRAC is somewhere between 10 and \$20 billion, and any savings would not be seen until after 2011. We are at war right now. Our men and women need the money now. And we are not even sure what those savings would be.

The GAO report completed on Monday on the need for a BRAC found that while the potential exists for substantial savings from the upcoming round, it is difficult to conclusively project the expected magnitude of the savings because there are too many unknowns at this time.

I urge my colleagues to do the right thing and to support our men and women in uniform today. Vote "no" on the Kennedy amendment.

Mr. KENNEDY of Minnesota. Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. KOLBE), the very distinguished member and chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations, former Navy Reservist and Vietnam veteran.

Mr. KOLBE. Mr. Chairman, I rise in support of the Kennedy amendment to delete the provision that would delay the BRAC process for 2 years.

Some people say if you are for that you must not have any military bases in your district. Nothing could be further from the truth. I have Davis-Monthan Air Force Base, Fort Huachuca, the 162nd Fighter Wing of the Arizona Air National Guard which is the largest air guard unit in the United States, and the Western Army Aviation Training site near Marana. But I support the BRAC process in 2005 because I think the BRAC is good public policy.

A delay in BRAC postpones a savings that would be gained from shuttering unneeded facilities. Clearly, we are wasting money on unneeded capacity. BRAC rounds conducted in 1988, 1991, and 1993, 1995 closed 97 major installations, reducing DOD infrastructure by 21 percent. But we have reduced the size of the military by 36 percent and DOD maintains it still has more than 23 percent excess infrastructure.

Maintaining excess bases is very expensive. Closing unneeded bases produces long-term savings. It is a key component in the military transformation, and it reshapes the military to respond to new global missions.

BRAC is good public policy. I encourage my colleagues to support this amendment and to vote in favor of the underlying bill.

I oppose any delay to the Base Realignment and Closure (BRAC) process and support the amendment offered by Representative MARK KENNEDY of Minnesota.

H.R. 4200 is an excellent bill. I commend Chairman HUNTER, Ranking Member SKELTON, the Members of the committee and the staff on both sides of the aisle. I am, however, opposed to the provision in H.R. 4200 that delays the BRAC process for two years. We should not endanger H.R. 4200 to a possible Administration veto by retaining this provision.

Some people may think I must not have any bases in my district if I support BRAC. Nothing could be further from the truth. My district is home to Davis-Monthan Air Force Base; Fort Huachuca; the 162nd Fighter Wing of the Arizona Air National Guard at Tucson Airport (the Nation's largest Air National Guard unit); and the Western Army Aviation Training Site near Marana. These bases are operationally interdependent with other Arizona bases, including Luke Air Force Base, Yuma Proving Grounds, Marine Corps Air Station Yuma, and the Barry M. Goldwater Range. Arizona bases provide over 83,000 jobs and contribute over \$5.6 billion annually to the State's economy. Yet, I

support the BRAC process in 2005 because BRAC is good public policy.

A delay in BRAC postpones the savings to be gained from shuttering unneeded facilities. The Department of Defense (DoD) estimates that the 2005 BRAC round will yield net savings of \$21 billion over 10 years and \$3.6 billion annually thereafter. A GAO study of BRAC dated just three days ago states, "We believe the potential for significant savings exist," and "We found no bases to question the [Defense] Secretary's certification of the need for an additional BRAC round. . . ." These savings can be better spent elsewhere; for example, increasing soldiers' pay, improving health care for military families, modernizing equipment, or fixing buildings on the bases that are not closed.

Clearly, DoD is wasting money on unneeded capacity. BRAC rounds conducted in 1988, 1991, 1993, and 1995 closed 97 major installations, reducing DoD infrastructure by 21 percent. At the same time, however, the size of our military has declined by 36 percent. DoD maintains it still has approximately 23 percent excess infrastructure.

Maintaining these excess bases is very expensive. We criticize DoD constantly for not being as efficient as a private sector corporation, but delaying BRAC would not allow the department to perform the most essential business management action of shedding unnecessary infrastructure.

Closing unneeded bases produces long term savings. Previous BRAC rounds generated net savings—that is, savings after accounting for the cost of closure—of about \$16.7 billion through fiscal year 2001 and about \$6.6 billion in annual recurring savings expected thereafter. Failure to close unneeded facilities wastes taxpayer dollars and impedes DoD's efforts to allocate resources in the most effective manner. BRAC is a key component of transformation and is essential to reshape the military to respond to new global missions. BRAC helps realize significant savings by cutting excess infrastructure and enables the armed forces to maximize opportunities to train, deploy and fight jointly. Yesterday I received a copy of a letter supporting the 2005 BRAC round signed by the chairman and each of the joint chiefs of the military services.

Some people argue we should not close bases while we are fighting a war and while we are uncertain of future force structure changes. I disagree. Excess bases are not needed for the war on terrorism; in fact, they waste scarce dollars needed for our battle against terrorists. Furthermore, the BRAC process will fully consider potential force structure growth, "surge capacity," and repositioning of forces stationed overseas.

In closing, I wish to impress upon my colleagues that delaying BRAC is not good public policy. I encourage my colleagues to support this amendment and to vote in favor of the underlying bill.

Mr. HEFLEY. Mr. Chairman, I yield 1 minute to the gentleman from New Hampshire (Mr. BRADLEY).

Mr. BRADLEY of New Hampshire. Mr. Chairman, I rise to support the committee and to support the 2-year delay in the BRAC process and oppose the Kennedy amendment.

Why? Number one, BRAC's estimated costs are \$15 billion and savings are not expected to be realized until at least

2011. These funds can be better used to equip our Humvees or pay hazard duty pay for members of our military or any other function today in winning the war on terror.

□ 1215

Furthermore, the dynamics of the 2005 BRAC process are very different from previous rounds. There will not be a requisite force structure reduction as before. Our military will have to do the same or more in the future on a smaller footprint, with a smaller industrial base and with fewer critical assets. These assets cannot be reconstituted. BRAC will result in the permanent loss and knowledge of skills and industrial capacity.

I urge my colleagues to support the committee and oppose the amendment.

Mr. KENNEDY of Minnesota. Mr. Chairman, I yield the final minute to the distinguished gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, I thank the gentleman for yielding the time, and I rise in support of the Kennedy amendment, and not easily.

I think it is a very important amendment. This is a very important debate, but as we look at BRAC as we go into it, and I want to say also I have five military installations in my district. I think I have more military than any other Member of the House. I am not certain about that, but I am in there, we have got to let the Pentagon, we have got to let the Defense Department run the military.

We cannot do it in Congress. This is not our job. We get involved in it. It is very, very important to support their efforts and work with them, but we also have other issues, Medicare, education, Social Security, taxes, that we have to delve into, and right now, we have a lot of Members delving into the military.

BRAC was set up to be nonpolitical, to be fair. In our office, we work on military issues at our bases, not during BRAC years, but every single year. We work on issues of the cost return on the bases, environmental issues, encroachment issues, military construction issues, community support. We work with our military all the time.

If Members of Congress want to help the bases in their districts, they need to be doing it year around, not just during an election year and on the eve of BRAC.

Mr. HEFLEY. Mr. Chairman, I yield 1 minute to the gentleman from Mississippi (Mr. PICKERING).

Mr. PICKERING. Mr. Chairman, I rise in opposition to the Kennedy amendment and in support of the common-sense and consensus and bipartisan committee mark that wisely and reasonably and with common sense postpones the next round of BRAC for 2 years.

This week, I went to Walter Reed Hospital, and I met with Mississippians who have been the victims of IEDs as they drove their Humvees, as they

served their country, and I asked this question: Do we want to spend \$5 billion more over the next 5 years to close bases or do we want to give the young men and women who are serving in Afghanistan and Iraq today the body armor and the Humvee armor that they need to protect themselves so that their legs and their ability to walk and to go through rehab will be avoided for other men and women? It is a clear choice of priorities.

The world has changed since 9/11. BRAC was called for before 9/11. We are now at war; we need all resources for that effort. We need to wisely wait for the realignment internationally before we choose how to go forward with the transformation domestically. This is a wise course, a reasonable course for a 2-year delay.

Mr. HEFLEY. Mr. Chairman, let me just point out very quickly that the committee that works with this issue and struggles with it every day overwhelmingly supports the defeat of the Kennedy amendment.

Mr. Chairman, I yield the remainder of the time to the gentleman from Mississippi (Mr. TAYLOR), a very fine member of our committee.

Mr. TAYLOR of Mississippi. Mr. Chairman, the Constitution of the United States gives the elected Members of Congress the responsibility to provide for an Army and a Navy. Every person in this body was elected to fulfill those requirements.

I did not come here to delegate my responsibility to some bureaucrat to decide where or when bases should be closed. If Members want to give away their responsibilities, they should not seek this job.

For that reason, I encourage my colleagues to vote against the Kennedy amendment, to keep that responsibility here in Congress and to do our jobs.

Ms. CORRINE BROWN of Florida. Mr. Chairman, what a horrifying message to send to our troops and to our adversaries right now to close bases during a time of war. It is not prudent to shut down these bases at this time. I support postponing BRAC until the defense needs of the nation are more settled than they are at present.

Particularly during this time of economic crisis, we do not need to close bases. There should never have been any discussion about this in the first place. Base closures are devastating to communities. Our resources should be used to improve our current defense system, not for arbitrarily closing bases because of political decisions.

Mr. VITTER. Mr. Chairman, I rise today in opposition to the amendment offered by Representative KENNEDY.

Our nation is at war against terrorism; our military is deployed across the globe in 139 different countries with close to 160,000 fighting in Iraq as part of Operation Iraqi Freedom. Simultaneously, the Department of Defense is contemplating some of the most significant changes to its force and overseas posture since World War II. Now is not the time to rush to close our military bases. The responsible approach to base closing would be to delay the next round of BRAC until 2007.

By moving forward before resolving major infrastructure issues, a 2005 BRAC decision would increase a significant level of risk that DOD will close a base only to discover that it needs that same base just a few years later. Once a base is closed, it's gone forever.

The language as it stands now would not eliminate BRAC. Rather, it reflects widespread bipartisan concern that DOD should close no bases until several issues affecting base infrastructure requirements have been resolved and reviewed by Congress.

During my time in Congress I have been focused on preparing Louisiana for BRAC, and have helped secure more than \$76 million for Belle Chasse in New Orleans. As a member of the Military Construction Appropriations Subcommittee I vigorously worked to secure \$160 million more for infrastructure improvement to protect both Fort Polk and Barksdale Air Force Base.

I cannot underscore the importance of delaying the next round of BRAC. A 2-year delay will greatly reduce the risk of making an irreversible mistake in the BRAC process.

Mr. Chairman, I strongly urge a "no" vote on the Kennedy Amendment to H.R. 4200.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I must rise to oppose this amendment. We are now increasing the number of troops because the U.S. military is stretched too thin to meet its ongoing military commitments. In recognition of this fact, H.R. 4200 authorizes the DOD to increase military end-strength by 39,000. In addition, the DOD recently announced that it is considering rotating 3,800 troops from South Korea to augment the U.S. forces in Iraq.

DOD's estimate of the level of excess capacity that exists in military infrastructure was determined in 1998 by then Defense Secretary Bill Cohen. Many significant events that have occurred since 1998, i.e. September 11, 2001, the global war on terrorism, and military operations in Afghanistan, Iraq and Haiti. In pursuing the 2005 BRAC, the DOD fails to recognize the profound impact that these events are having upon the United States military's ability to fulfill its national security obligations. Under Secretary of Defense for Installations and Facilities Raymond DuBois has stated that the 2005 BRAC will cost the taxpayers between \$10 billion to \$20 billion over next 7 years. Savings, if any, are not expected until 2011. Those funds could be used now for the equipment needed by our military personnel. Important decisions affecting military force structure and infrastructure should not be left to an unelected commission. Article 1, section 8 of the U.S. Constitution entrusts Congress with the responsibility to make these decisions.

It is for these reasons that I oppose this amendment.

Ms. HARMAN. Mr. Chairman, after careful consideration I have decided to support a 2-year delay in the BRAC process. Let me be clear that I remain a supporter of BRAC and my vote against this amendment is not a vote against base closures.

BRAC plays a vital role in ensuring that we have a modern military that is prepared to fight the next war, not re-fight the last war. It is critically important that the tooth-to-tail ratio of the armed services be reduced, with unnecessary facilities eliminated and resources directed to where they will be most effective in fighting the war on terror. However, I believe there are several reasons why a stay in the

process would be the most sensible course at this time.

First, our military forces are currently stretched to the limit as they fight the war on terror on more than one front. We have asked our forces to fight a global war and they have risen to the occasion and performed admirably. But as they fight the global war on terrorism, they are encountering uncertain circumstances and unforeseen obstacles. The real-time lessons that we are learning in the war on terror will help the BRAC determine what our military priorities should be in the future.

The BRAC law was adopted before September 11, 2001. The terrorists attacks on this country significantly altered U.S. national security priorities. Our armed forces are responding to these new demands, but I am afraid that if BRAC moves forward with the next round of base closures as planned, it will be during a period when the U.S. military is undergoing critical changes in tactics and organization. As a result, any reduction will be done without knowing what kind of base structure will be needed in the future.

Second, I am extremely concerned by the way this Administration is funding the war in Iraq and the global war on terror. This President has funded the entire Iraq war by supplemental and, by all accounts, he plans to continue funding in this manner in the future. The funding-by-supplemental-only process prevents Congress from determining the exact costs of the war. It also makes it impossible for Congress to determine, by proper oversight, whether the President's priorities are the right priorities for our military to win the war on terror. If Congress has difficulty determining what our armed forces' needs and requirements are, the next round of BRAC commissioners will find it even more difficult to decide which facilities are vital to winning the war on terror.

I am also concerned that the current BRAC guidelines do not accurately reflect the military's priorities for fighting the next war. For instance, the BRAC guidelines should include recognition of the value of intellectual capital and the synergy between the skilled civilian workers in various communities. Especially the critically important roles and missions the civilian workers support at our military bases.

In the post-9/11 environment, I would like to see the BRAC guidelines broaden the concept of joint operations to include base functions and installations currently or potentially critical to the Department of Homeland Security. BRAC should also consider the costs of base closures as they relate to finding new sources for supplies and professional expertise at military bases.

Finally, Mr. Chairman, I am concerned about the disproportionate contribution California has already made to the streamlining of the military's base infrastructure. Obviously, no state wants to have bases closed. Bases mean jobs and increased income for states and local municipalities. In the past BRAC rounds, California has experienced 29 base closures, including the closure of Ft. Ord—the largest closure in history. This is a factor that should be considered in the next round of closures.

For all of these reasons, I believe it would be prudent for Congress to postpone the next round of BRAC to allow for a study of the needs of our post-9/11 military and the guidelines that best reflect those priorities.

The CHAIRMAN pro tempore (Mr. LAHOOD). All time has expired.

The question is on the amendment offered by the gentleman from Minnesota (Mr. KENNEDY).

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

RECORDED VOTE

Mr. KENNEDY of Minnesota. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, this 15-minute vote on the amendment offered by the gentleman from Minnesota (Mr. KENNEDY) will be followed by 5-minute votes on amendment No. 4, offered by the gentleman from Pennsylvania (Mr. WELDON), and amendment No. 14, offered by the gentleman from Missouri (Mr. SKELTON) as the designee of the gentlewoman from New York (Ms. SLAUGHTER).

The vote was taken by electronic device, and there were—ayes 162, noes 259, not voting 12, as follows:

[Roll No. 200]

AYES—162

Aderholt	Edwards	Oberstar
Akin	Ehlers	Obey
Andrews	English	Ose
Bachus	Eshoo	Otter
Baker	Feeney	Oxley
Baldwin	Flake	Pence
Ballenger	Frank (MA)	Peterson (PA)
Barrett (SC)	Garrett (NJ)	Petri
Barton (TX)	Gilchrest	Pitts
Berkley	Gillmor	Porter
Berman	Goode	Portman
Biggert	Goodlatte	Price (NC)
Blackburn	Gordon	Radanovich
Blumenauer	Granger	Ramstad
Blunt	Graves	Renzi
Boehner	Green (WI)	Reynolds
Bonner	Greenwood	Rogers (KY)
Boozman	Gutknecht	Rogers (MI)
Boswell	Harris	Rohrabacher
Brady (TX)	Hastings (WA)	Royce
Brown (SC)	Hayworth	Ruppersberger
Brown, Corrine	Hensarling	Rush
Brown-Waite,	Herger	Ryan (WI)
Ginny	Hoekstra	Sabo
Burgess	Inslee	Sanchez, Loretta
Camp	Isakson	Schrock
Cantor	Istook	Sensenbrenner
Capito	Johnson (CT)	Sessions
Cardin	Johnson (IL)	Shadegg
Case	Kelly	Shays
Castle	Kennedy (MN)	Sherman
Chabot	King (IA)	Simpson
Choccola	Kingston	Smith (TX)
Coble	Kirk	Smith (VA)
Collins	Kline	Snyder
Cooper	Knollenberg	Stark
Cox	Kolbe	Stenholm
Cramer	Kucinich	Taylor (NC)
Crane	Larsen (WA)	Terry
Cubin	Latham	Thomas
Culberson	Lee	Thornberry
Davis (FL)	Lewis (CA)	Toomey
Davis (IL)	Lewis (KY)	Upton
Davis, Tom	Linder	Van Hollen
Deal (GA)	Lucas (KY)	Vitter
DeFazio	McCollum	Walden (OR)
DeGette	McCrery	Walsh
DeLay	McDermott	Wamp
DeMint	McHugh	Waxman
Dicks	Miller (NC)	Weldon (PA)
Doggett	Moran (VA)	Weller
Doolittle	Myrick	Whitfield
Dreier	Neugebauer	Wilson (SC)
Duncan	Northup	
Dunn	Nussle	

NOES—259

Abercrombie	Baca	Becerra
Ackerman	Baird	Bell
Alexander	Bartlett (MD)	Bereuter
Allen	Bass	Berry

Bilirakis	Houghton	Paul
Bishop (GA)	Hoyer	Payne
Bishop (NY)	Hulshof	Pearce
Bishop (UT)	Hunter	Pelosi
Boehert	Hyde	Peterson (MN)
Bonilla	Israel	Pickering
Bono	Issa	Platts
Boucher	Jackson (IL)	Pombo
Boyd	Jackson-Lee	Pomeroy
Bradley (NH)	(TX)	Pryce (OH)
Brady (PA)	Jefferson	Putnam
Brown (OH)	Jenkins	Quinn
Burns	John	Rahall
Burr	Johnson, E. B.	Rangel
Burton (IN)	Jones (NC)	Regula
Buyer	Jones (OH)	Rehberg
Calvert	Kanjorski	Reyes
Cannon	Kaptur	Rodriguez
Capps	Keller	Rogers (AL)
Capuano	Kennedy (RI)	Ros-Lehtinen
Cardoza	Kildee	Ross
Carson (IN)	Kilpatrick	Rothman
Chandler	Kind	Roybal-Allard
Clay	King (NY)	Ryan (OH)
Clyburn	Klecza	Ryun (KS)
Cole	LaHood	Sánchez, Linda
Conyers	Lampson	T.
Costello	Langevin	Sanders
Crenshaw	Lantos	Sandlin
Crowley	Larson (CT)	Saxton
Cummings	LaTourette	Schakowsky
Cunningham	Levin	Schiff
Davis (AL)	Lewis (GA)	Scott (GA)
Davis (CA)	Lipinski	Scott (VA)
Davis (TN)	LoBiondo	Serrano
Davis, Jo Ann	Lofgren	Shaw
Delahunt	Lowe	Sherwood
DeLauro	Lucas (OK)	Shimkus
Diaz-Balart, L.	Lynch	Shuster
Diaz-Balart, M.	Majette	Simmons
Dingell	Maloney	Skelton
Doyle	Manzullo	Slaughter
Emanuel	Markley	Smith (MI)
Emerson	Marshall	Smith (NJ)
Engel	Matheson	Solis
Etheridge	McCarthy (MO)	Souder
Evans	McCarthy (NY)	Spratt
Everett	McCotter	Stearns
Farr	McGovern	Strickland
Ferguson	McInnis	Stupak
Filner	McIntyre	Sullivan
Foley	McKeon	Sweeney
Forbes	McNulty	Tancredo
Ford	Meehan	Tanner
Fossella	Meek (FL)	Tauscher
Franks (AZ)	Meeks (NY)	Taylor (MS)
Frelinghuysen	Menendez	Thompson (CA)
Frost	Mica	Thompson (MS)
Gallely	Michaud	Tiahrt
Gephardt	Millender-	Tiberi
Gerlach	McDonald	Tierney
Gibbons	Miller (FL)	Towns
Gingrey	Miller (MI)	Turner (OH)
Gonzalez	Miller, Gary	Turner (TX)
Goss	Miller, George	Udall (CO)
Green (TX)	Mollohan	Udall (NM)
Grijalva	Moore	Velázquez
Gutierrez	Moran (KS)	Viscosky
Hall	Murphy	Waters
Harman	Murtha	Watson
Hart	Musgrave	Watt
Hastings (FL)	Nadler	Weiner
Hayes	Napolitano	Weldon (FL)
Hefley	Neal (MA)	Wexler
Hill	Nethercutt	Wicker
Hinche	Ney	Wilson (NM)
Hinojosa	Nunes	Wolf
Hobson	Oliver	Woolsey
Hoeffel	Ortiz	Wu
Holden	Osborne	Wynn
Holt	Owens	Young (AK)
Honda	Pallone	Young (FL)
Hooley (OR)	Pascrell	
Hostettler	Pastor	

NOT VOTING—12

Ballance	Deutsch
Beauprez	Dooley (CA)
Carson (OK)	Fattah
Carter	Johnson, Sam

Leach
Matsui
Norwood
Tauzin

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. LAHOOD) (during the vote). There are 2 minutes remaining in this vote.

□ 1246

Messrs. TURNER of Ohio, FARR, STUPAK, PLATTS, NADLER, EVERETT, OWENS, and HALL, Ms. KILPATRICK, and Messrs. RYUN of Kansas, BASS, SULLIVAN and TIAHRT changed their vote from “aye” to “no.”

Messrs. OBERSTAR, SMITH of Washington, ROHRABACHER, OBEY, GOODE, Ms. McCOLLUM, Mr. DAVIS of Florida, Ms. HARRIS, Mr. RUSH and Mr. WAXMAN changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. CARTER. Mr. Chairman, on May 20, 2004, during rollcall vote 200, I was unavoidably detained. If I had been present, I would have voted “yea” on rollcall vote 200.

Stated against:

Mr. BEAUPREZ. Mr. Chairman, on rollcall No. 200, I was unavoidably detained. Had I been present, I would have voted “no.”

Mr. VITTER. Mr. Chairman, on rollcall vote 200, regarding the Mark Kennedy Amendment to H.R. 4200, the Department of Defense Authorization bill, I inadvertently voted “yea”, but intended to vote “nay”. I ask for unanimous consent that the RECORD reflect my intentions to have voted “nay” and that I can place a statement in the RECORD at the appropriate place.

PERSONAL EXPLANATION

Ms. CORRINE BROWN of Florida. Mr. Chairman, on rollcall vote number 200, the Kennedy Amendment, I inadvertently voted “yes,” when I meant to vote “no.” I support delaying BRAC.

□ 1246

AMENDMENT NO. 4 OFFERED BY MR. WELDON OF PENNSYLVANIA

The CHAIRMAN pro tempore (Mr. LAHOOD). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. WELDON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. WELDON of Pennsylvania:

At the end of subtitle A of title XII (page 424, after line 12), insert the following new section:

SEC. 12 . SENSE OF CONGRESS ON DESTRUCTION OF ABU GHRAIB PRISON IN IRAQ.

(a) FINDINGS.—Congress makes the following findings:

(1) Under the regime of Saddam Hussein, the Abu Ghraib prison in Iraq was one of the world's most notorious prisons.

(2) Under that regime, as many as 50,000 men and women were jammed into the prison at one time in 12 feet by 12 feet cells.

(3) Under that regime, many people were tortured and executed in the Abu Ghraib prison.

(4) Recent activities have further highlighted the horrible memories that Abu Ghraib stands for.