

Boucher	Holt	Owens
Boyd	Honda	Pallone
Brady (PA)	Hooley	Pascarell
Brown (OH)	Hoyer	Pastor
Brown, Corrine	Inslee	Payne
Butterfield	Israel	Pelosi
Capps	Jackson (IL)	Peterson (MN)
Capuano	Jackson-Lee	Pomeroy
Cardin	(TX)	Price (NC)
Cardoza	Jefferson	Rahall
Carnahan	Johnson, E. B.	Rangel
Carson	Jones (OH)	Reyes
Case	Kanjorski	Ross
Chandler	Kaptur	Rothman
Clay	Kildee	Roybal-Allard
Cleaver	Kilpatrick (MI)	Ruppersberger
Clyburn	Kind	Rush
Conyers	Kucinich	Ryan (OH)
Cooper	Langevin	Sabo
Costa	Lantos	Salazar
Costello	Larsen (WA)	Sánchez, Linda
Cramer	Lee	T.
Crowley	Levin	Sánchez, Loretta
Cuellar	Lipinski	Schakowsky
Cummings	Lofgren, Zoe	Schiff
Davis (AL)	Lowe	Schwartz (PA)
Davis (CA)	Lynch	Scott (GA)
Davis (IL)	Maloney	Scott (VA)
Davis (TN)	Markey	Serrano
DeFazio	Marshall	Sherman
DeGette	Matheson	Skelton
Delahunt	Matsui	Slaughter
DeLauro	McCarthy	Snyder
Dicks	McCollum (MN)	Solis
Dingell	McDermott	Spratt
Doggett	McGovern	Tanner
Doyle	McIntyre	Tauscher
Edwards	McKinney	Taylor (MS)
Emanuel	McNulty	Thompson (CA)
Engel	Meehan	Thompson (MS)
Eshoo	Meek (FL)	Tierney
Etheridge	Meeke (NY)	Towns
Farr	Melancon	Udall (CO)
Filner	Michaud	Udall (NM)
Ford	Millender-	Udall (NM)
Frank (MA)	McDonald	Van Hollen
Gonzalez	Miller (NC)	Velázquez
Gordon	Miller, George	Vislosky
Green, Al	Mollohan	Wasserman
Green, Gene	Moore (KS)	Schultz
Grijalva	Moore (WI)	Waters
Gutierrez	Murtha	Watson
Harman	Nadler	Watt
Hastings (FL)	Napolitano	Waxman
Herseth	Neal (MA)	Weiner
Higgins	Oberstar	Wexler
Hinche	Obey	Woolsey
Hinojosa	Olver	Wu
Holden	Ortiz	Wynn

## NOT VOTING—29

Andrews	Gohmert	Reynolds
Beauprez	Kennedy (RI)	Sanders
Bishop (GA)	Larson (CT)	Schmidt
Bonner	Lewis (GA)	Smith (WA)
Cubin	Manzullo	Stark
Davis (FL)	McCreery	Strickland
Davis (KY)	Moran (VA)	Stupak
English (PA)	Musgrave	Thomas
Evans	Pearce	Young (AK)
Pattah	Platts	

□ 1043

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

Mrs. SCHMIDT. Mr. Speaker, earlier today, I was unavoidably detained and missed two rollcall votes.

Had I been present, I would have voted "yea" on rollcall vote No. 173, On Ordering the Previous Question on H. Res. 821, the Rule for H.R. 5385; and "aye" on rollcall vote No. 174, On Adoption of the Rule for H.R. 5385.

## MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 193. An act to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language.

The message also announced that the Senate agrees to the amendment of the House of Representatives to the amendment of the Senate to the text of the bill (H.R. 1499) "An Act to amend the Internal Revenue Code of 1986 to allow members of the Armed Forces serving in a combat zone to make contributions to their individual retirement plans even if the compensation on which such contribution is based is excluded from gross income, and for other purposes."

The message also announced that pursuant to section 1928a-1928d of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senators to the Senate Delegation to the NATO Parliamentary Assembly, during the 109th Congress:

The Senator from Iowa (Mr. GRASSLEY).

The Senator from Colorado (Mr. AL-LARD).

The Senator from Alabama (Mr. SESSIONS).

The Senator from Ohio (Mr. VOINOVICH).

The Senator from Minnesota (Mr. COLEMAN).

The message also announced that pursuant to section 1928a-1928d of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Senate Delegation to the NATO Parliamentary Assembly, during the 109th Congress:

The Senator from Vermont (Mr. LEAHY).

The Senator from Oregon (Mr. WYDEN).

## GENERAL LEAVE

Mr. WALSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5385, and that I may include tabular material on the same.

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

There was no objection.

□ 1045

MILITARY CONSTRUCTION, MILITARY QUALITY OF LIFE AND VETERANS AFFAIRS APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore (Mr. BOOZMAN). Pursuant to House Resolu-

tion 821 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5385.

□ 1045

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 consideration of the bill (H.R. 5385) making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, with Mr. SHIMKUS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from New York (Mr. WALSH) and the gentleman from Texas (Mr. EDWARDS) each will control 30 minutes.

The Chair recognizes the gentleman from New York.

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

Mr. Chairman, today I am proud to present the Fiscal Year 2007 Military Quality of Life and Veterans Affairs and Related Agencies Appropriations Bill for consideration of the House.

The Appropriations Committee has dedicated to providing a suitable quality of life for our servicemen and women from recruitment through retirement. I believe this bill is fiscally responsible, while improving the quality of life for our all-volunteer force throughout their military careers and beyond. It also builds upon initiatives begun last year to get the Defense Department and the Department of Veterans Affairs to be more cooperative and expand synergies that exist between them.

The bill totals \$136.1 billion. It stays within our discretionary allocation of \$94.7 billion, which is \$824 million below the budget request. But, more importantly, the bill is \$8.5 billion over last year's level after adjusting VA medical services for contingency funding.

The increases above last year are in four areas: veterans medical care, active duty military medical care, housing allowances for military families, and the first year of major construction for the new BRAC round recommendations.

Mr. Chairman, the bill continues to improve military health care and recommends \$21 billion for fiscal year 2007 for the defense health program. This is a sizeable increase of \$1 billion above last year's level and represents more than a 40 percent increase in this budget since fiscal year 2003.

For veterans medical care, the bill recommends \$25.4 billion, a \$2.9 billion increase, or 12.7 percent, over last year's level. This program has increased \$7.6 billion, or 43 percent, since

2004. I do not know what could speak more for the priorities of this House or this Congress or our committee than this commitment to our Nation's veterans.

For military construction, including funding to support the global war on terrorism, the bill provides \$16.3 billion. The remainder of the bill funds a variety of defense programs and four related agencies, most of which are funded at the budget request.

I would like to mention that an additional \$40 million in funding is recommended for two programs to accelerate environmental clean-up at formerly used defense sites and closed installations dating back to the 1988 BRAC round.

Mr. Chairman, we have a responsibility to make sure the limited resources we have are spent efficiently and effectively and that programs achieve their mission. We are, after all, at war; and we need to make sure that our current active duty personnel understand that the commitments to our former warfighters are kept. If we keep our promises to our former warfighters. We will keep our promises to those who are fighting today. This bill accomplishes that, while maintaining fiscal responsibility.

In closing, Mr. Chairman, I would like to thank the chairman of the full committee, Chairman LEWIS, for his vision and leadership and for the allocation that he has provided our subcommittee, probably the most gen-

erous of all of the subcommittee allocations.

Mr. Chairman, I would also like to thank sincerely my ranking member and colleague and friend, Mr. EDWARDS of Texas, for his hard work. He knows these issues cold. He is a good collaborator, a good person to work with. I respect his thoughts, I respect his work ethic, and I think this is a product of both of our vision.

I would also like to thank Mr. OBEY, as ranking member of the full committee, for working with us throughout this process. While we may have some differences, I think overall clearly this is a bipartisan bill that expresses the views of this House that our veterans and our active duty service personnel are our highest priority.

MILITARY QUALITY OF LIFE AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATION BILL 2006 (H.R. 5385)  
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>TITLE I - DEPARTMENT OF DEFENSE</b>					
Military construction, Army.....	1,757,507	2,059,762	1,756,298	-1,209	-303,464
Rescissions.....	-19,746	---	-43,348	-23,602	-43,348
Total.....	1,737,761	2,059,762	1,712,950	-24,811	-346,812
Military construction, Navy and Marine Corps.....	1,145,570	1,162,038	1,193,834	+48,264	+31,796
Rescissions.....	-50,037	---	-38,000	+12,037	-38,000
Emergency appropriations (P.L. 109-148).....	291,219	---	---	-291,219	---
Total.....	1,386,752	1,162,038	1,155,834	-230,918	-6,204
Military construction, Air Force.....	1,275,645	1,156,148	1,187,550	-88,095	+31,402
Rescissions.....	-29,100	---	-2,694	+26,406	-2,694
Emergency appropriations (P.L. 109-148).....	52,612	---	---	-52,612	---
Total.....	1,299,157	1,156,148	1,184,856	-114,301	+28,708
Military construction, Defense-Wide.....	998,766	1,208,198	1,107,606	+108,840	-100,592
Rescissions.....	-20,000	---	-110,229	-90,229	-110,229
Emergency appropriations (P.L. 109-148).....	45,000	---	---	-45,000	---
Total.....	1,023,766	1,208,198	997,377	-26,389	-210,821
=====					
Total, Active components.....	5,447,436	5,586,146	5,051,017	-396,419	-535,129
Military construction, Army National Guard.....	517,919	473,197	512,873	-5,046	+39,676
Emergency appropriations (P.L. 109-148).....	374,300	---	---	-374,300	---
Total.....	892,219	473,197	512,873	-379,346	+39,676
Military construction, Air National Guard.....	312,956	125,788	207,088	-105,868	+81,300
Rescissions.....	-13,700	---	---	+13,700	---
Emergency appropriations (P.L. 109-148).....	35,000	---	---	-35,000	---
Total.....	334,256	125,788	207,088	-127,168	+81,300
Military construction, Army Reserve.....	151,043	166,487	167,774	+16,731	+1,287
Military construction, Navy Reserve.....	46,395	48,408	55,158	+8,763	+6,750
Rescissions.....	-16,560	---	---	+16,560	---
Emergency appropriations (P.L. 109-148).....	120,132	---	---	-120,132	---
Total.....	149,967	48,408	55,158	-94,809	+6,750
Military construction, Air Force Reserve.....	104,824	44,936	56,836	-47,988	+11,900
Rescissions.....	-13,815	---	---	+13,815	---
Total.....	91,009	44,936	56,836	-34,173	+11,900
=====					
Total, Reserve components.....	1,618,494	858,816	999,729	-618,765	+140,913
=====					
Total, Military construction.....	7,065,930	6,444,962	6,050,746	-1,015,184	-394,216
Appropriations.....	(6,310,625)	(6,444,962)	(6,245,017)	(-65,608)	(-199,945)
Emergency appropriations.....	(918,263)	---	---	(-918,263)	---
Rescissions.....	(-162,958)	---	(-194,271)	(-31,313)	(-194,271)
=====					
North Atlantic Treaty Organization Security Investment Program.....	204,789	220,985	200,985	-3,804	-20,000
Rescissions.....	-30,000	---	---	+30,000	---
Total.....	174,789	220,985	200,985	+26,196	-20,000

MILITARY QUALITY OF LIFE AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATION BILL 2006 (H.R. 5385)  
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Family housing construction, Army.....	544,140	594,991	578,791	+34,651	-16,200
Rescissions.....	-16,000	---	---	+16,000	---
Total.....	528,140	594,991	578,791	+50,651	-16,200
Family housing operation and maintenance, Army.....	795,953	676,829	674,657	-121,296	-2,172
Family housing construction, Navy and Marine Corps....	216,753	305,071	308,956	+92,203	+3,885
Emergency appropriations (P.L. 109-148).....	86,165	---	---	-86,165	---
Total.....	302,918	305,071	308,956	+6,038	+3,885
Family housing operation and maintenance, Navy and Marine Corps.....	582,773	509,126	509,126	-73,647	---
Emergency appropriations (P.L. 109-148).....	48,889	---	---	-48,889	---
Total.....	631,662	509,126	509,126	-122,536	---
Family housing construction, Air Force.....	1,090,868	1,183,138	1,169,138	+78,270	-14,000
Rescissions.....	-43,900	---	-66,200	-22,300	-66,200
Emergency appropriations (P.L. 109-148).....	278,000	---	---	-278,000	---
Total.....	1,324,968	1,183,138	1,102,938	-222,030	-80,200
Family housing operation and maintenance, Air Force... Emergency appropriations (P.L. 109-148).....	759,270 47,019	755,071 ---	755,071 ---	-4,199 -47,019	--- ---
Total.....	806,289	755,071	755,071	-51,218	---
Family housing construction, Defense-Wide.....	---	8,808	8,808	+8,808	---
Family housing operation and maintenance, Defense-Wide	45,927	48,506	48,506	+2,579	---
Department of Defense Family Housing Improvement Fund.....	2,475	2,500	2,500	+25	---
=====					
Total, Family housing.....	4,438,332	4,084,040	3,989,353	-448,979	-94,687
Appropriations.....	(4,038,159)	(4,084,040)	(4,055,553)	(+17,394)	(-28,487)
Emergency appropriations.....	(460,073)	---	---	(-460,073)	---
Rescissions.....	(-59,900)	---	(-66,200)	(-6,300)	(-66,200)
=====					
Chemical demilitarization construction, Defense-Wide..	---	130,993	90,993	+90,993	-40,000
Base realignment and closure:					
Base realignment and closure account, 1990.....	252,279	191,220	216,220	-36,059	+25,000
Base realignment and closure account, 2005.....	1,489,421	5,626,223	5,309,876	+3,820,455	-316,347
Total, Base realignment and closure.....	1,741,700	5,817,443	5,526,096	+3,784,396	-291,347
Basic Allowance for Housing: 1/					
Army.....	3,880,723	3,687,905	3,687,905	-192,818	---
Navy.....	3,511,570	4,135,061	4,135,061	+623,491	---
Marine Corps.....	1,166,686	1,350,921	1,350,921	+184,235	---
Air Force.....	3,162,073	2,934,327	2,934,327	-227,746	---
Emergency appropriations (P.L. 109-148).....	6,526	---	---	-6,526	---
Total.....	3,168,599	2,934,327	2,934,327	-234,272	---
Army National Guard.....	444,819	469,109	469,109	+24,290	---
Emergency appropriations (P.L. 109-148).....	32,294	---	---	-32,294	---
Total.....	477,113	469,109	469,109	-8,004	---
Air National Guard.....	238,396	277,533	277,533	+39,137	---
Emergency appropriations (P.L. 109-148).....	10,289	---	---	-10,289	---
Total.....	248,685	277,533	277,533	+28,848	---

MILITARY QUALITY OF LIFE AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATION BILL 2006 (H.R. 5385)  
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Army Reserve.....	306,642	347,607	347,607	+40,965	---
Emergency appropriations (P.L. 109-148).....	361	---	---	-361	---
Total.....	307,003	347,607	347,607	+40,604	---
Navy Reserve.....	189,141	208,838	208,838	+19,697	---
Emergency appropriations (P.L. 109-148).....	1,053	---	---	-1,053	---
Total.....	190,194	208,838	208,838	+18,644	---
Marine Corps Reserve.....	40,134	43,082	43,082	+2,948	---
Air Force Reserve.....	69,357	76,218	76,218	+6,861	---
Emergency appropriations (P.L. 109-148).....	85	---	---	-85	---
Total.....	69,442	76,218	76,218	+6,776	---
=====					
Total, Basic Allowance for Housing.....	13,060,149	13,530,601	13,530,601	+470,452	---
Appropriations.....	(13,009,541)	(13,530,601)	(13,530,601)	(+521,060)	---
Emergency appropriations.....	(50,608)	---	---	(-50,608)	---
Facilities Sustainment, Restoration and Modernization: 1/					
Army.....	1,832,607	1,810,774	1,810,774	-21,833	---
Navy.....	1,331,521	1,201,313	1,201,313	-130,208	---
Emergency appropriations (P.L. 109-148).....	215,499	---	---	-215,499	---
Total.....	1,547,020	1,201,313	1,201,313	-345,707	---
Marine Corps.....	548,420	473,141	473,141	-75,279	---
Air Force.....	1,827,246	1,684,019	1,684,019	-143,227	---
Emergency appropriations (P.L. 109-148).....	69,005	---	---	-69,005	---
Total.....	1,896,251	1,684,019	1,684,019	-212,232	---
Defense-Wide.....	115,731	86,386	86,386	-29,345	---
Emergency appropriations (P.L. 109-148).....	5,238	---	---	-5,238	---
Total.....	120,969	86,386	86,386	-34,583	---
Army National Guard.....	392,579	387,882	387,882	-4,697	---
Emergency appropriations (P.L. 109-148).....	49,217	---	---	-49,217	---
Total.....	441,796	387,882	387,882	-53,914	---
Air National Guard.....	177,993	255,322	255,322	+77,329	---
Emergency appropriations (P.L. 109-148).....	13,557	---	---	-13,557	---
Total.....	191,550	255,322	255,322	+63,772	---
Army Reserve.....	202,326	215,890	215,890	+13,564	---
Emergency appropriations (P.L. 109-148).....	1,128	---	---	-1,128	---
Total.....	203,454	215,890	215,890	+12,436	---
Navy Reserve.....	67,110	52,136	52,136	-14,974	---
Emergency appropriations (P.L. 109-148).....	310,024	---	---	-310,024	---
Total.....	377,134	52,136	52,136	-324,998	---
Marine Corps Reserve.....	10,004	9,579	9,579	-425	---
Emergency appropriations (P.L. 109-148).....	1,094	---	---	-1,094	---
Total.....	11,098	9,579	9,579	-1,519	---

MILITARY QUALITY OF LIFE AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATION BILL 2006 (H.R. 5385)  
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Air Force Reserve.....	49,860	59,849	59,849	+9,989	---
Emergency appropriations (P.L. 109-148).....	1,917	---	---	-1,917	---
<b>Total.....</b>	<b>51,777</b>	<b>59,849</b>	<b>59,849</b>	<b>+8,072</b>	<b>---</b>
=====					
Total, Facilities Sustainment, Restoration and Modernization.....	7,222,076	6,236,291	6,236,291	-985,785	---
Appropriations.....	(6,555,397)	(6,236,291)	(6,236,291)	(-319,106)	---
Emergency appropriations.....	(666,679)	---	---	(-666,679)	---
=====					
Environmental Restoration: 1/					
Army.....	403,786	413,794	413,794	+10,008	---
Navy.....	302,222	304,409	304,409	+2,187	---
Air Force.....	402,396	423,871	423,871	+21,475	---
Defense-Wide.....	27,885	18,431	18,431	-9,454	---
Formerly used Defense sites.....	254,352	242,790	257,790	+3,438	+15,000
<b>Total, Environmental Restoration.....</b>	<b>1,390,641</b>	<b>1,403,295</b>	<b>1,418,295</b>	<b>+27,654</b>	<b>+15,000</b>
=====					
Defense Health Program: 1/					
Operation and maintenance.....	19,106,789	20,498,163	20,218,205	+1,111,416	-279,958
Rescission.....	---	---	-40,042	-40,042	-40,042
Emergency appropriations (P.L. 109-148).....	120,000	---	---	-120,000	---
Emergency appropriations (P.L. 109-148).....	172,958	---	---	-172,958	---
<b>Total, Operation and maintenance.....</b>	<b>19,399,747</b>	<b>20,498,163</b>	<b>20,178,163</b>	<b>+778,416</b>	<b>-320,000</b>
=====					
Procurement.....	375,328	396,355	402,855	+27,527	+6,500
Emergency appropriations (P.L. 109-148).....	28,592	---	---	-28,592	---
<b>Total, Procurement.....</b>	<b>403,920</b>	<b>396,355</b>	<b>402,855</b>	<b>-1,065</b>	<b>+6,500</b>
=====					
Research and development.....	536,883	130,603	444,103	-92,780	+313,500
=====					
<b>Total, Defense Health Program.....</b>	<b>20,340,550</b>	<b>21,025,121</b>	<b>21,025,121</b>	<b>+684,571</b>	<b>---</b>
Appropriations.....	(20,019,000)	(21,025,121)	(21,065,163)	(+1,046,163)	(+40,042)
Emergency appropriations.....	(321,550)	---	---	(-321,550)	---
=====					
<b>Total, title I.....</b>	<b>55,434,167</b>	<b>58,893,731</b>	<b>58,068,481</b>	<b>+2,634,314</b>	<b>-825,250</b>
Appropriations.....	(53,269,852)	(58,893,731)	(58,368,994)	(+5,099,142)	(-524,737)
Emergency appropriations.....	(2,417,173)	---	---	(-2,417,173)	---
Rescissions.....	(-252,858)	---	(-300,513)	(-47,655)	(-300,513)
=====					

1/ Funding for these programs in fiscal year 2006 was included in the Department of Defense Appropriations Act, 2006. Amounts are shown here for comparison purposes.

TITLE II - DEPARTMENT OF VETERANS AFFAIRS

Veterans Benefits Administration

Compensation and pensions.....	33,897,787	38,007,095	38,007,095	+4,109,308	---
Readjustment benefits.....	3,309,234	3,262,006	3,262,006	-47,228	---
Veterans insurance and indemnities.....	45,907	49,850	49,850	+3,943	---
Veterans housing benefit program fund program account (indefinite).....	64,586	196,692	196,692	+132,106	---
(Limitation on direct loans).....	(500)	(500)	(500)	---	---
Credit subsidy.....	-112,000	-100,000	-100,000	+12,000	---
Administrative expenses.....	153,575	153,185	153,185	-390	---
Vocational rehabilitation loans program account.....	53	53	67	+14	+14
(Limitation on direct loans).....	(4,242)	(4,242)	(3,369)	(-873)	(-873)
Administrative expenses.....	305	305	305	---	---

MILITARY QUALITY OF LIFE AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATION BILL 2006 (H.R. 5385)  
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Native American veteran housing loan program account.. (Limitation on direct loans).....	580 (30,000)	615 (30,000)	615 (30,000)	+35 ---	--- ---
<b>Total, Veterans Benefits Administration.....</b>	<b>37,360,027</b>	<b>41,569,801</b>	<b>41,569,815</b>	<b>+4,209,788</b>	<b>+14</b>
<b>Veterans Health Administration</b>					
Medical services.....	21,322,141	25,512,000	25,412,000	+4,089,859	-100,000
Emergency appropriations.....	1,225,000	---	---	-1,225,000	---
Emergency appropriations (P.L. 109-148).....	198,265	---	---	-198,265	---
Emergency appropriations (P.L. 109-148).....	27,000	---	---	-27,000	---
<b>Subtotal, Medical Services.....</b>	<b>22,772,406</b>	<b>25,512,000</b>	<b>25,412,000</b>	<b>+2,639,594</b>	<b>-100,000</b>
Medical administration.....	2,858,442	3,177,000	3,277,000	+418,558	+100,000
Medical facilities.....	3,297,669	3,569,000	3,594,000	+296,331	+25,000
Medical and prosthetic research.....	412,000	399,000	412,000	---	+13,000
Medical care cost recovery collections:					
Offsetting collections.....	-2,170,000	-2,329,000	-2,329,000	-159,000	---
Appropriations (indefinite).....	2,170,000	2,329,000	2,329,000	+159,000	---
<b>Total, Veterans Health Administration.....</b>	<b>29,340,517</b>	<b>32,657,000</b>	<b>32,695,000</b>	<b>+3,354,483</b>	<b>+38,000</b>
<b>Departmental Administration</b>					
General operating expenses.....	1,410,520	1,480,764	1,480,764	+70,244	---
Emergency appropriations (P.L. 109-148).....	24,871	---	---	-24,871	---
Information technology systems.....	1,213,820	1,257,000	1,302,330	+88,510	+45,330
National Cemetery Administration.....	156,447	160,733	160,733	+4,286	---
Emergency appropriations (P.L. 109-148).....	200	---	---	-200	---
Office of Inspector General.....	70,174	69,499	69,499	-675	---
Construction, major projects.....	607,100	399,000	283,670	-323,430	-115,330
Emergency appropriations (P.L. 109-148).....	367,500	---	---	-367,500	---
Construction, minor projects.....	198,937	198,000	210,000	+11,063	+12,000
Emergency appropriations (P.L. 109-148).....	1,800	---	---	-1,800	---
Grants for construction of State extended care facilities.....	85,000	85,000	105,000	+20,000	+20,000
Grants for the construction of State veterans cemeteries.....	32,000	32,000	32,000	---	---
Disaster Compensation for Veterans (Emergency) (P.L. 109-148).....	3,000	---	---	-3,000	---
<b>Total, Departmental Administration.....</b>	<b>4,171,369</b>	<b>3,681,996</b>	<b>3,643,996</b>	<b>-527,373</b>	<b>-38,000</b>
<b>Total, title II.....</b>	<b>70,871,913</b>	<b>77,908,797</b>	<b>77,908,811</b>	<b>+7,036,898</b>	<b>+14</b>
Appropriations.....	(69,024,277)	(77,908,797)	(77,908,811)	(+8,884,534)	(+14)
Emergency appropriations.....	(1,847,636)	---	---	(-1,847,636)	---
(Limitation on direct loans).....	(34,742)	(34,742)	(33,869)	(-873)	(-873)
Discretionary.....	33,666,399	36,493,154	36,493,168	+2,826,769	+14
Mandatory.....	37,205,514	41,415,643	41,415,643	+4,210,129	---
<b>TITLE III - RELATED AGENCIES</b>					
<b>American Battle Monuments Commission</b>					
Salaries and expenses.....	35,888	35,838	37,088	+1,200	+1,250
Foreign currency fluctuations account.....	15,098	4,900	4,900	-10,198	---
<b>Total, American Battle Monuments Commission.....</b>	<b>50,986</b>	<b>40,738</b>	<b>41,988</b>	<b>-8,998</b>	<b>+1,250</b>

MILITARY QUALITY OF LIFE AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATION BILL 2006 (H.R. 5385)  
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
-----					
U.S. Court of Appeals for Veterans Claims					
Salaries and expenses.....	18,607	19,790	19,790	+1,183	---
Department of Defense - Civil					
Cemeterial Expenses, Army					
Salaries and expenses.....	28,760	26,550	26,550	-2,210	---
Armed Forces Retirement Home					
Operation and maintenance.....	56,463	54,846	54,846	-1,617	---
Capital program.....	1,236	---	---	-1,236	---
Emergency appropriations (P.L. 109-148).....	65,800	---	---	-65,800	---
Total, Armed Forces Retirement Home.....	123,499	54,846	54,846	-68,653	---
=====					
Total, title III.....	221,852	141,924	143,174	-78,678	+1,250
Appropriations.....	(156,052)	(141,924)	(143,174)	(-12,878)	(+1,250)
Emergency appropriations.....	(65,800)	---	---	(-65,800)	---
TITLE IV - DEPARTMENT OF DEFENSE ADDITIONAL APPROPRIATIONS					
Military Construction, Army (contingency operations).....	---	---	379,300	+379,300	+379,300
Military Construction, Navy and Marine Corps (contingency operations).....	---	---	26,037	+26,037	+26,037
Military Construction, Air Force (contingency operations).....	---	---	49,923	+49,923	+49,923
Military Construction, Defense-Wide (contingency operations).....	---	---	44,500	+44,500	+44,500
Military Construction, Army National Guard (contingency operations).....	---	---	5,530	+5,530	+5,530
Military Construction, Army Reserve (contingency operations).....	---	---	1,713	+1,713	+1,713
Total, Title IV.....	---	---	507,003	+507,003	+507,003
=====					
Grand total.....	126,527,932	136,944,452	136,120,466	+9,592,534	-823,986
Appropriations.....	(122,450,181)	(136,944,452)	(136,420,979)	(+13,970,798)	(-523,473)
Emergency appropriations.....	(4,330,609)	---	---	(-4,330,609)	---
Rescissions.....	(-252,858)	---	(-300,513)	(-47,655)	(-300,513)
=====					

Note: FY 2006 enacted figures for Title I and III reflect a 1% across the board cut (P.L. 109-148). Title II is exempt.



MILITARY QUALITY OF LIFE AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATION BILL 2006 (H.R. 5385)  
 (Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
-----					
CONGRESSIONAL BUDGET RECAP					
Scorekeeping adjustments:					
Emergency appropriations defense.....	-2,417,173	---	-507,003	+1,910,170	-507,003
Emergency appropriations non-defense.....	-1,913,436	---	---	+1,913,436	---
ATB adjustment.....	-230	---	---	+230	---
	-----	-----	-----	-----	-----
Total, adjustments.....	-4,330,839	---	-507,003	+3,823,836	-507,003
Total (including adjustments).....	122,197,093	136,944,452	136,120,466	+13,923,373	-823,986
Amounts in this bill.....	---	---	---	---	---
Scorekeeping adjustments.....	(-4,330,839)	---	(-507,003)	(+3,823,836)	(-507,003)
Prior year outlays.....	---	---	---	---	---
	=====	=====	=====	=====	=====
Total mandatory and discretionary.....	122,197,093	136,944,452	136,120,466	+13,923,373	-823,986
Mandatory.....	(37,205,514)	(41,415,643)	(41,415,643)	(+4,210,129)	---
Mandatory (prior year).....	---	---	---	---	---
	-----	-----	-----	-----	-----
Mandatory (total).....	(37,205,514)	(41,415,643)	(41,415,643)	(+4,210,129)	---
Discretionary.....	(84,991,579)	(95,528,809)	(94,704,823)	(+9,713,244)	(-823,986)
Discretionary (prior year).....	---	---	---	---	---
	-----	-----	-----	-----	-----
Discretionary (total).....	(84,991,579)	(95,528,809)	(94,704,823)	(+9,713,244)	(-823,986)
	=====	=====	=====	=====	=====

MILITARY QUALITY OF LIFE AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATION BILL 2006 (H.R. 5385)  
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
-----					
RECAP BY FUNCTION					
Mandatory.....	37,205,514	41,415,643	41,415,643	+4,210,129	---
Prior year outlays.....	---	---	---	---	---
Total, Mandatory.....	37,205,514	41,415,643	41,415,643	+4,210,129	---
-----					
General purpose discretionary:					
Defense.....	53,016,994	58,893,731	58,068,481	+5,051,487	-825,250
Prior year outlays.....	---	---	---	---	---
Total, Defense.....	53,016,994	58,893,731	58,068,481	+5,051,487	-825,250
Nondefense.....	31,974,585	36,635,078	36,636,342	+4,661,757	+1,264
Prior year outlays.....	---	---	---	---	---
Total, Nondefense.....	31,974,585	36,635,078	36,636,342	+4,661,757	+1,264
-----					
Subtotal, General purpose discretionary.....	84,991,579	95,528,809	94,704,823	+9,713,244	-823,986
Prior year outlays.....	---	---	---	---	---
Total General purpose discretionary.....	84,991,579	95,528,809	94,704,823	+9,713,244	-823,986
=====					
Grand total, Mandatory and Discretionary.....	122,197,093	136,944,452	136,120,466	+13,923,373	-823,986
=====					

DISCRETIONARY 302B ALLOCATION

GENERAL PURPOSE.....	84,991,579	95,528,809	94,704,823	+9,713,244	-823,986
302B ALLOCATION.....	44,143,000	---	94,705,000	+50,562,000	+94,705,000
OVER/UNDER.....	40,848,579	95,528,809	-177	-40,848,756	-95,528,986

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

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

Mr. Chairman and Members, there are three reasons why I intend to support this bill.

First, it has a significant increase in funding for VA health care, approximately \$3 billion, even though I believe the VA needs and deserves more. The increase is significant, it is real, and it is important.

Secondly, this bill includes military construction funding. It is vital to support our troops and their families during a time of war. And also it includes military construction funding needed to implement the BRAC proposals.

Thirdly, I am going to support this bill because Chairman WALSH's leadership in this effort was, at every step of the way, professional and bipartisan. This is the kind of leadership I believe Americans would want and expect from Congress when we are dealing with military and defense and veterans issues.

I salute the chairman for that leadership, for his extensive hearings, for listening to all members of his subcommittee and the Appropriations Committee and Members throughout this House, and for having numerous hearings, listening to veterans and other organizations testify and have input on this bill.

Mr. Chairman, I want to be clear on my position. In my opinion, the House budget resolution passed earlier this week would have better served our Nation if it had been less willing to give the just-retired Exxon CEO a \$2 million dividend tax cut and had saved that money for deficit reduction and providing more funding for defense, military construction, veterans health care and defense health care, which we have in this bill.

I did not support that budget resolution, which was passed on a partisan basis. And today, very quickly after that resolution's passage, we start to see the impact of it in real terms. In real terms, our subcommittee was allocated \$824 million less than President Bush felt we needed in this area for VA funding, defense health care, and military construction.

Had we had a better budget resolution, a bipartisan budget resolution, I do not think we would have had to cut \$824 million from the President's request for the important responsibilities under the jurisdiction of this subcommittee.

But the reality is that the budget resolution has passed the House, and the House leadership intends to implement those budget rules and numbers, at least for now, and our subcommittee had to deal with those numbers.

I think the subcommittee dealt with the limited budget, in my opinion an inadequate budget, in a responsible way, a bipartisan way, and tried to put the limited dollars in the highest priority needs.

I want to talk about what is good in this bill, given that we had so many fewer dollars than the President had asked for in this area. One, the VA health care increase for about \$3 billion, I think that is important. It is a huge turnaround from a year or 2 ago, where I, many Democrats, veterans organizations, were pleading with the Republican leadership and the administration to more adequately fund VA health care, because we felt the administration budget request, particularly last year, would have caused significant and serious cuts in VA health care during a time of war.

This is a great turnaround from that and is supported on a bipartisan basis to increase VA health care spending by \$3 billion. I am glad, frankly, that the OMB in particular and the administration have heard the voices of Congress and our Nation's veterans that we are going to adequately fund and significantly increase funding for VA health care.

I do want to point out this is a not a Cadillac budget, if anyone wants to suggest that, for our veterans health care system. Because the fact is and the challenge is that the VA system has seen a net increase of veterans needing VA health care between 150 and 250,000 a year.

The reality is that, even this year, the number of Iraqi war veterans needing VA health care is significantly higher than what we had projected, or the VA had projected, and we need to keep our eye on that.

In addition to the increase in VA health care funding which I commend, I want to pay special focus and tribute to Chairman WALSH's leadership on mental health care. I think it is vital that we provide our veterans who have served in combat, risked their lives, given so much for our country, receive the health care they deserve, whether it is mental health care, or to deal with their physical wounds.

In many cases, Mr. Chairman, mental health care wounds last longer than physical wounds; and I think one of Chairman WALSH's great legacies in Congress will have been to send a clear message to the VA and the Congress that we must make VA mental health care a priority. I salute the chairman for that legacy and that leadership.

Mr. Chairman, I am glad that we on a bipartisan basis rejected the Administration's proposal to have a \$250 enrollment fee for men and women who served in uniform to be considered for VA health care.

Mr. Chairman, I believe the Congress believes that our veterans paid their enrollment fee when they put on our country's uniform and agreed to go into harm's way.

We also in a bipartisan manner rejected the Administration's proposal to go from \$8 dollars to \$15 for a copay for veterans prescription drugs. That may not sound like a big increase for many. But when you are an 80-year-old World War II veteran and you are taking six,

seven, or eight drugs a month, that prescription copay increase would have created a lot of harm. I salute the subcommittee and the leadership of the subcommittee for rejecting that proposal.

Finally, and Chairman WALSH mentioned this earlier, I think the entire Congress, as well as this committee, ought to be proud of the quality of military health care services our troops wounded in combat are receiving. I was proud to be on the trip to Germany where we went to the Landstuhl Hospital where our medical personnel are saving lives every day.

Mr. Chairman, it is because of the decisions and the budget funding of Congress that men and women are alive today that would have died in any other previous war. That is a great tribute to the effort and leadership of this Congress on defense health care spending.

Finally, I think it is good that we are having the \$6.5 billion increase in military construction funding. I also want to put that in perspective, though. Do not let anyone conclude, Mr. Chairman, that that is a Cadillac budget for military construction. That pays for vitally needed construction to support our troops fighting the war on terrorism and those fighting in Iraq and Afghanistan. It also is needed to help implement the Base Realignment and Closing Commission recommendations, which will cost taxpayers additional funding up front but will save billions of dollars in the out years.

Mr. Chairman, let me just say my concerns. My biggest single concern is that, because of the inadequate budget allocation to this subcommittee, again, \$824 million less than the President requested, we actually have a bill that underfunds defense health care spending by \$735 million less than President Bush said was needed to maintain our quality of care system.

If I felt that the final bill were going to underfund defense health care that drastically, I simply could not vote for this bill. But I hope and I trust that we will work on a bipartisan basis from now to the final passage of the conference report on this bill to find those dollars, because I hope we all agree it would be morally wrong to cut the quality of defense health care for our troops and our military retirees, especially during a time of war.

My second concern is, we have got a huge backlog of cleaning up past military installations that have been closed. I want to urge the administration which, along with the previous administration, frankly, did not recognize the need for these programs.

Thirdly, while we increase VA spending, health care spending by about \$3 billion, because of the inadequate allocation for our subcommittee, we had to almost effectively freeze VA health care research. We are going this year from a backlog for veterans having their claims considered by the VA from being an average of 167 days to 185 days.

Mr. Chairman, I urge the VA and I urge Congress to take a look at that. We do not need to be moving backwards, because so often, especially for our older veterans, justice delayed is justice denied.

Mr. Chairman, I also wish the same week we gave the retired, just-retired Exxon CEO a \$2 million dividend tax cut we do not say that if you are a veteran making 28 or \$29,000 a year, you make too much money to deserve VA care if you did not have combat wounds. I think our veterans making \$28,000, \$29,000, \$30,000 have earned the right to receive VA care.

□ 1100

But having expressed those concerns, I have to salute this subcommittee and its leadership for working on a solid, professional, bipartisan basis to take a limited budget, a budget almost \$1 billion below the President's request for this area, and putting the money where it was most needed in very, very positive ways.

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

Mr. WALSH. Mr. Chairman, at this time, I would yield 3 minutes to the distinguished gentleman from Colorado, the chairman of the Readiness and Military Construction Subcommittee on the House Armed Services Committee, Mr. HEFLEY, for 3 minutes.

Mr. HEFLEY. I thank the gentleman very much for yielding.

As chairman of the authorizing committee for much of this bill, I rise today in support of H.R. 5385.

This is a good bill. It provides more than \$16 billion for military construction activities for the Department of Defense, including more than \$5 billion to implement Base Realignment and Closure decisions and \$4 billion for family housing for military personnel. It will make meaningful improvements in the facilities which our military people and their families live and work.

At the same time, I don't want to argue that it is a perfect bill. For instance, I would have liked to see an increase in funding for military construction facilities restoration accounts. I would also have preferred full funding of the BRAC's 2005 account, as cuts in this account will impact DOD's ability to implement BRAC moves in a timely manner. However, in general, it is a good bill which I am pleased to support.

With respect to the MILCON projects appropriated within the bill, I would note that they largely mirror those projects authorized in the Defense Authorization Act that passed the House last week. This approach whereby specific projects are both authorized and appropriated is unique to military construction activities and is a longstanding practice. Over time, it has helped ensure that construction activities for the Department of Defense are reviewed by multiple bodies within the

Congress to ensure that they are viable, affordable, and necessary.

This year, through close scrutiny of the President's budget request, the authorizing and appropriating committees found numerous projects and requests that were flawed, unnecessary, or of low priority. By cutting those projects, we were able to do some of the more crucial projects.

The projects added to this bill are critical to military readiness requirements, such as the child development centers for families of military personnel, alert complexes for pilots, fighter jets that patrol the skies over our cities, and urban training facilities to teach our servicemembers how to fight in city environments.

On a final note, Mr. Chairman, I would like to acknowledge the members and the staff of the Military Quality of Life Subcommittee for their efforts. Their professionalism and willingness to maintain the working relationship and spirit of cooperation between our two committees is extraordinary. I especially want to thank Chairman WALSH and Ranking Member EDWARDS and their fine staff for their help in this process, and applaud them for producing such a very good bill.

Mr. EDWARDS. Mr. Chairman, I yield myself 30 seconds.

I didn't earlier salute Chairman HEFLEY and Mr. ORTIZ, the chairman and ranking member, respectively, of the Armed Services Committee that authorizes these programs.

It is not often and certainly not always, many times not often that the authorizers and appropriators work so closely together, and I salute the leadership on both sides of the aisle of the authorizing appropriations committee for doing this in the right way and doing it together. I thank Chairman Hefley for his leadership in that area.

I would like to now recognize Mr. BLUMENAUER of Oregon for 5 minutes.

Mr. BLUMENAUER. I appreciate the gentleman's courtesy in permitting me to speak. I appreciate Mr. EDWARDS' leadership, that of Chairman WALSH, and my good friend, SAM FARR, for taking the attention to the problem of the toxic and explosive legacy of 225 years of military operations in the United States. We are not talking about problems overseas, we are talking about communities in every single State in the Union.

Mr. FARR's experience with Fort Ord over, I don't know, over 15 years now, has demonstrated the scope and scale of the promise, if we do it right, there are tremendous opportunities. Many of these bases are jewels that can be returned to productive use.

His experience has also shown how complicated they can be; that if we don't have the right plan, we don't invest the resources, it can drag on and on and on. Sadly, we have over 3,000 sites around the country that still are a part of this toxic legacy.

I do appreciate what the subcommittee has done. You have a dif-

ficult job. I wouldn't want to have to balance those equities. But I am here today arguing for more attention and more resources to deal with accelerating the problem in the past and the promises of the past.

I am going to offer an amendment in a few minutes that would transfer from the 2005 BRAC account money that will be used to deal with the first four rounds and those communities that are waiting.

Now, there are going to be some who will say, well, you are offsetting a much bigger number than the mere \$77 million. And that is because the 5.3 billion, an increase of \$3.6 billion that is technically set aside for 2005 is not going to be spent. The payout rate is something like 5 percent for this next year. You are not going to use it. It is a phony number. You can safely transfer resources to help people who have already suffered closure and who have not been dealt with fairly by this Congress. You can look at Mather Air Force Base in California, closed in the first round, and their cleanup isn't slated to be completed until 2072. That is unconscionable.

I would respectfully request that Congress no longer be missing in action when it comes to cleaning up the bombs, the munitions, the fuel depot, the multiple problems that have been left by communities, for communities to deal with, and impede the recycling. On base closures under BRAC, the unexploded bombs and chemical contamination prevents 140,000 acres on closed and realigned bases from being transferred right now to local communities for redevelopment.

The last point I would make is that it goes far beyond this subcommittee. Again, I appreciate their attention and the work they have done, but we have to have the appropriations committee and the authorizing committees to get serious about this. We have an up and down cycle where we put some money in and then the money goes away. We transfer it in areas when all of a sudden there is a huge problem that gets the attention, like Spring Valley in Washington, DC. on the campus of the American University. That is where we tested and developed chemical weapons during World War I.

We have had three cleanups to try and solve that problem. The more that we focus on this, the more that we invest on an ongoing basis, the more that we develop the techniques, the technology, it is not just going to save people around the country from this problem, but that same technology that will help us figure out whether it is a hub cap or a 105 millimeter shell will be able to be used to protect our soldiers in Iraq. That is how I lost my first constituent, was a land mine.

Now, I would suggest that, if we get serious about this, we will not only accelerate the technology and the research that will make our communities safer and healthier here at home, but it will protect lives of our service people

overseas and will also deal with the vast amounts of munitions and land mines that are scattered all around the world that kill innocent victims every day.

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

What I would like to do is ask, if there is no objection of my colleague from Texas, I have two brief colloquies that I would like to enter into with two of my colleagues.

At this time, Mr. Chairman, I would yield for the purpose of colloquy 2 minutes to Mr. WICKER of Mississippi, a member of the committee.

Mr. WICKER. I thank the chairman for yielding.

Mr. Chairman, may I say initially that I certainly support the passage of H.R. 5385 and urge my colleagues to cast an "aye" vote. But I rise at this point to enter into a colloquy with Chairman WALSH regarding Columbus Air Force Base in Columbus, Mississippi.

During fiscal year 2006 military quality of life appropriations process, funding was authorized and provided for the first phase of the mission support complex at Columbus Air Force Base. Currently, mission support facilities are spread across the base and are too small for their functions. The proposed mission support complex will consolidate many of the command and control functions into one complex adjacent to the wing headquarters. Also, this new facility will meet new force protection antiterrorism standards.

Funding for the second and final phase of this complex is needed to complete the project. I realize this project was not authorized in the House version of the 2007 Defense Authorization Act, and this fact prevented the project from being funded in this appropriation bill, Mr. Chairman. However, I hope the chairman will work with me as this bill moves through conference in order to complete the project on schedule.

Mr. WALSH. If the gentleman will yield for the purpose of colloquy, I thank the gentlemen for bringing this issue to our attention.

Funding in the amount of \$10 million was provided in last year's bill, fiscal year 2006, to begin construction of this project. I appreciate the importance of completing this project on time, and the committee will keep the gentleman's concerns in mind as we go to conference with the Senate. I know this is also a priority for the gentleman's Senators from Mississippi.

Mr. WICKER. I thank the chairman very much for yielding and this colloquy.

Mr. WALSH. Now, Mr. Chairman, I would yield 30 seconds to my colleague, Mr. BARRETT of South Carolina, for a brief statement.

Mr. BARRETT of South Carolina. I thank the gentleman for yielding. And I know Chairman WALSH and Representative BEAUPREZ from Colorado have been working to solve veterans'

needs in Colorado. And, Mr. Chairman, I would respectfully ask unanimous consent to submit for the RECORD the following statement by my friend and colleague Representative BEAUPREZ from Colorado.

The CHAIRMAN. The gentleman's request will be handled under general leave.

Mr. EDWARDS. Mr. Chairman, I would like to recognize the gentleman from California (Ms. LORETTA SANCHEZ) for 2 minutes.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I thank my colleague from Texas for this time and for his work on this bill.

I support this bill because it represents a vast improvement over the administration's budget request. But I don't think that we have in this bill the answer, the sufficient funds that we need particularly for our VA health care system.

I know without a doubt that all of my colleagues in this House want to support our veterans, but the fact remains that the Veterans Administration is chronically underfunded, and it is struggling to provide very basic services and benefits to the veterans as we have promised them.

The answer to our VA funding problem? Let's adequately fund the VA in the budget so that the veterans will receive the kind of care that they were promised when they signed up to defend this country.

While I am pleased that the Appropriations Committee saw fit to increase the VA funding from the wholly inadequate amount that the President had suggested, I am disappointed that the efforts of several of my colleagues, including Mr. FARR, to provide an additional \$2.6 billion for our critical health care needs of our Nation's veterans was not successful in this committee.

□ 1115

As a member of the Blue Dog Coalition, I believe fiscal responsibility should be one of the Federal Government's top priorities, but there should be no higher priority than honoring the promises that we have made to our veterans.

We cannot in good conscience balance this budget or reduce the deficit at their expense. How we treat our veterans, how we treat our veterans is a sign of our character as a Nation. The men and women who have sacrificed so much in defense of our country deserve no less than the very best that we have to offer in return.

Mr. WALSH. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana (Mr. BUYER), the chairman of the Veterans' Affairs Committee of the House.

Mr. BUYER. Mr. Chairman, I would like to thank the good work of Chairman WALSH and my good friend CHET EDWARDS on the bill. I have never questioned the sincerity of both of you in your service for my comrades and the

men and women who wear the uniform. I appreciate your service.

I appreciate the advocacy also of the previous speaker, but I also have to disagree with some of her words in context because I think what we have done here is put together a pretty good bill.

Also, at the same time, I have to turn to the administration and express my appreciation to them to send one of the largest increases of any Department once again to Congress. I think it reflects our commitment to care for the veterans who need us most. It also ensures the seamless transition from military to civilian life and to provide our veterans with economic opportunities. At a time when most Federal spending will see very few increases, this spending increase for veterans will rise another 10 percent for fiscal year 2007.

After the budget shortfall that I identified last summer, I commend VA Secretary Nicholson for taking the challenge presented last year as we examined the concerns with regard to VA's budgeting process within the model that is used. Secretary Nicholson took ownership of the fiscal year 2007 budget, and it appears that improving the integrity of the process has born fruit with this legislation.

I would also note that that responsibility did not rely solely upon the Secretary. We can demand accountability of others, but we also have to demand accountability to ourselves. So what I did was I also changed the process here in Congress and said for a long time we would take the counsel and advice from military service organizations and veterans service organizations and we receive that counsel after we put together the budget, and it had been done that way for decades. Now, does that even pass the straight face test? Does that even pass common sense? I think the answer is no.

So what we did was we changed the process on how we receive the testimony from our veterans organizations and military service organizations. Before that decision was made, I met with most of them at Carlisle Barracks in Pennsylvania at a veterans summit, and then the decision was made to sever the joint hearings and receive their testimony as soon as we received the President's budget and before we put together the budget use and estimates, extremely important.

So let me share with all my colleagues that this is something that has never been done before. This right here is the testimony of 19 veterans service organizations and military service organizations that was received prior to the formulation of the budget. What a radical thing to do. It only makes sense to do this. So I am really pleased, and as a matter of fact, it is reflected in what Chairman WALSH has been able to put together, and I have such deep respect for Chairman WALSH and what he has done here.

The other thing I would like to do is I agree with the gentleman from Texas

(Mr. EDWARDS) commending the leadership of Chairman WALSH on mental health. I also want to share and enlighten my colleagues with something we are dealing with.

In the VA, we are dealing with the consequences of many of these roadside bombs, and when I say the consequences, let me pause, and once again, I am going to applaud you again. When we created the four polytrauma centers, the ones in Palo Alto, Minneapolis, Tampa and Richmond, these polytrauma centers are caring for the traumatic brain injuries. These wounds that we are dealing with are so much different from wounds from other wars. The American people have placed such demand upon us, and rightfully so, to do all we can to care for the men and women who are serving us, and what do we do? We reach into the Treasury and we do everything to protect the torso. We have them in their body armor. We bought them a new helmet. That helmet is strapped on. The soldier then takes the body armor, they flip it up, they have got on the helmet, the roadside bomb explodes.

Now, typically in an explosion the torso will absorb part of the blast; but right now, we have protected the torso. So when the force comes in and hits the torso, the force goes up, and it disseminates, but that which goes up hits them in the face and goes up into the helmet and cannot escape. So as it goes up into the helmet and cannot escape, we now have more traumatic brain injury than ever before.

I am enlightening all my colleagues to this because I want to work with Mr. EDWARDS and the chairman because I think what we need to do is redesign a new helmet. We need to design a helmet that can have some type of vent system with regard to this force, at the same time not compromise the integrity of the helmet.

Will you join me in this one? We need to do this because when you visit our polytrauma centers and all the traumatic brain injury and the eye injuries that we are receiving, you will have your maxillofacial damage, but some of that can be taken care of. But these brain injuries are very severe, and so we need to look at this helmet, and I want to work with both of you to do that.

I also want to comment on, we are on the authorization side. You are ahead of us here, and we are working on the construction budget, and we have a tremendous challenge in front of us. I want to work with you.

On the construction side of this, it has been 15 years since we have built a VA hospital. So a lot of the institutional knowledge on how to build VA hospitals is no longer there, and this spending \$625 million for 170 beds, wow, is a lot of money. So our challenge is we have got Las Vegas and we have got Denver, we have got Orlando, New Orleans and Charleston, South Carolina. As we examine this collaborative effort between a medical university and a VA

and how we could share facilities, as we were working on that, then Katrina hits. So then we say, okay, we can leverage that perhaps in New Orleans, and that is what is being done right now between the VA and LSU.

But I want to work with both of you as we move on the construction budget and I commend you.

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

I want to thank Chairman BUYER for not only his kind comments but also even more importantly for his service to our country, his military service to our country in Operation Desert Storm in the first Iraqi war.

Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I would like to thank both the chairman and the ranking member for putting together this legislation and for the appropriations.

It is interesting because I do not serve on Armed Services or obviously Appropriations or Defense approps, but I think every Member of this House is affected by what is in this bill because all of us have seen our young men and women who have come back, who have been injured, and that is what this bill is about, the VA medical facilities, the medical facilities for these service personnel who are injured, and it is great to hear some of the good things that are in this bill. I know it is under very strict limitations, but I want to thank the committee for doing this.

I want to talk about something that is very specific briefly, about an important project in my own area. Now, in Houston we do not have a base. We have a lot of reserve units, but we have the Ellington Field where they have F-16s, and we have a fire station that needs to be put in there. We have one that does not meet either Air Force standards or OSHA standards, and it is a facility that serves not only our Air National Guard but our Army National Guard, the U.S. Coast Guard, NASA, and of course, civil aircraft.

The existing facility, like I said, is rapidly deteriorating and does not meet either OSHA or Air Force standards. Roof leaks and lack of insulation result in equipment being destroyed and extremely high operating costs. The lack of adequate facilities and space do not allow for proper integration of female firefighters. Storage facilities do not exist and require hundreds of thousands of dollars' worth of equipment to be stored outside, and traditional Guardsmen must store issued equipment at their homes.

New firefighting apparatus must be parked outside the station because they do not fit in the truck bays. Currently, our 147th has one fire truck valued at \$1 million which is unable to fit into the station, and the unit is expecting delivery of another one this year. This results in slower response times, degraded performance, and vehicle deterioration.

The funding I requested for this new fire station will not only bring the facilities up to OSHA and Air Force standards but will protect the investments already made in the equipment in the base.

Plans are under way to move 2,300 Army, Navy and Marine Corps Reserve troops from elsewhere in the Houston area to Ellington to make it really a joint Reserve base. As this happens, we must ensure there is sufficient infrastructure to support these units.

Again, the fourth largest city in the country affecting not only Johnson Space Center and the petrochemical industry, but I would appreciate any consideration by the committee during the conference report.

Mr. WALSH. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE), a member of the Veterans' Affairs Committee.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I certainly want to commend the committee chairman, as well as the ranking minority member, for working on this very important bill.

Coming from Florida, I represent the highest number of veterans of any Member of Congress. We have worked very hard in the last few years that I have been here to make sure that veterans' needs are adequately funded. Obviously, this bill before us today has a record level of funding for veterans' needs.

The committee, for the first time, used the veterans service organizations' independent budget as kind of the baseline for the fiscal year 2007 funding. Obviously, the veterans groups want to make sure that every single need is met. This appropriation does do exactly that. The total funding is \$2.6 billion above last year's level and \$100 million below the President's request.

We are improving health care substantially, as well as opening up additional community-based outpatient clinics. The C-BOCs are very, very well received in each one of our districts and do meet the veterans' needs.

Obviously, we were able to again ward off the additional fees that were proposed in the administration's budget.

We want to make sure that we continue to be able to go home and tell our veterans that this Congress, the people on this side of the aisle, people on the other side of the aisle, recognize the need to make sure that our veterans, whether they are from World War II or whether they are coming back from Iraq and Afghanistan, that they are adequately cared for.

The bill also contains an additional \$20 million over last year's level for veterans nursing homes, and I again want to commend the chairman of the committee.

Mr. WALSH. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. BRADY) for the purpose of a colloquy.

Mr. BRADY of Texas. Mr. Chairman, as you know, many veterans live hours from major hospitals, making it very difficult for them to get the care they need; and oftentimes, for those who have to travel there two or three times a week, they have a terrible quality of life. That is why our local veterans health care clinics, known as Community-Based Outpatient Clinics, are just so important to deliver quality care for veterans. These have been stalled in recent years; yet, my understanding is that in this bill there is a strong commitment of \$25 million to build the highest priority Community-Based Outpatient Clinics in the country. Is that the case?

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. BRADY of Texas. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, I thank the gentleman from Texas for his concern for veterans and for his leadership on this important area of veterans health care, community outreach clinics; and, yes, in fact, the subcommittee prioritized \$25 million for the VA to open up 10 of the highest priority CBOCs in the country, and so the gentleman is correct.

Mr. BRADY of Texas. Well, let me just conclude with this. One of my communities, Conroe, the veterans and I have worked for a number of years to try to make this a reality. This is great news for our veterans; and, more importantly, I think it is great news for all those communities that will get help for their veterans care, and I will just tell you that we are grateful for Chairman WALSH's leadership. This is just awful good news.

Mr. WALSH. Mr. Chairman, I thank the gentleman.

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

Mr. EDWARDS. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. LEE).

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Ms. LEE. Mr. Chairman, thank you for yielding, and I want to enter into a colloquy with the chairman of the subcommittee, Mr. WALSH.

I want to thank the gentleman for his hard work on this bill and also for his dedication to our brave young men and women serving abroad. I come to the floor today to raise an issue that I know is very important to all of us, as well as to you, Mr. Chairman, on the issue of the mental health of our troops who are deployed in harm's way.

An investigative report this week by the Hartford Courant, based on records obtained from a Freedom of Information Act request, revealed, and I quote: "United States military troops with severe psychological problems were sent to Iraq or kept in combat even when superiors had been aware of signs of mental illness."

We all know that going to war can be psychologically very difficult, yet it was found that less than one in 300

troops received a referral to mental health professionals before being sent to war. Still, the Pentagon's own physicians have estimated that one in 11 troops going into conflict suffer from some form of major depression, anxiety, or post-traumatic stress disorder.

The 1998 Defense Authorization Act included explicit direction to the Defense Department to include an assessment of mental health in its medical tracking system for troops deployed overseas. However, the Department's predeployment health assessment form has only one question on mental health.

Mr. Chairman, I believe this is a disservice to our troops, and I understand that there is additional money for the military services to begin to integrate mandatory mental health services into the standard operating procedures for our soldiers. I support the chairman in that effort, and I look forward to working with him on the initial assessment of mental health for troops being deployed and to ensure that the intent of the 1998 law is fully implemented.

Mr. WALSH. Mr. Chairman, will the gentlewoman yield?

Ms. LEE. I yield to the gentleman from New York.

Mr. WALSH. I thank the gentlewoman for yielding and I thank her for expressing her concern on this very important issue. This is a priority of the highest order for our subcommittee. We take it very seriously.

As you heard Mr. EDWARDS say, we have moved on this issue in a number of ways. So I want to assure the gentlewoman from California that I agree with her on the need for the increased mental health screening and appreciate her intention in raising this issue. I want to assure her that we will be mindful of this issue as we move this bill forward.

Ms. LEE. Let me just thank the gentleman for his attention to this issue, and I look forward to working with him and the ranking member to be ensure it is moved forward and is addressed as he just stated.

Mr. EDWARDS. Mr. Chairman, I yield 2 minutes to the gentleman from Rhode Island (Mr. LANGEVIN).

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

Mr. LANGEVIN. I thank the gentleman for yielding. Mr. Chairman, soon our country will be rightfully commemorating the sacrifices made by our military servicemembers on Memorial Day, and words alone can never sufficiently express our gratitude for their service and their dedication to our country, especially those who have made the ultimate sacrifice.

Today, the House is considering H.R. 5385, a bill that would fund essential medical programs for our courageous veterans. With the return of our servicemembers from Iraq and Afghanistan in particular, we have learned last year that the demands on our veterans health care system have risen at a rate for which we were not prepared.

While I am pleased that H.R. 5385 contains significant increases from last year and does not recommend the administration's fee increases for TRICARE recipients, I am still concerned that this bill does not fully reflect the needs of our returning troops, nor does it guarantee that our veterans receive the very best health care.

I encourage my colleagues to support increased funding so that our veterans have accessible, timely, and affordable health care. I especially support more funding for mental health assessments for servicemembers returning from abroad, particularly now that our troops are stretched incredibly thin and the psychological burdens and the stresses on them are tremendous. We need to make sure that they have sufficient support when they return home, whether it is counseling services or other things, to help them fully integrate into society. It has an effect on them, their families, and society as a whole.

Mr. Chairman, I sincerely hope that we learn from past mistakes that we cannot and must not shortchange the veterans who have so selflessly served our country. Mr. Chairman, it is our job and our duty to ensure that our veterans receive the benefits that they were promised and the recognition that they deserve.

Mr. WALSH. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. KIRK), a member of the committee.

Mr. KIRK. I thank the chairman.

As a member of the subcommittee, I strongly support this bipartisan bill, and it contains a key reform to ensure that Americans in uniform, veterans, sailors, and their families, will join together in a new joint VA-Navy Hospital to be built in north Chicago, Illinois.

I have worked on this for 5 years. In 2000, the previous administration announced plans to close the north Chicago VA, saying that veterans in northern Illinois could easily get to downtown Chicago in just 30 minutes. Only a Washington consultant with a map and a string would think that.

We knew that we could do much better; that we could dramatically improve health care for veterans who wore green, who wore white, who wore blue, and their families, at a joint Navy-VA facility. This bill begins the funding of that hospital. It includes \$23 million for the first joint VA-Navy Hospital in the country.

Already, we have moved many Navy services into the north Chicago VA, and this summer we will open several state-of-the-art rooms. But this embraces the new vision of a brand-new facility taking care of Americans in uniform, veterans, and their families.

Mr. HOLT. Mr. Chairman, I rise today to support the Military Quality of Life Appropriations Bill (H.R. 5385). This is an improvement, albeit a small one, over the President's budget request for the Department of Veterans Affairs. In total, the Committee provided an additional \$635 million above the President's budget. Everyone on my side of the aisle—and all of

the veteran service organizations—viewed that figure as inadequate. Several of my colleagues—including Mr. EDWARDS, Mr. FARR, and Mr. OBEY—did their best to get the committee to fund adequately hospital construction, personnel hiring, and health care delivery initiatives that are vital to meeting our veterans needs. Instead, the committee voted to give still more tax cuts to millionaires.

Whom do we value more—those who make millions, or those whose valor made it possible for the millionaires to flourish in peace and freedom in the first place?

On January 17, 2003, the Bush Administration stopped enrolling new Priority 8 veterans for VA medical care, and the President's budget continues this restrictive policy. This Republican policy has denied health care to 273,000 and prevented 1 million veterans, who make as little as \$26,902, from enrolling in VA health care. Those who are eligible are often forced to wait in line for care. As VA officials admitted to Congress in February, the VA has treated more than 144,000 returning veterans from Operations Iraqi Freedom and Enduring Freedom, and nearly 30,000 veterans are waiting in line for their first appointment—double the number last year.

Nearly a third of returning veterans from Iraq or Afghanistan have been diagnosed with mental disorders, with nearly half of those PTSD, according to the VA. The number of troops back this year from Iraq and Afghanistan with post-traumatic stress disorder could total 15,000 or more—five times higher than the VA predicted. And as the Kansas City Star noted on April 30, the “miscalculation on PTSD echoes last year's underestimation by the Bush administration of how many Iraq and Afghanistan veterans would need medical treatment.”

The President and his Congressional allies don't seem to have any problem paying for the weapons of war, but they do seem to have a problem paying for the consequences of war. But the country that sends its people into combat—its sons and daughters, its husbands and wives, its sisters and brothers—has a sacred obligation to take care of those people when they come home—and to care for their survivors when they do not. It is an obligation that goes back to Abraham Lincoln in 1865. It is an obligation we have never fully met—under administrations and Congresses of both parties.

This budget, while better than what the President submitted, does not truly meet that obligation. Any member of this body who has committed this country to a war costing \$400 billion can surely find it in their hearts to their budget to produce the \$2 billion that the veteran's organizations say is missing in this bill. Yet this bill fails to provide \$6 billion from what current veterans need over the next 5 years for their health care. I hope that next year we will pass a budget that veterans feel meets their needs, rather than one they view as “the best they could get.”

Finally, there is a VA clinic in my district leasing space at Fort Monmouth which is scheduled to close under the 2005 BRAC recommendations. Secretary Nicholson has pledged to me in writing that this clinic will stay open through 2010 at its present location and working to maintain its location in Monmouth County beyond that. While the Pentagon must take into account the care and well-being of the veterans served by the base when following BRAC procedures, the VA

must have sufficient resources meet the veteran's needs. In this case, it means having the resources to acquire a much needed facility after the Army leaves town. At present those resources are not there. I look forward to working with my colleague to ensure that the veterans of my district will continue to receive the same high quality care they currently have.

Mr. BEAUPREZ. Mr. Chairman, I rise today to acknowledge Chairman WALSH and the members of the Military Quality of Life—VA Appropriations Subcommittee for their willingness to work with the VA to meet the needs of Colorado's veteran population.

The VA's effort to coordinate and reassess the current and future health care needs of our Nation's veterans has been a monumental undertaking. The CARES report cited numerous locations throughout the VA's nationwide network of medical facilities that are in need of improvement. A replacement facility for the VA Eastern Colorado Health Care System in Denver was one of the top priorities listed in the CARES report. Unfortunately, the original plan to share facilities with the University of Colorado was deemed infeasible. After years of hard work and negotiations, the VA has finally found a workable solution that meets their needs, and will allow them to continue their 50-year working relationship with the University of Colorado.

I commend Chairman WALSH for his commitment to this project, and for helping the VA reprogram existing funds for the purchase of the land. This is a critical first step in accomplishing the mission at hand.

While there is still much to be done in order for this project to be a success, I am optimistic that we will be able to overcome the obstacles and provide the veterans of the Rocky Mountain region with the hospital they deserve.

Mr. Chairman, again, I want to thank Chairman WALSH for his commitment to our Nation's veterans, and more specifically to the health care needs of Colorado's veterans. Without question, this project could not move forward without his assistance.

Mr. EDWARDS. Mr. Chairman, I yield back the balance of my time.

Mr. WALSH. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 5385

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, namely:

#### TITLE I

#### DEPARTMENT OF DEFENSE MILITARY CONSTRUCTION, ARMY (INCLUDING RESCISSION OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$1,756,298,000, to remain available until September 30, 2011: *Provided*, That of this amount, not to exceed \$220,830,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That of the funds appropriated for “Military Construction, Army” under Public Law 109-114, \$43,348,000 are hereby rescinded.

#### MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

#### (INCLUDING RESCISSIONS OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$1,193,834,000, to remain available until September 30, 2011: *Provided*, That of this amount, not to exceed \$72,857,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That of the funds appropriated for “Military Construction, Navy and Marine Corps” under Public Law 108-132, \$30,000,000 are hereby rescinded: *Provided further*, That of the funds appropriated for “Military Construction, Navy and Marine Corps” under Public Law 108-324, \$8,000,000 are hereby rescinded.

#### MILITARY CONSTRUCTION, AIR FORCE

#### (INCLUDING RESCISSION OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$1,187,550,000, to remain available until September 30, 2011: *Provided*, That of this amount, not to exceed \$97,504,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That of the funds appropriated for “Military Construction, Air Force” under Public Law 108-324, \$2,694,000 are hereby rescinded.

Mr. WALSH (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 11, line 11 be considered as read, printed in the RECORD, and open to amendment at any point.



The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The text of the bill through page 11, line 11, is as follows:

MILITARY CONSTRUCTION, DEFENSE-WIDE  
(INCLUDING TRANSFER AND RESCISSIONS OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$1,107,606,000, to remain available until September 30, 2011: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further*, That of the amount appropriated, not to exceed \$172,950,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That of the funds appropriated for "Military Construction, Defense-Wide" under Public Law 108-132, \$9,000,000 are hereby rescinded: *Provided further*, That of the funds appropriated for "Military Construction, Defense-Wide" under Public Law 108-324, \$43,000,000 are hereby rescinded: *Provided further*, That of the funds appropriated for "Military Construction, Defense-Wide" under Public Law 109-114, \$58,229,000 are hereby rescinded.

MILITARY CONSTRUCTION, ARMY NATIONAL  
GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$512,873,000, to remain available until September 30, 2011.

MILITARY CONSTRUCTION, AIR NATIONAL  
GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$207,088,000, to remain available until September 30, 2011.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$167,774,000, to remain available until September 30, 2011.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$55,158,000, to remain available until September 30, 2011.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$56,836,000, to remain available until September 30, 2011.

NORTH ATLANTIC TREATY ORGANIZATION  
SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, \$200,985,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$578,791,000, to remain available until September 30, 2011.

FAMILY HOUSING OPERATION AND  
MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$674,657,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND  
MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$308,956,000, to remain available until September 30, 2011.

FAMILY HOUSING OPERATION AND  
MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$509,126,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE  
(INCLUDING RESCISSIONS OF FUNDS)

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$1,169,138,000, to remain available until September 30, 2011: *Provided*, That of the funds appropriated for "Family Housing Construction, Air Force" under Public Law 108-324, \$23,400,000 are hereby rescinded: *Provided further*, That of the funds appropriated for "Family Housing Construction, Air Force" under Public Law 109-114, \$42,800,000 are hereby rescinded.

FAMILY HOUSING OPERATION AND  
MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$755,071,000.

FAMILY HOUSING CONSTRUCTION, DEFENSE-  
WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for construction, including acquisi-

tion, replacement, addition, expansion, extension, and alteration, as authorized by law, \$8,808,000, to remain available until September 30, 2011.

FAMILY HOUSING OPERATION AND  
MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$48,506,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING  
IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, \$2,500,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

CHEMICAL DEMILITARIZATION CONSTRUCTION,  
DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, \$90,993,000, to remain available until September 30, 2011: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation to which transferred.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

DEPARTMENT OF DEFENSE BASE CLOSURE  
ACCOUNT 1990

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$216,220,000, to remain available until expended.

AMENDMENT OFFERED BY MR. BLUMENAUER

Mr. BLUMENAUER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

AMENDMENT OFFERED BY MR. BLUMENAUER:

Under the heading "DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990", insert after the dollar amount (page 11, line 17) the following: "(increased by \$27,500,000)".

Under the heading "DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005", insert after the dollar amount (page 11, line 24) the following: "(reduced by \$440,000,000)".

Under the heading "ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES", insert after the dollar amount (page 18, line 14) the following: "(increased by 50,000,000)".

Mr. BLUMENAUER. Mr. Chairman, I had the Clerk go ahead to read the numbers, because I think that we want to get one point clear from the outset. It looks like there is a big cut of \$440 million in order to be able to spend \$77,500,000. The point is, it is the same number.

There is a vast increase in the amount of money that has been set aside, a \$3.6 billion increase, for the

2005 base closure account. But we are not going to spend that money. The payout rate is only 5 percent. That is why you have to reduce it, under our arcane budget rules, by over \$400 million to get \$77 million back. The point is the tax dollars are exactly the same; and, additionally, the point, is where are we going to spend it?

I appreciate the opportunity to offer this amendment with my colleague Ms. GINNY BROWN-WAITE from Florida because we are trying to focus on the serious problem of the toxic legacy of military operations in this country. I have a map behind me where we have identified 3,398 sites around the country already. There are more that we are discovering.

The particular area we want to focus on today is that we are not spending adequate resources to deal with the bases that have already been closed. We have 140,000 acres that cannot be transferred because they haven't been adequately cleaned up from the previous BRAC closings. And this isn't just a case of, well, don't worry about it, put up some barbed wire and it will go away. These are problems that continue over time.

Unexploded ordnance has killed dozens of people. I have interesting little materials here. These are promotional materials that the Department of Defense gives to our soldiers to try and recognize it. This is a problem that threatens the health and well-being of our men and women in service right now on our bases.

One of my favorites is Larry the Lizard. This is being distributed in Southern California, coloring books, to tell children not to pick these things up. Now, if it is your son, your niece, your granddaughter, your little brother, maybe you feel better that there is a Larry the Lizard coloring book. But wouldn't you feel better if we stepped up and met our obligation and actually picked up those bombs, those unexploded munitions? I think you would. I know I would.

I think it is time that Congress no longer be missing in action on the issue of military cleanup. We don't know at this point whether there are 10 million acres or 40 million acres with unexploded ordnance.

Now, I appreciate, and I have expressed my admiration for this subcommittee's sinking their teeth into it and trying to do something, like my colleague, Mr. FARR, for his tireless championing of this cause. But this amendment today, this little amendment, shifting the same amount of money that will be spent from the most recent round of base closures with \$5.3 billion to increase the small amount of money that has been allocated to deal with prior facilities is a step in the right direction.

It would be a tragedy if we are going to continue to stretch this out over time. Our first obligation ought to be to those people who have suffered this experience before. Mather Air Force

Base in California isn't slated to be cleaned up until 2072 under the current rate of expenditure. They were closed in the first round. That is unconscionable.

At the rate we are going, it is a 200- to 300-year problem, and every delay means that we do not return the land to productive use. It means that people's lives are in jeopardy. We are coming up to fire season, and we are probably going to have to pull firefighters out of some of the forests where there had been training and there is a danger of the bombs exploding.

We are spending enough money on national defense that we can prioritize dealing with this toxic legacy that will make families safer at home and people around the world. Because, bear in mind, the sooner we develop this technology and refine the techniques, not only will it help us clean up here at home, that technology will be available to make our soldiers safe overseas as well.

Mr. WALSH. Mr. Chairman, I rise in opposition to the gentleman's amendment.

Mr. Chairman, while I certainly understand the intent of the gentleman's amendment and the sincerity with which he brings it, we can't accept this offset.

I understand the problem, and the subcommittee has included an increase of \$40 million for formerly used defense sites in the 1990 BRAC Round.

□ 1145

Additionally, we have included report language directing the Department of Defense to place a larger emphasis on these sites in future budgets. It is a problem. Clearly, it is a problem. Mr. FARR, Mr. BLUMENAUER, to their credit, have raised this issue. We are all concerned about it and we are moving on it. But, this is a bad way to go about it, and here is the reason. The gentleman's amendment would cut funds for the implementation of new BRAC rounds by \$440 million to get \$77 million. And the problem is the rate at which these funds are outlaid. Clearly, if we took the \$440 million out of the 2005 BRAC, that would further delay implementation of the BRAC, which would lead to problems just like this in the out years. If we use the \$440 million, it gets us \$77 million for these FUD sites, but it leaves \$363 million on the table that cannot, will not, won't be used by the Department.

Mr. BLUMENAUER. Will the gentleman yield?

Mr. WALSH. I would be happy to yield.

Mr. BLUMENAUER. I want to understand this because I think it is very important. My understanding is the reason the offset of \$440 million is required is because they are not going to spend more than \$77 million this next year; is that correct?

Mr. WALSH. Reclaiming my time. While the funds may not be spent this year, they will be spent. They are need-

ed to implement this BRAC round. We learned from the last BRAC round that if we delay the initial investment, it costs far more in the long run to implement these BRACs.

I remind the gentleman again that he voted against the measure that would have delayed the implementation of the 2005 BRAC round, which is exactly what this amendment would do. Additionally, any delay in implementing BRAC reduces the savings and the efficiency of the BRAC that it is designated to promote. It may also cause the same types of environmental restoration problems at these current BRAC sites that we are experiencing from these past BRAC rounds. For that reason I oppose the gentleman's amendment.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I certainly support this amendment. As the map showed, there are so many areas in this country where we have very, very dangerous sites. And let me tell you what the Army Corps of Engineers is doing about it. It not only is distributing coloring books, but it is also distributing, and it has U.S. Army Corps of Engineers on here, they also are distributing Frisbees telling kids to recognize, retreat and report when they see these live ordnances. I don't think this is the way that we should treat our young people, our neighbors who may live near these sites.

In my district there was the Brooksville Gunnery Range, and it was used during World War II for military practice. Since the Range's closure in 1946, thousands of my constituents have moved into the area and/or on adjacent lands that have not yet been surveyed. Unfortunately, inspections have found rockets, mortars and grenades, putting my constituents at substantial risk.

As a matter of fact, in one location there was a live ordnance found underneath a child's trampoline. Let me repeat that. There was a live ordnance found underneath a child's trampoline.

While the Army Corps of Engineers has been working to remove unexploded ordnances from Brooksville Gunnery Range, they must do more. We have to expand the area of exploration to make sure that we find and detonate all of the ordnances.

Now Brooksville is just one of these sites within my district and one of the sites in the United States. Jurisdiction over cleanup at these sites falls under these two major accounts which were mentioned here today, one, the formerly used defense sites account, and the BRAC 1990 account. So we are postponing and not adequately funding the cleanup, but we are working on 1990 sites. 1946 this range was closed.

The committee certainly has been working with us, and they understand that this is a large nationwide issue and urges the Department of Defense to increase funding in future years.

How much longer do we have to wait? It has been 60 years since this particular site was closed.

Fifty million dollars will go toward Formerly Used Defense Sites account, and \$27.5 million will go to the BRAC 1990 account.

In far too many cases, yesterday's military base is today's housing development. The last thing anyone wants to hear is that someone's child was seriously injured or killed while playing in his or her backyard, or as children often do, wandering through fields.

I don't think a Frisbee is the answer. I think that being responsive and actually making sure that we have adequate funds to clean up those sites is the necessary way to go.

Mr. Chairman, I yield to the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chairman, I want to just make one point, apropos the distinguished Chair of the subcommittee.

The \$5.3 billion that he is talking about, which will not be spent rapidly, is for all of base realignment and closure activity. That is for reconstruction, that is for building, that is for a whole range of things. It is not just the critical cleanup of the explosives. It is not where there is the critical danger.

So there is a whole range of things in there that I think any objective person on this floor would say is much less of a priority to save lives than what the gentlewoman from Florida pointed out. Our amendment focuses on putting the money where it is going to do the most—the clean up that is essential, that has been delayed and delayed and delayed.

I understand the Chair's concern that we don't want to delay the 2005 BRAC. Bear in mind, the amendment that we are offering deals with the people long before that, who have been waiting and waiting and waiting. I would suggest there is no fiscal impact that is going to hurt over the long haul. The financial incentives that he references will be available if we have the economy of scale for the ones that are more dangerous and are more delayed.

Mr. FARR. Mr. Chairman, I move to strike the requisite number of words.

I rise in support of the Blumenauer amendment. But before I do that, I want to really compliment Chairman WALSH. He did everything possible, with the bad figure he was given, to work out this account and to put some more money into it. But I think that the problem is so severe that we need this time to discuss it.

In essence, what Mr. BLUMENAUER has showed you with his map is that there are about 10 of these sites in every congressional district in the United States. It just averages out to that.

And what are they? Well, they are called UXOs, unexploded ordnances. Those are very serious things. Ordnances were developed to harm people, seriously harm people.

They are also called Former Used Defense sites. And those could just be

toxic wastes or other things. It is where the defense, back in the early wars and on the coastal areas, particularly Pacific coast, you had lookout areas and stuff like that. And there is a bunch of stuff in the ground, and that has to be cleaned up.

And then you also have military munitions response, MMR sites across this country.

Mr. BLUMENAUER is a true leader in being able to point out that this is sort of a huge Superfund, a Love Canal that might be in every congressional district. And I know it is just a matter of time before local newspapers who are starting to look at these maps and wondering where these things exist, and we in Congress are going to be hit right between the eyes and saying why didn't you do something about it if you knew it existed? And we know it has existed because it is a fact.

The geography is there. The sites are there. They have been on a list for a long time. And they cause problems. And of the ones that they are talking about, UXOs are the most serious problems of all. I know, in my own district, people have lost limbs from picking up boxes that they didn't know were explosive. Young kids, that they didn't know that there was an explosive device in it and dropped the box and blew off their arms and legs. So not enough attention is being paid to sort out these messes left behind by the services.

In fact, in our hearing, I am a member of the committee, in our hearing on April 5, the Assistant Secretary of the Army, Keith Easton, testified that it would take approximately \$350 million just to clean up the former military base, Fort Ord in California, a base in my district, which was closed in 1991. Yet, the Army has only requested \$45 million for clean up activities covered by the 1990 BRAC account, of which \$6.6 million would be allocated for Fort Ord. That means \$6.6 million out of what is needed is \$350 million. We are going to have to adjust some monies around here. And the priority in his amendment is let's do what we know has been caused by former base closures before we try to clean up all of the new ones, those that just closed this year.

So clearly, there is a disconnect between what our cleanup obligations are, and what are services budget has been made. And this cannot continue.

So I applaud Mr. BLUMENAUER in bringing this amendment. Nonetheless, billions of cleanup obligations are still pending and must be addressed. So if we don't deal with it today and don't get it adopted, we are going to be back here next year, and a lot of the Members in this House are going to understand that these sites are in their district and they are going to want to support this amendment. So I say this is either going to be done now or it can be later, but we have got to get to it.

I applaud Mr. WALSH for the effort he has made in trying to beef up the account, but I don't think it is enough.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

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

Mr. BLUMENAUER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon will be postponed. The Clerk will read.

The Clerk read as follows:

DEPARTMENT OF DEFENSE BASE CLOSURE  
ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$5,309,876,000, to remain available until expended.

AMENDMENT OFFERED BY MS. DELAURO

Ms. DELAURO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. DELAURO:

Page 11, line 24, insert after the dollar amount the following: "(reduced by \$10,000,000)".

Page 19, line 8, insert after the dollar amount the following: "(increased by \$5,000,000)".

Ms. DELAURO (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

Mr. WALSH. Mr. Chairman, I reserve a point of order against the gentlewoman's amendment.

The CHAIRMAN. The point of order is reserved.

Ms. DELAURO. Mr. Chairman, after discussing this amendment with the chairman and the ranking member of the subcommittee, I intend to withdraw the amendment. So I will not seek a vote. And I thank my colleagues for giving me a few minutes to discuss a very important issue.

I believe that the issue of mental health services for our troops deploying or returning from combat is one that demands the attention of this body, if only for a few minutes today. And I know my colleague, Congresswoman BARBARA LEE, addressed this issue as well.

My amendment would increase funding for the Defense Health Program by \$10 million to establish a pilot program to provide in-person mental health assessments to servicemen when they deploy or return from combat. The offset is a reduction of \$10 million in the 1990 BRAC account.

Mr. Chairman, this amendment is about ensuring that we do a better job for those men and women in our military in need of mental health services. Currently, upon the return from combat, our troops are given only a paper questionnaire with just seven questions about their mental health, and that is

supposed to be enough to determine their mental health status. This is hardly sufficient for people who, for 12 or 18 months, have been constantly subjected to insurgent violence or the threat of insurgents attacks, or witnesses to horrific devastation and loss of life and, in many cases, will have to go back for a second or third tour.

According to both veterans and mental health experts, this screening process leads to an under reporting of mental health problems. As the Surgeon General Kevin Kiley put it recently, and I quote, "There's only so much we can do for large numbers of troops, and it is not like we wouldn't want to do more."

That is what is so important is to be able to give the Defense Department the needed resources to do right by our troops. As General Kiley says, do more than a seven question paper questionnaire.

With the number of Army suicides on the rise, the Army suicide rate last year was nearly 13 per 100,000 soldiers, the highest since 1999.

□ 1200

We are simply are not reaching all those men and women in uniform who need our help. In fact, the GAO recently reported that only 22 percent of the servicemembers who might have been at risk for suffering PTSD were ever referred for further mental health evaluation. The report also found that "DOD cannot provide reasonable assurance that OEF and OIF servicemembers who need referrals receive them."

Given that, we should allow the Defense Department to test whether an in-person screening will make the screening process more effective and improve the likelihood of their receiving a referral to receive the mental health services they need.

Recently, the Hartford Courant ran a series of mental health concerns facing our troops today, and I have distributed the series to every single office today. I strongly urge my colleagues to take the time to read it. The stories are poignant as well as tragic. It includes serious allegations that the Defense Department has deployed troops who are mentally unprepared for combat and that all too often antidepressant medication is the only form of treatment that fragile servicemembers can get while they are on the front lines.

We must take the time to assess the emotional well-being of our troops. Would we send a young man or woman into combat if they have suffered severe physical wounds? We would not. By the same token, we should not send them to fight if they are suffering severe emotional wounds. The Defense Department has made great strides in the past 30 years in testing and understanding PTSD and other forms of combat stress. We need to do more. I hope someday this body will get the opportunity to provide the Pentagon with the adequate resources to continue to improve its mental health awareness.

I thank Chairman WALSH and I thank Mr. EDWARDS for their willingness to let me speak on this amendment. They are among the strongest supporters of our military that we have in this Congress. I know they share the concerns, the concerns of so many in this body about this issue. I look forward to continuing my work with them on this important issue.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

**BASIC ALLOWANCE FOR HOUSING, ARMY**

For basic allowance for housing, for members of the Army on active duty, \$3,687,905,000.

Mr. WALSH (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 19, line 3 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The text of the bill through page 19, line 3, is as follows:

**BASIC ALLOWANCE FOR HOUSING, NAVY**

For basic allowance for housing, for members of the Navy on active duty, \$4,135,061,000.

**BASIC ALLOWANCE FOR HOUSING, MARINE CORPS**

For basic allowance for housing, for members of the Marine Corps on active duty, \$1,350,921,000.

**BASIC ALLOWANCE FOR HOUSING, AIR FORCE**

For basic allowance for housing, for members of the Air Force on active duty, \$2,934,327,000.

**BASIC ALLOWANCE FOR HOUSING, ARMY NATIONAL GUARD**

For basic allowance for housing, for members of the Army National Guard on active duty, \$469,109,000.

**BASIC ALLOWANCE FOR HOUSING, AIR NATIONAL GUARD**

For basic allowance for housing, for members of the Air National Guard on active duty, \$277,533,000.

**BASIC ALLOWANCE FOR HOUSING, ARMY RESERVE**

For basic allowance for housing, for members of the Army Reserve on active duty, \$347,607,000.

**BASIC ALLOWANCE FOR HOUSING, NAVY RESERVE**

For basic allowance for housing, for members of the Naval Reserve on active duty, \$208,838,000.

**BASIC ALLOWANCE FOR HOUSING, MARINE CORPS RESERVE**

For basic allowance for housing, for members of the Marine Corps Reserve on active duty, \$43,082,000.

**BASIC ALLOWANCE FOR HOUSING, AIR FORCE RESERVE**

For basic allowance for housing, for members of the Air Force Reserve on active duty, \$76,218,000.

**FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, ARMY**

For expenses for facilities sustainment, restoration and modernization of the Army, \$1,810,774,000.

**FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, NAVY**

For expenses for facilities sustainment, restoration and modernization of the Navy, \$1,201,313,000.

**FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, MARINE CORPS**

For expenses for facilities sustainment, restoration and modernization of the Marine Corps, \$473,141,000.

**FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, AIR FORCE**

For expenses for facilities sustainment, restoration and modernization of the Air Force, \$1,684,019,000.

**FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, DEFENSE-WIDE**

For expenses for facilities sustainment, restoration and modernization of the Department of Defense, \$86,386,000.

**FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, ARMY NATIONAL GUARD**

For expenses for facilities sustainment, restoration and modernization of the Army National Guard, \$387,882,000.

**FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, AIR NATIONAL GUARD**

For expenses for facilities sustainment, restoration and modernization of the Air National Guard, \$255,322,000.

**FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, ARMY RESERVE**

For expenses for facilities sustainment, restoration and modernization of the Army Reserve, \$215,890,000.

**FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, NAVY RESERVE**

For expenses for facilities sustainment, restoration and modernization of the Navy Reserve, \$52,136,000.

**FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, MARINE CORPS RESERVE**

For expenses for facilities sustainment, restoration and modernization of the Marine Corps Reserve, \$9,579,000.

**FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, AIR FORCE RESERVE**

For expenses for facilities sustainment, restoration and modernization of the Air Force Reserve, \$59,849,000.

**THE DEPARTMENT OF DEFENSE ENVIRONMENTAL RESTORATION ACCOUNTS ENVIRONMENTAL RESTORATION, ARMY (INCLUDING TRANSFER OF FUNDS)**

For the Department of the Army, \$413,794,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

**ENVIRONMENTAL RESTORATION, NAVY (INCLUDING TRANSFER OF FUNDS)**

For the Department of the Navy, \$304,409,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings

and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, AIR FORCE  
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, \$423,871,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE  
(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, \$18,431,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, FORMERLY  
USED DEFENSE SITES  
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$257,790,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

The CHAIRMAN. The Clerk will read.  
The Clerk read as follows:

DEFENSE HEALTH PROGRAM  
(INCLUDING RESCISSION OF FUNDS)

For expenses, not otherwise provided for, for medical and health care programs of the

Department of Defense, as authorized by law, \$21,065,163,000, of which \$20,218,205,000 shall be for operation and maintenance, of which not to exceed one percent shall remain available until September 30, 2008, and of which up to \$10,638,784,000 may be available for contracts entered into under the TRICARE program; of which \$402,855,000, to remain available for obligation until September 30, 2009, shall be for procurement; and of which \$444,103,000, to remain available for obligation until September 30, 2008, shall be for research, development, test and evaluation: *Provided*, That notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than \$7,000,000 shall be available for HIV prevention educational activities undertaken in connection with U.S. military training, exercises, and humanitarian assistance activities conducted primarily in African nations: *Provided further*, That of the funds provided for "Defense Health Program", operations and maintenance under title VI of Public Law 109-148, \$40,042,000 are hereby rescinded.

AMENDMENT OFFERED BY MR. EDWARDS

MR. EDWARDS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. Is there objection to considering the amendment at this point in the reading?

Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. EDWARDS:  
Page 19, line 8, strike "\$21,065,163,000" and insert "\$21,800,163,000".

Page 19, line 9, strike "\$20,218,205,000" and insert "\$20,953,205,000".

At the end of title I (page 35, after line 2), insert the following new section:

SEC. 136. In the case of taxpayers with income in excess of \$1,000,000, for the calendar year beginning in 2007, the amount of tax reduction resulting from the enactment of Public Laws 107-16, 108-27, and 108-311 shall be reduced by 1.78 percent.

MR. EDWARDS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

MR. WALSH. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. A point of order is reserved.

The gentleman is recognized for 5 minutes.

MR. EDWARDS. Mr. Chairman, I am not going to take up 5 minutes because we had a discussion of this, but I would like to remind all Members what this is about.

Because of what I think was a budget resolution passed on a partisan basis earlier this week, our subcommittee's allocation was \$824 million less than President Bush said we needed to pay for VA health care, military construction, and defense health care. As a consequence of our rejecting on a bipartisan basis the administration's gimmick to try to find funding for defense health care, because we rejected the idea of having a 200 percent increase in TRICARE premiums for men and

women who served our country for 20 and 30 years, we ended up with \$735 million less for defense health care spending than President Bush, the administration, said we need.

My amendment would put back that \$735 million and would pay for it by asking those Americans during a time of war who made over \$1 million a year to accept a \$112,000 tax cut on average rather than a \$114,000 tax cut. I think that is a fair request given Americans' principle of shared sacrifice during time of war. Let us ask those making over \$1 million a year to give up less than 2 percent of their tax cuts in order to fund defense health care during a time of war at the level the President said was needed.

POINT OF ORDER

MR. WALSH. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law." The amendment changes the application of existing law.

I ask for a ruling from the Chair.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

If not, the Chair will rule.

The amendment proposes to prescribe a rule of law regarding the Federal income tax. As such, it constitutes legislation in violation of clause 2(c) of rule XXI.

The point of order is sustained. The amendment is not in order.

The Clerk will read.

The Clerk read as follows:

ADMINISTRATIVE PROVISIONS  
(INCLUDING TRANSFER OF FUNDS)

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

MR. WALSH. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 39, line 8 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The text of the bill through page 39, line 8, is as follows:

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than \$25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: *Provided further*, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense is to inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 114. Not more than 20 percent of the funds made available in this title which are

limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year.

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

SEC. 118. The Secretary of Defense is to provide the Committees on Appropriations of both Houses of Congress with an annual report by February 15, containing details of the specific actions proposed to be taken by the Department of Defense during the current fiscal year to encourage other member nations of the North Atlantic Treaty Organization, Japan, Korea, and United States allies bordering the Arabian Sea to assume a greater share of the common defense burden of such nations and the United States.

SEC. 119. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

SEC. 120. Subject to 30 days prior notification to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: *Provided*, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, mili-

tary unaccompanied housing, and supporting facilities.

SEC. 121. None of the funds made available in this title may be obligated for Partnership for Peace Programs in the New Independent States of the former Soviet Union.

SEC. 122. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the Committees on Appropriations of both Houses of Congress the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

SEC. 123. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program. Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 124. Notwithstanding this or any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: *Provided*, That not more than \$35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: *Provided further*, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year: *Provided further*, That nothing in this section precludes the Secretary of a military department, after notifying the congressional defense committees and waiting 21 days, from using funds derived under section 2601, chapter 403, chapter 603, or chapter 903 of title 10, United States Code, for the maintenance or repair of general and flag officer quarters at the military service academy under the jurisdiction of that Secretary: *Provided further*, That each Secretary of a military department shall provide an annual report by February 15 to the congressional defense committees on the amount of funds that were derived under section 2601, chapter 403, chapter 603, or chapter

903 of title 10, United States Code, in the previous year and were obligated for the construction, improvement, repair, or maintenance of any military facility or infrastructure.

SEC. 125. None of the funds made available in this title under the heading "North Atlantic Treaty Organization Security Investment Program", and no funds appropriated for any fiscal year before fiscal year 2007 for that program that remain available for obligation, may be obligated or expended for the conduct of studies of missile defense.

SEC. 126. Whenever the Secretary of Defense or any other official of the Department of Defense is requested by the subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives or the subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate to respond to a question or inquiry submitted by the chairman or another member of that subcommittee pursuant to a subcommittee hearing or other activity, the Secretary (or other official) shall respond to the request, in writing, within 21 days of the date on which the request is transmitted to the Secretary (or other official).

SEC. 127. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

SEC. 128. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under 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), unless such a project at a military installation approved for realignment will support a continuing mission or function at that installation or a new mission or function that is planned for that installation, or unless the Secretary of Defense certifies that the cost to the United States of carrying out such project would be less than the cost to the United States of cancelling such project, or if the project is at an active component base that shall be established as an enclave or in the case of projects having multi-agency use, that another Government agency has indicated it will assume ownership of the completed project. The Secretary of Defense may not transfer funds made available as a result of this limitation from any military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress. This section shall not apply to military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality: *Provided*, That the Secretary of Defense shall notify the congressional defense committees within seven days of a decision to carry out such a military construction project.

SEC. 129. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and main-

tenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense," to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 130. None of the funds appropriated in this title available for the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) or TRICARE shall be available for the reimbursement of any health care provider for inpatient mental health service for care received when a patient is referred to a provider of inpatient mental health care or residential treatment care by a medical or health care professional having an economic interest in the facility to which the patient is referred: *Provided*, That this limitation does not apply in the case of inpatient mental health services provided under the program for persons with disabilities under subsection (d) of section 1079 of title 10, United States Code, provided as partial hospital care, or provided pursuant to a waiver authorized by the Secretary of Defense because of medical or psychological circumstances of the patient that are confirmed by a health professional who is not a Federal employee after a review, pursuant to rules prescribed by the Secretary, which takes into account the appropriate level of care for the patient, the intensity of services required by the patient, and the availability of that care.

SEC. 131. (a) The Secretary of Defense, in coordination with the Secretary of Health and Human Services, may carry out a program to distribute surplus dental and medical equipment of the Department of Defense, at no cost to the Department of Defense, to Indian Health Service facilities and to federally-qualified health centers (within the meaning of section 1905(1)(2)(B) of the Social Security Act (42 U.S.C. 1396d(1)(2)(B))).

(b) In carrying out this provision, the Secretary of Defense shall give the Indian Health Service a property disposal priority equal to the priority given to the Department of Defense and its twelve special screening programs in distribution of surplus dental and medical supplies and equipment.

SEC. 132. Notwithstanding any other provision of law or regulation, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

SEC. 133. Notwithstanding any other provision of law, that not more than 35 percent of funds provided in this title for environmental remediation may be obligated under indefinite delivery/indefinite quantity contracts with a total contract value of \$130,000,000 or higher.

SEC. 134. Notwithstanding any other provision of law, funds available to the Department of Defense in this title shall be made available to provide transportation of medical supplies and equipment, on a non-reimbursable basis, to American Samoa, and funds available to the Department of Defense in this title shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to the Indian Health Service when it is in conjunction with a civil-military project.

SEC. 135. (1) Notwithstanding any other provision of law or regulation, the Secretary of Defense may exercise the provisions of

section 7403(g) of title 38, United States Code, for occupations listed in section 7403(a)(2) of title 38, United States Code, as well as the following:

Pharmacists, Audiologists, and Dental Hygienists.

(2) The requirements of section 7403(g)(1)(A) of title 38, United States Code, shall apply.

(3) The limitations of section 7403(g)(1)(B) of title 38, United States Code, shall not apply.

#### TITLE II

#### DEPARTMENT OF VETERANS AFFAIRS

##### VETERANS BENEFITS ADMINISTRATION

##### COMPENSATION AND PENSIONS

##### (INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by law (38 U.S.C. 107, chapters 11, 13, 18, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 540 et seq.) and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198), \$38,007,095,000, to remain available until expended: *Provided*, That not to exceed \$28,112,000 of the amount appropriated under this heading shall be reimbursed to "General operating expenses" and "Medical administration" for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the "Compensation and pensions" appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical care collections fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

##### READJUSTMENT BENEFITS

##### (INCLUDING TRANSFER OF FUNDS)

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61), \$3,262,006,000, to remain available until expended: *Provided*, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under section 3104(a) of title 38, United States Code, other than under subsection (a)(1), (2), (5), and (11) of that section, shall be charged to this account.

##### VETERANS INSURANCE AND INDEMNITIES

##### (INCLUDING TRANSFER OF FUNDS)

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by title 38, United States Code, chapter 19; 70 Stat. 887; 72 Stat. 487, \$49,850,000, to remain available until expended.

##### VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

##### (INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the

Congressional Budget Act of 1974: *Provided further*, That during fiscal year 2007, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$153,185,000, which may be transferred to and merged with the appropriation for "General operating expenses".

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, \$67,000, as authorized by chapter 31 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$3,369,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$305,000, which may be transferred to and merged with the appropriation for "General operating expenses".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$615,000, which may be transferred to and merged with the appropriation for "General operating expenses": *Provided*, That no new loans in excess of \$30,000,000 may be made in fiscal year 2007.

GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT

For the administrative expenses to carry out the guaranteed transitional housing loan program authorized by subchapter VI of chapter 37 of title 38, United States Code, not to exceed \$750,000 of the amounts appropriated by this Act for "General operating expenses" and "Medical administration" may be expended.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

VETERANS HEALTH ADMINISTRATION MEDICAL SERVICES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment and salaries and expenses of health-care employees hired under title 38, United States Code, and aid to State homes as authorized by section 1741 of title 38, United States Code; \$25,412,000,000, plus reimbursements, of which not less than \$2,800,000,000 shall be expended for specialty mental health care: *Provided*, That of the funds made available under this heading, not to exceed \$1,100,000,000 shall be available until September 30, 2008: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for treatment for veterans who are service-connected disabled, lower income, or have special needs: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1

through 6: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: *Provided further*, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs.

AMENDMENT OFFERED BY MR. FARR

Mr. FARR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FARR:

Page 39, line 22, strike "\$25,412,000,000" and insert "\$26,875,000,000".

Page 41, line 1, strike "\$3,277,000,000" and insert "\$3,390,000,000".

Page 42, line 2, strike "\$412,000,000" and insert "\$460,000,000".

Page 42, line 14, strike "\$1,480,764,000" and insert "\$1,553,764,000".

Page 44, line 21, strike "\$69,499,000" and insert "\$77,499,000".

Page 45, line 13, strike "\$283,670,000" and insert "\$399,000,000".

At the end of title II (page 56, after line 8), insert the following new section:

SEC. 223. In the case of taxpayers with income in excess of \$1,000,000, for the calendar year beginning in 2007, the amount of tax reduction resulting from the enactment of Public Laws 107-16, 108-27, and 108-311 shall be reduced by 4.4 percent.

Mr. FARR (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WALSH. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. A point of order is reserved.

Mr. FARR. Mr. Chairman, this amendment provides \$1.82 billion for veterans, particularly in the health care field. It is in 10 separate areas: mental health and prosthesis, patient workload backlog, research for prosthesis, nursing home beds for long-term care, priority 8 veterans health care for those veterans who earn as little as \$27,000 a year, improving the VA casework backlog that currently takes more than 6 months, money for VA hospital construction, medical administration, the VA IG's office, and unproven efficiencies.

Now, why should you be supporting this amendment? Well, Mr. Chairman, next week we will all be going home for Memorial Day recess. And on Memorial Day, we will all, as Members of Congress, get up and tell our veterans all the things we are doing for them. You ought to tell them about this amendment because this amendment does what veterans have asked us to do.

The figures that I have proposed here are the independent budget recommendations for mental health, prosthesis, medical and prosthetic research accounts, and staffing levels to improve timely care. The independent

budget was brought to the committee, and I want to applaud the chairman for allowing four veterans organizations to bring this, including AMVETS, Disabled American Veterans, Paralyzed Veterans of America, and Veterans of Foreign Wars. They provided our committee with a budget of what they thought needed to be done. And their budget estimates, according to the committee, were more on mark than the administration's figures last year.

So when you go home to the vets next week, you have a chance to tell them you supported the Farr amendment to add \$300 million for mental health and \$300 million for prosthetics. You can tell them that you have voted to add \$119 million for additional staffing for increased patient workload. You can tell them that you voted for \$48 million to pay for inflation in the medical and prosthesis research account.

This amendment is also because the adequate funding for vets has not been made by this bill. So we are helping this bill by adding also for the veterans nursing home beds. The current law requires that we provide 13,391 beds. We only have enough money for 11,100 beds. That is almost 3,000 beds below the level authorized in 1998. So we add \$471 million for nursing home care to bring nursing home beds back into compliance with the law.

This amendment would also allow 214,000 priority 8 veterans. Who are priority 8 veterans? Those are veterans who make as little as \$27,000 a year. You could claim poverty for the earned income tax credit at that salary, and all we are saying is we are going to make them eligible for the VA health care.

Every Member in this body should support this amendment because every Member has veterans who have been shut out of the VA's health system.

This amendment also pays for the backlog. It adds \$73 million to provide increased funding for general operations expenses to help reduce the claims in processing. Every Member has district offices that are working on veterans' cases, 74,000 vets who are waiting more than 6 months to have their claims processed and much longer in some cases. As of last week, that number increased by over 21,000 to 95,000 vets who are waiting just for an answer.

This amendment also restores money for three high-priority projects, hospital construction. Three hospital construction projects in Denver, Colorado; Madison, Wisconsin; and Columbia, Missouri, were cut in the base bill to provide allowances for other accounts. Congressman BEAUPREZ of Colorado sent a letter to the Appropriations Committee earlier this month supporting the Colorado project.

Where does this money come from? We do this by an offset. Mr. Chairman, since the Republican leadership enacted the tax cuts in 2001, we have learned from all the reports and all the



papers that the rich have gotten richer. Our progressive tax system is becoming less progressive. Time and again the majority has prioritized the needs of people making more than \$1 million a year ahead of the key investments such as health care for our veterans. As a result, our veterans will continue to wait too long for care. Many will not get the mental health assistance they need. Prosthetic research and services will be underfunded, and so-called "wealthy" lower priority veterans, those making as little as \$27,000 a year, will continue to be denied access.

This is going to be ruled out of order, and I hope the Members will insist that we get this funding.

#### POINT OF ORDER

Mr. WALSH. Mr. Chairman, I make a point against the amendment because it proposes to change existing law and constitutes legislation on an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law." This amendment changes the application of existing law.

I ask for a ruling from the Chair.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

If not, the Chair will rule.

The amendment proposes to prescribe a rule of law regarding the Federal income tax. As such, it constitutes legislation in violation of clause 2(c) of rule XXI.

The point of order is sustained. The amendment is not in order.

Mr. EVERETT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, recently a concern about VA health care policy regarding certain anesthesia providers was brought to my attention. The VA is currently reviewing regulations to allow anesthesiologist assistants, also known as AAs, to provide care at VA medical facilities.

Mr. Chairman, I rise today to encourage the VA to continue to move forward to officially recognize AAs as anesthesia providers at VA medical facilities. AAs are a small but important contingent of mid-level anesthesia providers, who will be a welcome addition to the anesthesia care team at VA hospitals. In fact, the VA approved AAs to serve at VA facilities in February of 2004. It approved them in February of 2004. But because of bureaucrat delays, AAs are not recognized in the Veterans Health Administration's official provider handbook, not allowing them to practice.

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Mr. Chairman, more than 2 years has passed since the decision was made to include AAs as VA anesthesia providers, yet the program is still on hold. If new specific qualification standards for AAs are needed, then the VA should say so and finalize the regulatory proc-

ess. In light of potential provider shortages at veterans medical facilities, veterans deserve to have every qualified caregiver as a resource. Anything else is a disservice to our veterans.

I know the chairman of the subcommittee is aware of this situation, and I look forward to working with him to have to help get the VA off the dime.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

#### MEDICAL ADMINISTRATION

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.); \$3,277,000,000, plus reimbursements, of which \$250,000,000 shall be available until September 30, 2008.

#### MEDICAL FACILITIES

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities and other necessary facilities for the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering and architectural activities not charged to project costs; for repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry and food services, \$3,594,000,000, plus reimbursements, of which \$250,000,000 shall be available until September 30, 2008.

#### MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, to remain available until September 30, 2008, \$412,000,000, plus reimbursements.

Mr. WALSH (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 44, line 22, be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The text of the bill through page 44, line 22, is as follows:

#### DEPARTMENTAL ADMINISTRATION

##### GENERAL OPERATING EXPENSES

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-Wide capital planning, management and policy activities, uniforms or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the

General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail, \$1,480,764,000: *Provided*, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: *Provided further*, That the Veterans Benefits Administration shall be funded at not less than \$1,167,859,000: *Provided further*, That of the funds made available under this heading, not to exceed \$75,000,000 shall be available for obligation until September 30, 2008: *Provided further*, That from the funds made available under this heading, the Veterans Benefits Administration may purchase (one-for-one replacement basis only) up to two passenger motor vehicles for use in operations of that Administration in Manila, Philippines.

#### INFORMATION TECHNOLOGY SYSTEMS

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by chapter 3109 of title 5, United States Code, \$1,302,330,000, plus reimbursements, to remain available until September 30, 2008: *Provided*, That none of these funds may be obligated until the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget; (2) complies with the Department of Veterans Affairs enterprise architecture; (3) conforms with an established enterprise life cycle methodology; and (4) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government: *Provided further*, That within 30 days of enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a reprogramming base letter which provides, by project, the costs included in this appropriation.

#### NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; and hire of passenger motor vehicles, \$160,733,000, of which not to exceed \$8,037,000 shall be available until September 30, 2008.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$69,499,000, to remain available until September 30, 2008.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

#### CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in

sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$283,670,000, to remain available until expended, of which \$2,000,000 shall be to make reimbursements as provided in section 13 of the Contract Disputes Act of 1978 (41 U.S.C. 612) for claims paid for contract disputes: *Provided*, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, such as portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, none of the funds appropriated under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: *Provided further*, That funds provided in this appropriation for fiscal year 2007, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2007; and (2) by the awarding of a construction contract by September 30, 2008: *Provided further*, That the Secretary of Veterans Affairs shall promptly report in writing to the Committees on Appropriations of both Houses of Congress any approved major construction project in which obligations are not incurred within the time limitations established above: *Provided further*, That none of the funds in this or any other Act may be used to reduce the mission, services or infrastructure, including land, of the 18 facilities on the Capital Asset Realignment for Enhanced Services (CARES) list requiring further study as specified by the Secretary of Veterans Affairs without prior approval of the Committees on Appropriations of both Houses of Congress.

AMENDMENT OFFERED BY MS. MOORE OF WISCONSIN

Ms. MOORE of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. MOORE of Wisconsin:

Page 45, line 13, after the dollar amount, insert the following: “(increased by \$32,500,000)”.

Mr. WALSH. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman reserves a point of order.

The gentlewoman from Wisconsin is recognized for 5 minutes.

(Ms. MOORE of Wisconsin asked and was given permission to revise and extend her remarks.)

Ms. MOORE of Wisconsin. Mr. Chairman, earlier this year, the VA made a priority request for \$32.5 million for urgent and necessary upgrades for the spinal cord injury unit at the Zablocki VA Medical Center in Milwaukee. However, the subcommittee mark made a point of zeroing out this project. My amendment would restore the funding for this requested priority.

Mr. Chairman, I can tell you that I am new to this body, so I was very curious as to why they would do this. Clearly the Zablocki spinal cord injury unit is not a “bridge to nowhere.” It is one of only 23 spinal cord injury units in the country, serving more than 500 veterans as in-patients and over 10,000 patients on an outpatient basis each year.

Nationally, there are over 44,000 veterans suffering from spinal cord injuries that are now paraplegic and quadriplegic. At such a critical time when we are at war and the number of injured soldiers continues to increase, I had to ask myself, Mr. Chairman, what are they doing and why are we doing this?

So what I did as a new Member is I went to something called the committee record, I believe, and what they said here is that they did this because this was of “relatively low priority.”

Well, I was really confused then, Mr. Chairman, because I then checked with the budget documentation submitted by the Department of Veterans Affairs and discovered that they had listed this as their number one priority for fiscal year 2007. Further, they went on to describe the spinal cord injury unit at Zablocki as having by far received the highest score under their project scoring session.

Mr. Chairman, I don’t stand under this E. Pluribus Unum boring Members on and on often. I am here because I truly am trying to understand how other projects with lower priority scores were, indeed, funded.

As a matter of fact, Mr. Chairman, I will submit for the RECORD this corroborating evidence that this indeed is a highest priority of the fiscal year 2007 projects.

The Committee recommends an appropriation of \$283,670,000 for Construction, Major Projects for fiscal year 2007. This is a decrease of \$690,930,000 below the fiscal year 2006 enacted level and a decrease of \$115,330,000 below the budget request. When adjusted for supplemental funding, the recommendation is \$323,430,000 below the fiscal year 2006 enacted level.

The Committee recommendation does not include funding for refurbishment of operating rooms at the Columbia, Missouri VAMC, and refurbishment of the Spinal Cord Injury Center at the Milwaukee, Wisconsin VAMC, both of which are relatively low priority projects. The estimate submitted in the budget for the Capital Region Data Center project includes a contingency reserve of over 25 percent, well in excess of needs for such a project. The funding for this project is therefore reduced by \$5,000,000, leaving 12.5 percent for a contingency reserve. The Committee recommendation includes no funding for the replacement hospital in Denver, Colorado. The Committee notes that less than two years ago, when original planning funds were appropriated for the Denver facility, the estimated total cost of the project was \$328,000,000. The current estimate for the project is in the range of \$621,000,000, almost double the previous estimate. This is not the only instance of large cost growth for construction projects of the Department, but this is a project at a stage where work can be halted before significant and irreversible financial damage is done. The Committee is concerned with the rapid escalation in the cost of building new facilities and cautions the Department that few, if any, projects will be approved in the future if such costs are not brought under control.

The Committee recommendation also includes a general provision which places restrictions on the use of funds previously appropriated for a new facility in Biloxi, Mississippi. It is the Committee’s direction that no funds can be expended on a new facility unless it is a joint-use facility shared with Kessler Air Force Base.

The specific amounts recommended by the Committee are as follows:

Location and description	2007 request	Committee recommendation
<b>Veterans Health Administration (VHA):</b>		
American Lake, WA Seismic Correction, NHCUC & Dietetics .....	\$38,220	\$38,220
Columbia, MO, OR Replacement .....	25,830	0
Denver, CO Replacement Medical Center Facility .....	52,000	0
Long Beach, CA Seismic Correction, Bldg. 7 & 126 .....	97,545	97,545
Milwaukee, WI Spinal Cord Injury (SCI) Center .....	32,500	0
St. Louis (JB), MO Medical Facil Improv & Cem Exp .....	7,000	7,000
Advance planning fund: Various locations .....	39,255	39,255
Asbestos abatement: Various locations .....	5,000	5,000
Claims Analyses: Various locations .....	2,000	2,000
Judgment Fund: Various locations .....	2,000	2,000
Hazardous Waste: Various locations .....	2,000	2,000
Facility Security Fund: Various locations .....	4,000	4,000
<b>Total VHA construction, major projects .....</b>	<b>307,350</b>	<b>197,020</b>
<b>National Cemetery Administration (NCA):</b>		
Dallas/Fort Worth, TX Phase 2 Gravesite Expansion .....	13,000	13,000
Gerald B. H. Solomon-Saratoga, NY Phase 2 Gravesite Expansion .....	7,600	7,600
Great Lakes, MI Phase 1B Development .....	16,900	16,900
Design Fund: Various locations .....	2,300	2,300

TABLE 1–3 SUMMARY OF FY 2006 AND 2007 CARES CAPITAL PROJECTS

Table with 5 columns: Rank, Location, Project Title, FY, and Amount. Rows include 2006 and 2007 projects such as Cleveland-Brecksville Consolidation, Pittsburgh, PA, and Denver, CO.

1 This project received \$17.5M in FY2006 appropriations for design and an additional \$292.5M in FY 2006 Emergency Supplemental Appropriations.
2 This project was added as a result of public law 109–148 the FY 2006 Emergency Supplemental Appropriation.

FY 2007 Top-Twenty Major Medical Facility Projects.—In accordance with section 8107 of United States Code 38, below are the top-twenty medical facility projects that were considered for the FY 2007 budget. These projects were selected based on the CARES capital criteria.

TABLE 4–9 FY 2007 VHA TOP-TWENTY MAJOR MEDICAL FACILITY PROJECTS

Table with 8 columns: Rank, VISN, Location, Project Title—Brief Description, Priority score, Estimated cost (000), Annual cost (000), and Category. Includes project details for Pittsburgh, PA, Las Vegas, NV, and various other locations.

1 This project was withdrawn from consideration due the current project underway at Long Beach.
2 This project is considered a top priority by VHA regardless of its priority score.

Mr. Chairman, I don't know what benchmarks are used with these scoring decisions, but truly it could not be based on the priorities of those valiant veterans that so readily serve our country and depend upon us for the treatments that this spinal cord injury unit provides, folks that are faced with irreversible catastrophic disabilities.

I can tell you, Mr. Chairman, that before I became a Member of this body, and indeed before I became a candidate for Congress, I had the opportunity to visit the Zablocki Spinal Cord Unit, and I can tell you that despite the dedication of the workers there, they are working under very, very hard conditions, outdated technology, limited space, it will not compensate for the

deteriorating conditions at that facility.

Those spinal cord injury patients, Mr. Chairman, are on the tenth floor, the tenth floor, and they are lacking any adequate safety evacuation criteria. Certainly they are lacking in any ability to maximize their mobility, functionality and independence.

The Department says this is the highest priority. Veterans have said this is the highest priority. I am at a loss as to why the subcommittee believes it is such a low priority.

Before I yield back, Mr. Chairman, I just want to say that I have listened to countless hours of speeches on this floor about veterans and our love for them and our concern for them. You know, Mr. Chairman, it is time for us to do what we say.

POINT OF ORDER

Mr. WALSH. Mr. Chairman, I make a point of order against the amendment because it is in violation of section 302(f) of the Congressional Budget Act of 1974. The Committee on Appropriations filed a suballocation of budget totals for fiscal year 2007 on May 18, 2006. The adoption of this amendment would cause the subcommittee's allocation for budget authority made under section 302(b) to be exceeded and it is not permitted under section 302(f) of the Act.

I ask for a ruling of the Chair.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Ms. MOORE of Wisconsin. Mr. Chairman, I do, briefly.

The CHAIRMAN. The gentlewoman from Wisconsin is recognized.

Ms. MOORE of Wisconsin. Mr. Chairman, I understand that I will have to concede to the point of order, but I can tell you that I did not perceive that I had to provide an offset for this funding because it was deemed as the highest, the highest, priority.

The CHAIRMAN. The point of order is conceded and sustained. The amendment is not in order.

Mr. WALSH. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 56, line 8, be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The text of the bill through page 56, line 8, is as follows:

#### CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$210,000,000, to remain available until expended, along with unobligated balances of previous "Construction, minor projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section, for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

#### GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify or alter existing hospital, nursing home and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131-8137 of title 38, United States Code, \$105,000,000, to remain available until expended: *Provided*, That not less than \$20,000,000 shall be available only to correct life and patient safety deficiencies and minor modifications at existing facilities.

#### GRANTS FOR CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$32,000,000, to remain available until expended.

#### ADMINISTRATIVE PROVISIONS (INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2007 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" may be transferred as necessary to any other of the mentioned ap-

propriations: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed.

SEC. 202. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code, hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901-5902 of title 5, United States Code.

SEC. 203. No appropriations in this title (except the appropriations for "Construction, major projects", and "Construction, minor projects") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 204. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled under the laws bestowing such benefits to veterans, and persons receiving such treatment under sections 7901-7904 of title 5, United States Code or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of cost is made to the "Medical services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 205. Appropriations available in this title for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2006.

SEC. 206. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable from "Compensation and pensions".

SEC. 207. Notwithstanding any other provision of law, during fiscal year 2007, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund (38 U.S.C. 1920), the Veterans' Special Life Insurance Fund (38 U.S.C. 1923), and the United States Government Life Insurance Fund (38 U.S.C. 1955), reimburse the "General operating expenses" account for the cost of administration of the insurance programs financed through those accounts: *Provided*, That reimbursement shall be made only from the surplus earnings accumulated in an insurance program in fiscal year 2007 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided further*, That if the cost of administration of an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further*, That the Secretary shall determine the cost of administration for fiscal year 2007 which is properly allocable to the provision of each insurance program and to the provision of any total disability income insurance included in such insurance program.

SEC. 208. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

SEC. 209. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management and the

Office of Employment Discrimination Complaint Adjudication for all services provided at rates which will recover actual costs but not exceed \$31,246,000 for the Office of Resolution Management and \$3,059,000 for the Office of Employment and Discrimination Complaint Adjudication: *Provided*, That payments may be made in advance for services to be furnished based on estimated costs: *Provided further*, That amounts received shall be credited to "General operating expenses" for use by the office that provided the service.

SEC. 210. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental is more than \$300,000 unless the Secretary submits a report which the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 211. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: *Provided*, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: *Provided further*, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

SEC. 212. Notwithstanding any other provision of law, at the discretion of the Secretary of Veterans Affairs, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction, major projects" and "Construction, minor projects" accounts and be used for construction (including site acquisition and disposition), alterations and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, major projects" and "Construction, minor projects".

SEC. 213. Amounts made available under "Medical services" are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

SEC. 214. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to "Medical services", to remain available until expended for the purposes of this account.

SEC. 215. Amounts made available for fiscal year 2007 under the "Medical services", "Medical administration", and "Medical facilities" accounts may be transferred among the accounts to the extent necessary to implement the restructuring of the Veterans Health Administration accounts: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 216. Notwithstanding any other provision of law, the Secretary of Veterans Affairs shall allow veterans eligible under existing Department of Veterans Affairs medical care

requirements and who reside in Alaska to obtain medical care services from medical facilities supported by the Indian Health Service or tribal organizations. The Secretary shall: (1) limit the application of this provision to rural Alaskan veterans in areas where an existing Department of Veterans Affairs facility or Veterans Affairs-contracted service is unavailable; (2) require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary; (3) require this provision to be consistent with Capital Asset Realignment for Enhanced Services activities; and (4) result in no additional cost to the Department of Veterans Affairs or the Indian Health Service.

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the "Construction, major projects" and "Construction, minor projects" accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds available to the Department of Veterans Affairs, in this Act or any other Act, may be used to replace the current system by which the Veterans Integrated Service Networks select and contract for diabetes monitoring supplies and equipment.

SEC. 219. None of the funds made available in this Act may be used to implement any policy prohibiting the Directors of the Veterans Integrated Service Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 220. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

SEC. 221. Amounts made available for the "Information technology systems" account may be transferred between projects: *Provided*, That no project may be increased or decreased by more than \$1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed.

SEC. 222. The authority provided by section 2011 of title 38, United States Code, shall continue in effect through September 30, 2007.

#### AMENDMENT OFFERED BY MR. LYNCH

Mr. LYNCH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LYNCH:

At the end of title II (page 56, after line 8), insert the following:

SEC. 223. It is the sense of Congress that the Under Secretary for Health of the Department of Veterans Affairs should—

(1) increase research collaboration and cooperation with the National Institutes of Health in order to facilitate and accelerate research for the screening, diagnosing, and managing of the medical issues associated with hepatitis C; and

(2) do more to—

(A) improve screening and testing for hepatitis C among all veterans;

(B) provide tests to other veterans in the health care system of the Department of Veterans Affairs who have risk factors for hepatitis C; and

(C) participate in a national outreach effort to inform all veterans about the disease.

Mr. LYNCH (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. WALSH. Mr. Chairman, I regretfully reserve a point of order against the gentleman's amendment.

The CHAIRMAN. A point of order is reserved.

Mr. LYNCH. Mr. Chairman, first of all, I want to thank Chairman WALSH and I want to thank Mr. EDWARDS of Texas for their great work on behalf of veterans. I know that their attempts here have been to provide as much support as possible for men and women in uniform.

My amendment, Mr. Chairman, acknowledges that the Department of Veterans Affairs is the largest single provider of medical care to people with hepatitis C and liver disease in the United States, and I have introduced this amendment because I believe that the VA can and should be in the lead on research areas associated with hepatitis C and liver disease, and, importantly, the VA should be at the cutting edge of research and work and collaboration with the NIH to ensure that strides that both agencies have made in this area can be shared, and so that our veterans have access to the best technologies and treatments available.

Mr. Chairman, right now, because of the great work being done by Dr. Joseph Vacanti of Harvard Medical School and Bioengineering Networks and MIT and Draper Labs and others, we are at a critical point in developing amazing and revolutionary technologies and procedures, including constructing an artificial liver assist device by which new microfabrication techniques will allow us to grow liver replacement tissues from our own cells, minimizing the risk of organ rejection and completely eliminating the need to wait for compatible organ donors.

Right now in America, we have 90,000 people waiting for organ transplants. We have 18,000 folks waiting for liver transplants. For veterans with liver disease, Dr. Vacanti's work means the possibility of living a full life with hepatitis C without worrying about getting on a list for liver transplant. We now have an opportunity to revolutionize the way in which we treat liver disease, and this research needs to be funded.

Mr. Chairman, I realize the great work that has been done by Chairman WALSH of New York and Mr. EDWARDS of Texas, and I realize there are limits to what we can do on any one bill. So I am going to pledge my support for this bill, I am going to agree to withdraw my amendment, but I just ask the chairman and the ranking member to continue to work with me on this.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

#### TITLE III

##### RELATED AGENCIES

##### AMERICAN BATTLE MONUMENTS COMMISSION SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed \$7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$37,088,000, to remain available until expended.

##### FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, \$4,900,000, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

##### UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

##### SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251-7298 of title 38, United States Code, \$19,790,000, of which \$1,260,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102-229.

##### DEPARTMENT OF DEFENSE—CIVIL

##### CEMETERIAL EXPENSES, ARMY

##### SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not to exceed \$1,000 for official reception and representation expenses, \$26,550,000, to remain available until expended. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the Lease of Department of Defense Real Property for Defense Agencies account.

##### ARMED FORCES RETIREMENT HOME

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$54,846,000.

##### AMENDMENT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. Is there objection to consideration of the amendment at this point in the reading?

Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Page 58, line 13 after "\$54,846,000", insert (increased by \$1) (reduced by \$1)

Page 58, line 20, strike "2011:" and all that follows through line 25 and insert "2011."

Page 59, line 4, strike "2011:" and all that follows through line 9 and insert "2011."

Page 59, line 13, strike "2011:" and all that follows through line 18 and insert "2011."

Page 59, line 22, strike "2011:" and all that follows through page 60, line 2, and insert "2011."

Page 60, line 6, strike "2011:" and all that follows through line 11 and insert "2011."

Page 60, line 15, strike "2011:" and all that follows through line 20 and insert "2011."

At the end of title IV (page 60, after line 20), insert the following new section:

SEC. 401. In the case of taxpayers with income in excess of \$1,000,000, for the calendar year beginning in 2007, the amount of tax reduction resulting from the enactment of Public Laws 107-16, 108-27, and 108-311 shall be reduced by 1.23 percent.

Mr. OBEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. WALSH. Mr. Chairman, I reserve a point of order against the gentleman's amendment.

The CHAIRMAN. The gentleman reserves a point of order.

Mr. OBEY. Mr. Chairman, as I indicated earlier in the debate, 2 days ago, the Republican majority passed a budget resolution which imposed a stringent ceiling on total appropriations for the year. The effect of that was to squeeze more than \$1 billion of badly needed money out of this bill.

What the committee has tried to do in response is that the administration in this bill asked for about 307 military construction projects, items like barracks and the like, and the committee essentially took 20 of them and designated those as "emergency spending" and that freed up \$507 million so that the committee could insert a number of projects which represented their highest priorities. That meant that the bill was effectively, if you are going to look at it in terms of budget accounting, \$507 million above the amount allowed by the budget ceiling.

That didn't even take into account the fact that the committee is proceeding on the assumption that a good number of additional fees which the White House wants to impose on veterans might, in fact, go into effect. I don't believe they will. We don't deal with that issue in this amendment, but we do deal with the first issue.

What we are simply suggesting is that we recognize that these projects requested by the White House are necessary, but we believe that they ought to be paid for. So what we suggested in committee and what I am asking on the floor is that we simply limit the size of the tax cut which is scheduled to take place for people who make over \$1 million, we are suggesting that we shrink that tax cut from \$114,000 on average for a person who makes over \$1 million, we are suggesting we shrink that by about \$1,400.

□ 1230

That is hardly going to lay a glove on the most wealthy people in this coun-

try, but it would enable this bill to proceed with honest accounting, meeting high-priority needs of the military at various bases throughout the country and the world.

So, Mr. Chairman, it is very simple, if you think that we ought to proceed with the military construction priorities laid out by the administration, and if you think that we ought to pay for those, then you would support this amendment.

If you do not, then you would oppose it. I would suggest this is a fiscally responsible way to meet critical military needs, and I would hope that the House would see fit to approve the amendment.

#### POINT OF ORDER

Mr. WALSH. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriations bill, and therefore violates clause 2 of rule XXI.

The rule states, in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law." The amendment changes the application of existing law. I ask for a ruling of the Chair.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mr. OBEY. Mr. Chairman, I was here when the Budget Act was passed. And the purpose of that Budget Act was to reconcile spending with taxes to try to reduce the deficit.

So the purpose of the Budget Act is to try to see to it that appropriations, direct spending, and revenues all mesh in such a way as to reduce, to the greatest possible extent, the deficit.

That means that if this House takes an action on the tax side that provides large tax cuts, and if that action then imposes on the Appropriations Committee the requirement for deep cuts, that means that the two are, in fact, integrally connected.

It is hard for me to understand how a supposedly conservative party can take the position that we should proceed under the Budget Act to act in a way that pretends that what we do on the revenue side is irrelevant to what we do on the spending side.

This amendment, in my view, is within the spirit of the original intention of the Budget Act. Unfortunately, I must concede that under the way this House is being run these days, and under the rule under which this bill was brought to the floor, I must concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained. The amendment is not in order.

The Clerk will read.

The Clerk read as follows:

#### TITLE IV DEPARTMENT OF DEFENSE ADDITIONAL APPROPRIATIONS MILITARY CONSTRUCTION, ARMY

For an additional amount for "Military Construction, Army", \$379,300,000, to remain

available until September 30, 2011: *Provided*, That the amount under this heading is designated as making appropriations for contingency operations related to the global war on terrorism pursuant to section 402 of H. Con. Res. 376 (109th Congress), the concurrent resolution on the budget for fiscal year 2007.

#### POINT OF ORDER

Mr. HENSARLING. Mr. Chairman, I raise a point of order under clause 2 of rule XXI against the proviso beginning with "provided" on page 58, line 20 through page 58 line 25.

Mr. WALSH. Mr. Chairman, I insist that the point of order be extended to lie against the entire paragraph.

The CHAIRMAN. The point of order is made against the entire paragraph.

The gentlemen from Texas (Mr. HENSARLING) may continue.

Mr. HENSARLING. Mr. Chairman, I would ask for a ruling of the Chair.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mr. WALSH. Mr. Chairman, I regret that the gentlemen has asserted this point of order and put the House in this position. The budget resolution which the body adopted this week included a \$50 billion bridge fund for the war.

In this bill, we use the \$507 million from that fund to pay for urgent war-related military construction projects. This leaves the remaining \$49.3 billion for the Defense Subcommittee to allocate to other war-related expenditures. Every single one of these projects directly supports the war on terror. And every single one of them was included in the Defense Authorization Act that the House passed nearly unanimously last week.

These projects support specialized urban warfare training, mobilization of critical assets in the gulf region, and the easing of troop rotations abroad.

Mr. Chairman, what arises here is the Rules Committee did not protect that designation of emergency funding, and I regret that. But I greatly regret that the gentleman from Texas has raised this point of order.

Mr. Chairman, does the gentleman not understand that we are at war? Does he not understand that we have people in harm's way across the entire southern tier of Asia, that are being fired upon as we speak; that these funds are essential to fight the global war on terror, to bring democracy to these scattered points around the world, that these are soldiers, sailors, airmen and marines are in dire need of this support, of these expenditures?

There is a fiscal point to be made here, a principle to be expressed here. I understand that. But if an emergency situation is not described by a Nation at war, I do not know what determines what an emergency is.

These funds are essential. The battles that our men and women are fighting in Fallujah, in Bayji and Tikrit and Tal Afar and across Afghanistan are supported by the training that they receive here in the United States, the urban warfare training. Their familiarity with the weapons that they use,

the weapons systems that they use, the familiarity with each other, that is essential to unit cohesion.

These funds, Mr. Chairman and my colleagues, are essential to our war effort. I would urge the gentleman to withdraw his point of order, support the body of the bill, let us go forward with these essential funds that ensure the quality of life and the health and welfare of our fighting men and women across the globe.

The CHAIRMAN. Arguments should be confined to the question of order. The underlying substantive issues may be debated by pro forma amendment.

The Chair recognizes the gentleman from Texas (Mr. EDWARDS) on the point of order

Mr. EDWARDS. Mr. Chairman, I want to be clear about what this point of order would do. So I would like to raise this question of the Chair and perhaps other Members who would comment on this.

As I understand it, and I do think Members of this House on both sides of the aisle need to know what this point of order will do before the decision is made, as I understand it, this point of order will cut \$379 million out of Army military construction projects during a time of war.

I want to be clear and ask, Mr. Chairman, if I understand it, this will cut over \$100 million out of barracks and training facilities at Fort Drum, New York; it will cut a brigade complex at Fort Lewis, Washington. All of these are Army projects.

Mr. Chairman, I want to be clear whether this point of order is going to cut over \$45 million out of two projects at Fort Stewart, Georgia. Is it going to cut a shooting range at Camp Atterbury in Indiana? Is it going to cut the block-and-brace facility in the vehicle maintenance shop at Fort Campbell, Kentucky in the Blue Grass Depot in Kentucky?

Mr. Chairman, my inquiry regarding this point of order is to have all Members fully understand while we have Army soldiers in harm's way in Iraq and Afghanistan today, this point of order, if sustained by the Chair, is going to cut over \$379 million in Army projects, training, housing, other facilities that help support those troops that are risking their lives today, while we are debating technical points of order on the floor of the House.

Am I correct, Mr. Chairman, that the projects I listed, as well as additional Army military construction projects, would be cut by this point of order being made by the gentleman from Texas?

The CHAIRMAN. The point of order will excise the relevant paragraph, if sustained.

PARLIAMENTARY INQUIRY

Mr. OBEY. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. OBEY. Mr. Chairman, if this point of order is upheld, does that

mean that the House would be placing a higher value on the ideological accounting contained in the budget resolution than they would be on meeting the critical military needs of the country?

The CHAIRMAN. The gentleman has not stated a parliamentary inquiry.

Does any other Member wish to be heard on the point of order? If not, the Chair will rule.

The Chair finds that the paragraph includes special budgetary designations pursuant to the concurrent resolution on the budget. The paragraph therefore constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained and the paragraph is stricken from the bill.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am rising to speak to this point of order and a series of points of order that may be coming to us, and in an effort to do that, I would like to have an exchange with the chairman of the committee, if I might, Mr. WALSH.

Mr. Chairman, first let me compliment you for the very fine job that you have done on this bill and compliment Members on both sides of the aisle who have worked with us on this very, very important item.

The point of order before us involves some \$375 million of funding that affects our military expenditures and the availability of resources, especially in our effort on the war on terror in the Middle East.

There will be additional points of order, apparently raised that will increase that amount significantly if I am correct. Is that correct?

Mr. WALSH. If I understand, there will be other points of order that would further affect the appropriation, generally appropriations for this war on terror.

Mr. LEWIS of California. And so really what we would appear to have before us are Members unilaterally identifying paragraphs that they are not particularly pleased with that involve moneys, maybe at a level, say, of \$375 million, that specifically affect our military effort in the Middle East.

Mr. WALSH. Mr. Chairman, I am deeply concerned about the impact of these.

Mr. LEWIS of California. Mr. Chairman, let me say to you, you have done a fabulous job with this bill. It is a very difficult bill. People oftentimes do not understand the difficulties of putting together a bill like this. To exercise themselves in a way that undermines our efforts on the war on terror is not just an affront to the work you are about; I believe it is an affront to the work that we are all about, on a bipartisan effort are attempting to make sure that we have some strength in this effort on the war on terror.

Mr. WALSH. Mr. Chairman, I thank the gentleman for his support on this, and for the allocation we received. This is a tremendous blow to our effort to

pass this bill that provides for the military quality of life of our soldiers, sailors, airmen, marines who are in harm's way.

Clearly, this builds the bases and the training facilities that they need to fight this incredibly difficult and dangerous war.

Mr. LEWIS of California. Mr. Chairman, I do want the gentleman to know that I have great respect for the work that you and your staff have been about, but also the work that Mr. EDWARDS and others on the other side of the aisle have been about regarding this very important responsibility that we have here, and I appreciate very much your work.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think it is important that we not personalize this issue. I do not like the fact that these gentlemen are evidently going to be knocking out funding for these important military projects. But I do think it is important to recognize that under the budget resolution which was imposed by the House Republican majority, and under the rule that was voted for by virtually every Republican today, they have that right. That is a parliamentary fact.

So I disagree with the judgment being made by the gentleman. But in all fairness, I think that the responsibility for this debacle lies squarely at the feet of the Speaker and the majority leader and the majority party leadership, because they broke arms for 3 weeks to impose a budget resolution on this House which required the allocation to the subcommittee which wound up being \$824 million below the amount proposed by the President.

□ 1245

Because the majority party leadership decided that it was more important to provide \$40 billion in tax cuts to people who make \$1 million a year, because the majority party leadership decided that it was more important to provide over \$60 billion in tax cuts to people in the top 1 percent of our population who make more than \$400,000 a year, because the majority party leadership decided that those priorities were preferable to meeting our education needs, our health care needs, our military construction needs, and our science needs, then the Appropriations Committee is stuck with the dirty job of carrying out those mandates. And under the rule that was imposed by the Rules Committee, which is appointed on the majority side by the Speaker of this House, every last one of them, because that rule was voted on by that leadership ordered and dominated committee, that is the reason that these emotions are in order. And to avoid that, that is why I tried to offer the previous amendment which said: Look it, this is a phony accounting gimmick. Let us be honest about it and pay for it by scaling back those tax cuts for the most well off in this society by just a smidgeon.

So I think, if we are going to start passing out responsibility, this is not the responsibility of Mr. LEWIS, it is not the responsibility of the gentlemen who are going to be offering the points of order, although I think their judgment is defective, but it is, in fact, the responsibility of the majority party leadership of this House. And it illustrates that Mr. DELAY was absolutely right when he said a few months ago: "This is what you get when you elect a Republican president, a Republican Senate, and a Republican House of Representatives," because it means there are no checks and balances in the system. It means that we have no way on stopping the majority party from putting tax cuts for the very wealthy ahead of the needs of our military, ahead of the needs of our kids, ahead of the needs of our workers and our sick in this society. This day illustrates how screwed up the priorities are on that side of the aisle.

Mr. EDWARDS. I move to strike the last word, Mr. Chairman.

Mr. Chairman, I had worked with Chairman WALSH on our subcommittee and our Appropriations Committee on a bipartisan basis to pass this bill today.

I am outraged at what has happened. A lot more important than that, every service man and woman and every veteran in America and every American that loves them and respects them ought to be just as outraged. And it is not just what has just been done by a handful of Republican House Members. I think the American people need to understand what has happened this week. Forty eight hours ago, this House on a totally partisan basis passed a budget resolution that, in my personal opinion, put a higher priority on tax breaks for people making over \$1 million a year than it put on adequately funding national defense programs and supporting our military troops. We pleaded with our colleagues to vote against that budget resolution, but the vote was partisan and it passed.

Let me tell you what that resolution did. It gave Lee Raymond, who just retired as CEO of ExxonMobil, who, by the way got a \$398 million retirement benefit from ExxonMobil, that budget resolution gave him a \$2 million dividend tax cut. We said when that budget resolution passed giving Lee Raymond tax cuts is going to hurt education, health care, job training, and, yes, our national defense programs and our service men and women and our veterans. But others said, no, that is not going to happen. So let me tell you what has happened as a result of that budget resolution.

Our subcommittee, Mr. WALSH's and mine, and other subcommittee funding military quality of life, military construction, VA programs and defense health care, had to accept an \$824 million cut below what President Bush said was needed to adequately fund these key national defense programs during a time of war. \$824 million cut.

What happened? First, we had to accept that \$316 million cut in military construction projects that were requested by the administration to implement the base closing process. That means barracks not built, training ranges not built, military facilities not built.

Well, then what was the second result in our subcommittee based on the budget resolution that Mr. Raymond is still smiling about, but our military people ought to be crying about at this moment? We had to fund military defense programs by \$735 million below what President Bush said we needed.

What does that mean? That is not just a budget number. That means we potentially put at risk health care for our troops fighting in Iraq today while we are debating budget points of order here, it puts at risk military health care for our retirees, men and women who have already served in Iraq, already served in Afghanistan, already served in Korea, Vietnam, and World War II. It puts that health care system at risk. So that is a \$735 million cut below what the administration said we needed.

Now, to add outrage to outrage, this technical point of order caused by the budget gimmicks that were a direct result of the budget resolution passed 2 days ago will cut \$507 million out of vital military construction projects. That may not mean anything to some Members on this floor, but it means a lot to the troops at Fort Drum, New York, who have sacrificed immensely on behalf of the American people in our war on terrorism. It will mean a lot to the people at Camp Pendleton, the Marine camp, Camp Pendleton, when their bachelor enlisted quarters are cut and the light armored reconnaissance battalion facility will be cut.

It will mean a lot, even while Mr. Raymond is smiling, to harm the interests of our troops, our Army troops at Fort Campbell, Kentucky, Fort Devens, Massachusetts, at Sunny Point, North Carolina, and Indian Springs, Nevada. And, in Korea. This even cuts \$2 million in vital construction projects for servicemen and women stationed in Korea today.

So what does that all mean? Because the budget resolution pushed through by the House leadership, not by the Appropriations Committee or this subcommittee, the House resolution, the budget resolution passed 2 days ago is forcing us to cut \$1.5 billion out of vital defense programs even while our troops are risking their lives in Iraq and Afghanistan today. Training facilities, housing facilities, quality of life facilities. It is wrong, and this should not be done. Our military men and women deserve better than this.

Mr. PENCE. Mr. Chairman, I move to strike the last word.

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

Mr. PENCE. I am still trying to recover, Mr. Chairman, from the remarks

just made by the distinguished gentleman from Texas, raising objections to the good-faith efforts of the Members of this majority to live within the budget that we just adopted 2 days ago. Let me say, by way of compliment, that the chairman of the Appropriations Committee and the chairman of this subcommittee are not only my good friends, but my friends, men that I admire and respect, who are using the tools in the box they have been given to meet the needs that they believe represents the Nation's priorities. And I respect that. But, along with my colleague, Mr. HENSARLING, I respectfully disagree.

I rise, though, particularly animated at this moment, Mr. Chairman, because I am reading the minority views of the gentleman who just spoke, minority views listed in this legislation as additional views of Representative CHET EDWARDS, as well as other colleagues, including the distinguished ranking member of this committee. And I will quote it for the record. Speaking to the point of order issue that has been raised and will continue to be raised, the gentleman who just spoke wrote this: "The second Democratic amendment," speaking of their bill, "would have eliminated the budget gimmick that designated \$507 million for 20 routine military construction projects as an emergency so this funding would not count against the bill's allocation."

Mr. EDWARDS continues: "None of these projects were unforeseen. The administration budget requested 310 military construction projects, including these 20 projects. They are all conventional military construction projects, things like hangars, barracks, and unit headquarters. These are projects selected through long-term planning exercises."

He went on to say, "Democrats recognize these projects as valid and continue to support them. However, the minority has a more fiscally disciplined and balanced approach to addressing these needs." And there I close the quote.

In the minority views, precisely that to which we are objecting was objected to, described as a budget gimmick that had no place in this legislation so conceived. And so I just say, I agree with what Mr. EDWARDS wrote.

It is time that we leveled with the American people. It is time that we stood for the principle that we mean what we say. And when we adopt a budget, we made the hard choices to live with within the budget. And those of us in the Congress who are committed to doing just that rise today and take this tough stand among friends to say, let's level with the American people, and let us not use what Mr. EDWARDS rightly wrote to be a budget gimmick to find our way around the budget discipline that we just embraced.

Mr. REYES. Mr. Chairman, I move to strike the last word.



I appreciate the opportunity to tell you that back in Texas, we have a saying, bad day at Black Rock. This is one of the blackest days that we could possibly imagine in Texas and anywhere else. The gentleman that just spoke talked about good faith, talked about we have to live within our budget, the budget that we set, talked about the Nation's priorities, talked about hard choices, and finally talked about leveling with the American people.

Well, good faith, Mr. Chairman, is about coming here and doing what is right, making sure that at a time of war we take care of our men and women in uniform and the facilities that they need, the equipment that they depend on, and everything that depends so much on this war on terror.

Live within our budget. I voted against that budget a couple of days ago because I didn't think it was realistic. I knew there were going to be some cutbacks someplace, and now we find out it is cutbacks in our military's budget.

Nation's priorities? Well, I would submit we set the Nation's priorities. The Nation's priorities have been set way too long by the Republican leadership in this House, in the Senate, and in the White House.

Hard choices. Well, our hard choices, people have to live with. Our military people have to live with.

And finally, Mr. Chairman, leveling with the American people means telling the truth about tax cuts versus what is best for our military.

With that, I would like to yield the balance of my time to my good friend from Texas (Mr. EDWARDS).

Mr. EDWARDS. I thank the gentleman for his comments.

I respect my colleague, Mr. PENCE, from Indiana. He is a straight shooter. I will have to say in this particular case, in all due respect, you said you are still trying to recover. I hope you will forgive me in saying, Mr. Chairman and Mr. PENCE, that today I am more worried about our military troops whose lives are at risk all over the world to defend our country, I am more worried about them recovering from this half a billion dollar cut in vital defense programs than I am about any Member of this House, the gentleman or me or anyone else, recovering from this debate.

□ 1300

The gentleman quoted me, and I am glad he did. I think this is a budget gimmick. I think these military construction projects should have been funded in the normal course of the budget process, and that is exactly what my colleague Mr. OBEY tried to do, and I voted for the Obey amendment.

But my friend and his colleagues on the Republican side of the aisle chose to vote against the Obey amendment, and so then where I am left is to say that I would rather accept a budget gimmick forced by a Republican bud-

et resolution that I adamantly opposed 2 days ago, than to ask men and women at Fort Drum, New York, an installation whose troops have made tremendous sacrifices in the war on terrorism, I would rather not ask them to make an additional sacrifice, even if that requires us to pass a budget gimmick.

So is this a budget gimmick? Yes, it is; but do we desperately need these \$507 million, including \$379 million going to Army facilities to support our troops in the war on terrorism? Absolutely, we do.

I would repeat what I said earlier: having represented 40,000 troops who have served in Iraq, having co-chaired the bipartisan House Army Caucus, having worked on a bipartisan effort in good faith with Chairman WALSH and the Appropriations Committee to pass this bill today, I think every serviceman and -woman in America ought to be outraged that the result of, in my opinion, a dishonest budget resolution that promised tax cuts to the retired chairman of ExxonMobil, without suggesting the pain that would be caused, I think every serviceman and -woman in America ought to be outraged by that because they were told it was a no-pain process, you have a tax cut, that will increase revenues and nobody has to suffer. Mr. Raymond can get his \$2 million tax dividend and nobody has to suffer.

Now we are leveling with the American people. Forty-eight hours later we find out it is not American people that are suffering. It is our troops in Korea and here at home and Iraq and Afghanistan who will suffer because of a budget resolution that did not shoot straight with the American people.

This is a sad day for this country, and it is a particularly sad day for all those men and women who are serving in uniform.

Mr. FLAKE, Mr. Chairman, I move to strike the last word.

I rise in support of the gentleman from Texas' (Mr. HENSARLING) point of order. If you look at the description of the bill here, you have a couple of pages. The first page has to do with what is being termed "emergency spending." Let me simply note that these are items that the President has requested.

Now, I have often and all of us have been critical of the White House at times for designating emergency spending when it really is not an emergency. They did not designate one of these items. There are 20 spending items here, mostly facilities and barracks. Not one of them was listed by the White House as emergency. Yet they have been listed here as an emergency and I would submit simply to make room for other projects.

If you look at some other projects that are being funded that are not emergency, tell me if you can see a difference. Number one, there is an item that is an emergency, \$18.1 million for bachelor-enlisted quarters at Camp Pendleton. All right. That is one that is an emergency.

Here is one that is not an emergency, \$6.7 million for a special weapons assessment facility in Crane, Illinois. How can you designate one as an emergency and not another?

Here is another example: \$3.5 million for a block and brace facility at Blue Grass Depot, Kentucky. That is an emergency apparently.

Second, \$8.7 million for replacing a troop facility training facility in Savannah, Georgia, that is not an emergency. Tell me where the difference is.

Let me go on: \$102 million for a brigade complex in Fort Lewis, Washington. That is an emergency.

There is another \$18 million for a maintenance hangar in Fort Hood, Texas. That is not an emergency.

Mr. WALSH, Mr. Chairman, will the gentleman yield?

Mr. FLAKE. I yield to the gentleman from New York.

Mr. WALSH, Mr. Chairman, I will be quick. The gentleman refers to this as emergency funding. It is not. That is incorrect. The funds are designated pursuant to section 402 of the budget resolution which is for "contingency operations related to the global war on terrorism," not emergency spending.

Mr. FLAKE. Let me just go on. That is \$508 million we set aside as a down payment on the supplemental, the war supplement coming up. We are simply taking from that, and that will be money that will not be spent in the supplemental later on or should be designated for the supplemental later on, but we have designated it saying it is emergency when there is really no difference between the categories here.

I would submit that if you really want to fund, as we are adding here \$16.5 million for a rotary wing hangar in Qatar, then perhaps you ought to cut out \$2 million for a child care center which is funded here in the bill that is not being challenged here in Redstone Arsenal, Alabama, or you could take out \$9.8 million for an educational center complex in Little Rock, Arkansas, if you truly need to spend money, as we say we do, for Predator various facilities at Indian Springs, Nevada.

Now let me just give one more example: \$9.7 million for an indoor wash rack in Washington. Perhaps you could take money from that and spend it, if we really do need it, on \$3.1 million for shoot houses in Korea.

What I am saying is there ought to be integrity in the budget process. We did pass a budget. The ink is not even dry and here we are using a means to evade it, to actually get some head room up here so we can spend money on other priorities and earmarks.

I do not think it is lost on anyone that the earmark total in the bill is nearly \$500 million, almost the same total here that was added as head room, so that we can spend these other dollars.

So I hope that the point of order on all of these is sustained. Let us bring some integrity back to the budget process.

Mr. SKELTON. Mr. Chairman, I move to strike the last word.

Let us assume there is an infantry company first sergeant sitting here in our midst today and our friends on the other side would be trying to explain to him about the particulars of emergency spending, of points of order and parliamentary procedure. But the infantry company first sergeant would say, but what about my being able to train the troops better? What about being able to train them in emergency urban warfare, or in sharpshooting better or having better barracks conditions so that they will stay in the Army and not consider getting out? How would one explain to that infantry company first sergeant the complexities of what we are facing on this floor and the needs of those wonderful soldiers?

Mr. Chairman, I speak for those soldiers. We need them. We need them to be highly trained, well taken care of, and to try to explain things away on points of order and whether something fits within the "emergency spending" category would be foreign to him because all he knows, he wants to train his troops so they can fight in Afghanistan, Iraq and the war against terror.

That is what is important to this country. That is what is important to the soldiers. I am proud of them. I would like to say all of us in this room speak for them, but unfortunately, we are faced with a parliamentary situation that I could not explain to that first sergeant.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. SKELTON. I yield to the gentleman from Wisconsin, my friend.

Mr. OBEY. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I did not vote to go to war in Iraq. Most of our friends on the other side of the aisle did, but after the Congress voted to send our troops to war, the troops did not ask, is this an emergency or is it regular order of business? They just went. They did their duty. Some of them have done it two and three and four times in Iraq.

I do not know why they should be stuck in the middle of a family squabble within the Republican Party in the Congress, a squabble between people who put tax cuts for the most well-off people first versus the people who put budget accounting nicety first versus people who think that there are some economic and social needs faced by the families of those soldiers.

What the committee tried to do is to cut it down the middle, hedge a little bit here, a little bit there. We do not like that on this side of the aisle. So we tried to substitute honest accounting, and the majority party insisted on knocking that amendment out on a point of order.

So at this point, we have to choose between a faulty accounting system or meeting the needs of the families of people who are in Iraq defending the national interests of this country; and

while I have great misgivings about the advisability of having gone to war in the first place, I will be doggoned if I am going to stand here and allow somebody else's squabble about whether a budget item is an emergency or not get in the way of providing the school needs, the barracks needs and the other needs of the families in the military, who are not asking questions of their government; they are just doing their duty.

So I congratulate the gentleman for his comments, and I think that this day, I was going to say it is a sad day in the history of the Congress, but it is not because this finally illustrates what we have been trying to demonstrate for 3 years, that what you do on the tax side of the budget, what you give to Mr. Raymond and his friends, is directly related to what you have left on the table that you can give our military families, our school kids and people in this country who need a little help on the health care front. It is about time that people on the majority side of the aisle recognized that connection.

Mr. ORTIZ. Mr. Chairman, I move to strike the last word.

Mr. Chairman, coming from a district like mine, where I represent four military bases, and then looking at what is transpiring this afternoon really worries me. All we have to do is go visit the medical facilities at Bethesda and Walter Reed to be able to understand that these troops need our help now, and we talk about giving them more body armor.

The only emergency here is the completely inadequate allocation that my good friend Chairman WALSH received. This is nothing more than a budget gimmick that adds \$500 million to the deficit, the deficit carried by all Americans, young and old, middle-aged, while at the same time millionaires are continuing to enjoy reduced taxes. This is not fair.

Just 2 days ago, we voted to give a tax break in the amount of \$70 billion, but we cannot fund it. In fact, we are cutting.

I have military bases. We repair helicopters, and many times they have asked for help. We were forced to leave the air base in Uzbekistan. We have to build up our capabilities. At Bagram Air Base in Afghanistan; that is an emergency.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. ORTIZ. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I thank the gentleman, but I think I have said enough. I just would hope that this House would reconsider what they have done this week and use this incident to recognize that that budget resolution is simply insufficient to meet the needs of our military, the needs of our school children and a number of other seriously competing needs.

I would hope, and in fact I fully expect, that the Senate will not pass the

budget resolution that has caused this problem.

The irony is that the Republican majority in this House had to pass a let-us-pretend resolution yesterday, which said we are going to move ahead with appropriation bills on the assumption that the full Congress had passed the budget resolution, which it has not done, because Republican moderates in the Senate recognize that the budget resolution that is being enforced on the majority side in this House is too extreme for their taste in the Senate.

□ 1315

Senators such as Senator SPECTER have already made that quite clear.

So it is ironic that a budget that hasn't even passed the Congress is being used to enforce these kinds of trade-offs. I don't think the American people are going to be very pleased.

I thank the gentleman.

Mr. SHADEGG. Mr. Chairman, I move to strike the last word. I rise to try to clarify this debate and bring a little clarity here. It is true that we are really arguing over roughly \$5 billion and points are flying back and forth about what that means and whether or not this is a technical point.

But there has also been some focus here on the issue of whether or not our war effort is going to be harmed and whether or not our soldiers are going to be harmed. I want to be clear that there is no effort, in any way, to harm the efforts of our military, or to, in any way, inhibit our ability to fight the war on terror in the point of order that was raised by the gentleman from Texas (Mr. HENSARLING).

Indeed, there has never once been brought to this House by the President of the United States a single request for a war supplemental that this House has not funded. We have funded it, we are currently working on one that will be funded, and there will be another one funded very, very soon, as soon as we get a few more months down the line. There is no issue here about not funding the war on terror. And there is no issue here, ladies and gentlemen, about not funding the quality of life of our soldiers.

So what is the issue? What are we talking about? What we are talking about is sleight of hand. What we are talking about is, well, let us take the really defensible funds and call them a part of the war on terror and let us leave the money that we put in the bill, by the way, there is \$5 billion in this bill not requested by the Pentagon, \$5 billion that the Pentagon said it didn't need, \$5 billion that the Pentagon itself didn't say was necessary either for its ongoing operations, for quality of life for military personnel, or for the war on terror.

Interesting number, \$5 billion. Now, there is an additional \$5 billion listed here as, well, it is not emergency, but we are going to take it out of this fund to fund the war on terror. Now, that is

kind of interesting. We take the stuff that we wanted, we take the stuff that was not requested by the Pentagon, \$5 billion, and we put them over here in the bill. But then we say, well, we need another \$5 billion and we will call that critical for the war on terror.

This is not about whether or not we fund the war on terror, it is not about the military quality of life, it is about how we hide spending in this budget process and how we deal with it. And it just so happens that the President himself said none of these were emergencies. He doesn't even agree that these were essential for the war on terror at this point. But if we call them essential for the war on terror, and if we take them out of the fund that we have set up to deal with the war on terror, that enables us down the road to impose that additional \$5 billion burden on the American people.

That is what this discussion is about. It is not about military quality of life. It is not about fighting the war on terror. It is about being able to increase the overall spending and, quite frankly, being able to increase that overall spending for things the Pentagon did not even request.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the last word, and I yield to the distinguished gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. I thank the gentleman.

I am sorry the gentleman wouldn't yield to me, but if he had, I would have asked them this question: He said "we" are engaging in sleight of hand. I just wanted to ask him who that "we" was. Because this report was put together by his own party. It was brought to the House floor by his own party. We on this side of the aisle tried to correct that faulty accounting and we were not allowed to do that by the majority party either.

So I just want to make certain that people understand that in this case the "we" is "thee."

Ms. JACKSON-LEE of Texas. Mr. Chairman, I would be happy as well to yield to the distinguished gentleman from Texas (Mr. EDWARDS), the ranking member of the subcommittee.

Mr. EDWARDS. Mr. Chairman, I believe Mr. SHADEGG, my colleague from Arizona, just said a few seconds ago that these projects were not requested by the administration. If I heard him correctly, that is a patently false statement.

These projects, these \$379 million worth of army projects, I believe, were either all requested by the administration and the Pentagon or the vast, vast majority were requested by the administration and the Pentagon as being important projects that needed to be funded this year as part of our Nation's defense effort included in the war against terrorism.

Ms. JACKSON-LEE of Texas. I thank the gentleman, and reclaiming my time, I would just say that this is a frustration for many of us. There is no doubt that there are some of us here

that did not support the actions initially as our troops were, if you will, directed to go into Iraq, but at the same time, we recognize the responsibility that this Congress and this Nation has.

What frustrates many of us is that my good friends on the other side of the aisle are attempting to make a point. That is all I have heard in their debate, to make a point about the budget and about the appropriations, rather than acknowledging the fact that this is a request by their President of the United States; that it, in fact, strips soldiers who are either on the front lines or distributed around the Nation from the actual needs, job training, barriers, concrete fixtures that they need, physical facilities that they need to carry on the Nation's business of defense.

Why we would utilize this particular section to make a point and strip our soldiers of the necessities of their business one week before Memorial Day baffles me, as does the question of if there is a need to fix this, why could this not have been an internal fix, either with the House and the subcommittee or the President of the United States of America. Because what my friends are doing is, frankly, making scapegoats out of innocent military personnel who are in need of this kind of equipment.

Any of us who have traveled to facilities anywhere in the Nation or around the world know that we have, in some instances, facilities that are in dire need of repair or in dire need of replacement. Striking this point of order, this challenge, goes right to the heart of this equipment.

And I think it is important for the American people to understand. This is stripping away bricks and mortar that soldiers, husbands, wives, sons and daughters of the American people are in need of. And I would simply suggest that while we certainly agree on the war on terror, whether we agree or disagree on any war going on at this point, we cannot disagree on the resources necessary for these soldiers. So I would ask my colleagues to remind themselves of why we are here today.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for "Military Construction, Navy and Marine Corps", \$26,037,000, to remain available until September 30, 2011: *Provided*, That the amount under this heading is designated as making appropriations for contingency operations related to the global war on terrorism pursuant to section 402 of H. Con. Res. 376 (109th Congress), the concurrent resolution on the budget for fiscal year 2007.

POINT OF ORDER

Mr. HENSARLING. Mr. Chairman, I make a point of order under clause 2 of Rule XXI against the proviso beginning with "Provided" on page 59, line 13, through page 59, line 18.

This language carries a designation of special budgetary treatment for con-

tingency operations. This language constitutes legislation on an appropriations bill in violation of clause 2 of rule XXI, and I ask for a ruling of the Chair.

Mr. WALSH. Mr. Chairman, I insist the point of order be extended to lie against the entire paragraph.

The CHAIRMAN. The point of order is made against the entire paragraph. Does any other Member wish to be heard on the point of order?

Mr. EDWARDS. Mr. Chairman, I want to be sure I understand this point of order. Having just cut out \$379 million for army military facilities needed by our troops, it is my understanding this point of order would cut \$26 million out of Marine Corps facilities at Camp Pendleton in California.

So having gutted army military construction projects, we are now going to hurt those serving in the Marines at Camp Pendleton who are an important part of our war on terrorism. Am I correct, Mr. Chairman, in understanding that this point of order, if sustained, would cut marine projects at Camp Pendleton, California?

The CHAIRMAN. The point of order would excise the entire paragraph, if sustained.

Mr. EDWARDS. So in lay terms, I think that answer was yes.

The CHAIRMAN. The Chair will rule on the point of order.

For the reasons previously stated, the point of order is sustained and the paragraph is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for "Military Construction, Air Force", \$49,923,000, to remain available until September 30, 2011: *Provided*, That the amount under this heading is designated as making appropriations for contingency operations related to the global war on terrorism pursuant to section 402 of H. Con. Res. 376 (109th Congress), the concurrent resolution on the budget for fiscal year 2007.

POINT OF ORDER

Mr. HENSARLING. Mr. Chairman, I raise a point of order under clause 2 of rule XXI against the proviso beginning with "Provided," on page 59 line 13 through page 59, line 18.

This language carries a designation for special budgetary treatment for contingency operations and constitutes legislation on an appropriations bill in violation of clause 2, Rule XXI, and I ask for a ruling of the Chair.

Mr. WALSH. Mr. Chairman, I insist that the point of order be extended to lie against the entire paragraph.

The CHAIRMAN. The point of order is made against the entire paragraph. Does any other Member wish to be heard on the point of order?

Mr. EDWARDS. Mr. Chairman, I would like Members to be clear, and I would like to be clear about what this point of order does. Having now cut vital, according to the administration, vital Army and Marine Corps military installations out of the budget, this point of order, as I understand it, would cut approximately \$50 million

out of Air Force facilities that the Bush administration and the Pentagon said we needed for the Predator program, which the public might not understand is a vital unmanned aerial vehicle used in our war on terrorism.

Am I correct, Mr. Chairman, that the \$50 million cut would affect the Predator Air Force program?

The CHAIRMAN. The point of order would excise the entire paragraph, if sustained.

Mr. EDWARDS. I believe the answer is yes.

The CHAIRMAN. Does any other Member wish to be heard? If not, the Chair will rule.

For the reasons previously stated, the point of order is sustained and the paragraph is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

MILITARY CONSTRUCTION, DEFENSE-WIDE

For an additional amount for "Military Construction, Defense-Wide", \$44,500,000, to remain available until September 30, 2011: *Provided*, That the amount under this heading is designated as making appropriations for contingency operations related to the global war on terrorism pursuant to section 402 of H. Con. Res. 376 (109th Congress), the concurrent resolution on the budget for fiscal year 2007.

POINT OF ORDER

Mr. HENSARLING. Mr. Chairman, I raise a point of Order under clause 2 of Rule XXI against the proviso beginning with "Provided" on page 59, line 22, through page 60, line 2.

This language carries a designation for special budgetary treatment for contingency operations. This language constitutes legislation on an appropriations bill in violation of clause 2 of Rule XXI, and I ask for a ruling of the Chair.

Mr. WALSH. Mr. Chairman, I insist that the point of order be extended to lie against the entire paragraph.

The CHAIRMAN. The point of order is made against the entire paragraph. Does any other Member wish to be heard on the point of order?

Mr. EDWARDS. Mr. Chairman, again, so Members can follow this, my question is: Does this point of order, if sustained, cut our U.S. military operations in Qatar, operations under the Special Operations Command that are directly related to our war on terrorism and the war in Iraq?

Mr. Chairman, is that what this point of order will accomplish?

The CHAIRMAN. The Chair continues to state that the point of order would excise the entire paragraph, if sustained.

Mr. EDWARDS. So the answer is yes.

The CHAIRMAN. Are there other Members that wish to be heard? If not, the Chair will rule.

For the reasons previously stated, the point of order is sustained and the paragraph is stricken from the bill.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

I am somewhat amused by the fact that the last two times Mr. EDWARDS has tried to fully explain to the House

what the impact of the point of order was that those who are responsible for the points of order tried to urge the Chair to cut off Mr. EDWARDS so that he could not, in fact, explain it. Let me simply say if I were offering these points of order, I would want to have as little discussion about them as possible also. I would not want to have them fully aired either.

Let me just make the point. I find it interesting that we have Members of this House objecting on bookkeeping fine points to what the committee has been trying to do to provide these facilities and services to our military, and they stand in high dudgeon about the fact that the budget resolution is being exceeded.

□ 1330

Yet I do not recall them objecting when the President has submitted to the Congress almost \$400 billion in expenditures for Iraq, none of which has been submitted in the regular appropriations order. All of those requests have come in the form of supplemental appropriations, off budget, if you will.

So I find it interesting that we can fight an entire war, spend \$400 billion in an off budget, hide-the-cost-from-the-public fashion, and yet when it comes to meeting these small construction needs, and as the gentleman points out, this is not in the United States, this is in the Middle East itself. My understanding is that one of the items affects the special ops unit, and yet the gentlemen feel that their ideological commitment to their precious budget resolution, which they cannot even sell to their compatriots in the United States Senate, ought to be the be all and end all above every other economic or social or moral consideration. I find that, indeed, very interesting and very revealing.

PARLIAMENTARY INQUIRIES

Mr. SHADEGG. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman may state his parliamentary inquiry.

Mr. SHADEGG. Mr. Chairman, it is my understanding that the Chair ruled earlier that once a point of order has been raised, it is not in order to discuss the merits of the underlying issue. It is only in order to discuss whether or not the point of order is appropriate. Is that not what the Chair ruled?

The CHAIRMAN. Arguments should be confined to the question of order.

Mr. SHADEGG. And so if it is the question of the order, that means not the substance underneath, but rather the question of the procedural issue of whether or not the point of order should be sustained?

The CHAIRMAN. The Chair would state arguments should be confined to the question of the order. The underlying substantive issues may be debated by pro forma amendment.

Mr. SHADEGG. By separate amendment not in that debate, is that correct?

The CHAIRMAN. Substantive issues may be addressed by pro forma amendment.

Mr. SHADEGG. Mr. Chairman, does that mean by moving to strike the last word following the ruling of the Chair?

The CHAIRMAN. A pro forma amendment may be offered following the Chair's ruling on the point of order.

Mr. OBEY. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman may state his parliamentary inquiry.

Mr. OBEY. Doesn't this whole thing illustrate that there are some people here who are much more concerned about the technical niceties of the procedures of this House than they are on the human implications of what it is we do here?

The CHAIRMAN. The gentleman has not stated a parliamentary inquiry.

Mr. EDWARDS. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman may state his parliamentary inquiry.

Mr. EDWARDS. If I move at this point to strike the last word, am I allowed 5 minutes to discuss the specific impact of the cuts in our military operations and Qatar and the Middle East which have just been put into effect by the Chair's ruling?

The CHAIRMAN. The gentleman may debate substantive issues on a pro forma amendment.

Mr. EDWARDS. Mr. Chairman, I move to strike the last word.

I am somewhat bothered by my colleagues' effort not only to gut vital military construction projects at this important time in our country's history, but would even go the extra step to try to cut off the right of Members of this House to tell our military men and women who are fighting that war what has just been done to them.

So now that the Chair has given me that opportunity, despite Members' efforts to cut it off, let me explain exactly what has just happened based on this point of order.

The Special Operations Command and Qatar in the Middle East, again, a vital part of our war in Iraq, will lose \$28 million requested by President Bush and the Pentagon for a special operations aircraft operations and maintenance hanger, a hanger needed to basically protect vital Special Operations Command components.

It will also cut \$16.5 million out of another Special Operations Command facility and Qatar that was going to provide a hanger for Special Operations rotary wing equipment and facilities and operations. So \$54 million has just been cut by this action in the House out of Special Operations facilities that the administration says are needed to carry out our Nation's defense and our war in Iraq.

Mr. Chairman, I try not to take things personally in this process, and I respect the rights of every other Member of the House, but I think the servicemen and women in Qatar and the servicemen and women at Fort Drum, New York, and our Marines at Camp Pendleton in California, and men and women who served our country in uniform in wars past are going to be deeply offended by what has happened

today. And I would like to reemphasize what has happened today was not just the action of two or three Members who are putting procedural budget points above the interests of our Nation's military, it was done also by the House leadership, which 2 days ago forced through a budget resolution that promised no pain, promised \$70 billion in tax cuts, many of those going to people making over a million dollars a year.

Today we are feeling the pain. It is pain that will hurt those who have already sacrificed the most for our country, those men and women serving in the war on terrorism. It is a shameful process.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For an additional amount for "Military Construction, Army National Guard", \$5,530,000, to remain available until September 30, 2011: *Provided*, That the amount under this heading is designated as making appropriations for contingency operations related to the global war on terrorism pursuant to section 402 of H. Con. Res. 376 (109th Congress), the concurrent resolution on the budget for fiscal year 2007.

POINT OF ORDER

Mr. HENSARLING. Mr. Chairman, I make a point of order under clause 2 of rule XXI against the proviso beginning with "Provided," on page 60, line 6, through page 60, line 11. This language carries a designation for special budgetary treatment for contingency operations. This language constitutes legislation on an appropriation bill in violation of clause 2 of rule XXI, and I ask for a ruling from the Chair.

The CHAIRMAN. The Chair recognizes the gentleman from New York.

Mr. WALSH. Mr. Chairman, I insist that the point of order be extended to lie against the entire paragraph.

The CHAIRMAN. The point of order is made against the entire paragraph.

Does any other Member wish to be heard on the point of order? If not, the Chair will rule.

For the reasons previously stated, the point of order is sustained, and the paragraph is stricken from the bill.

Mr. EDWARDS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think the Members of this House, I think Members of our Armed Forces, I think our Nation's veterans and the American people have a right to know that what this House just did, having already cut over \$300 million out of Army programs, having cut Marine Corps programs and Air Force programs, having cut programs requested by the administration for Special Operations Command facilities and Qatar in the Middle East, the House has just now cut the Army National Guard, and not just the Guard, the training facilities for the Army National Guard, the very Guard that our military leaders say is a vital part of the total Army effort to defend our Nation and fight the war on terrorism.

In this particular case \$2 million was just cut out of Camp Roberts in Cali-

fornia, an Army National Guard facility. Based on this action, they will not have the infantry squad battle course funded. In addition to that, in Indiana, Camp Atterbury, the Army National Guard will no longer have funded the Live Fire Shoot House. So now, having already cut quality-of-life facilities and barracks and housing for our military and other vital facilities, and training ranges out of our active duty military, now we are gutting Army National Guard training facilities to help prepare our Guards men and women to be able to carry out their military duty and come back home safely to their families.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

MILITARY CONSTRUCTION, ARMY RESERVE

For an additional amount for "Military Construction, Army Reserve", \$1,713,000, to remain available until September 30, 2011: *Provided*, That the amount under this heading is designated as making appropriations for contingency operations related to the global war on terrorism pursuant to section 402 of H. Con. Res. 376 (109th Congress), the concurrent resolution on the budget for fiscal year 2007.

POINT OF ORDER

Mr. HENSARLING. Mr. Chairman, I raise a point of order under clause 2 of rule XXI against the proviso beginning with "provided" on page 60, line 15, through page 60, line 20. This language carries a designation for special budgetary treatment for contingency operations. This language constitutes legislation on an appropriation bill in violation of clause 2 of rule XXI. I ask for a ruling of the chair.

The CHAIRMAN. The Chair recognizes the gentleman from New York.

Mr. WALSH. Mr. Chairman, I insist that the point of order be extended to lie against the entire paragraph.

The CHAIRMAN. The point of order is extended against the entire paragraph.

Does any other Member wish to be heard on the point of order? If not, the Chair will rule.

For the reasons previously stated, the point of order is sustained and paragraph is stricken from the bill.

Mr. EDWARDS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, again I think the Members and the American people have a right to know that what this House just did was to cut \$1.7 million out of the Urban Assault Course Facility at Fort Devens, Massachusetts, for the Army Reserve. So now we can add it up, we have cut the Army, the Navy, the Air Force, the Marine Corps, the Army National Guard, and that was not enough, now we have to cut the Army Reserve Urban Assault Course, the very kind of training needed when we send our Army reservists over to Iraq to police the streets of Baghdad.

Mr. Chairman, with every minute of this process, I think I better understand why the American people at this point have such lowest esteem for the United States Congress. In one week, we have given the retired CEO of

ExxonMobil, Mr. Lee Raymond, a \$2 million dividend tax cut. And now we have said we cannot afford \$507 million in vital military installations. I don't think that reflects the American people's values. Our military men and women deserve better than this.

Mr. BACA. Mr. Chairman, I move to strike the last word.

I am disappointed with the recommendations that have just been made. We have just heard the President over the week talk about the need for 60,000 National Guard troops. Well, basically what we are doing now, it is going to impact the State of California and the family members in that area.

How can we comply then with the President of the United States saying that we need an additional 6,000 troops on the border when we are cutting back additional guards. Mr. President and the Nation should know what we are doing here today and the impact it is going to have on the National Guard and the State of California and the Federal Government to meet the needs of what the President has recommended. I am disappointed in what has been submitted right now.

Mr. HENSARLING. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we have heard a lot about what this debate is about. That is not what it is about. This is not about whether or not this House is going to support our brave men and women in uniform as they fight this war on terror. Every time the Commander in Chief has come to us and asked us to pass a supplemental appropriation to put guns on the front lines, ammunition on the front lines, gasoline on the front lines, equipment on the front lines, we have done it. We have done it. That is not the question.

But as was brought up earlier in the debate, Mr. Chairman, if you look at this bill, we see that roughly half a billion dollars of projects are coming from what might be viewed as a contingency fund to fight the war on terror. It is not literally called an emergency fund, but functionally that is what it is.

Although I have great admiration and respect for the gentleman from New York when he opines about the purpose of that fund, as a member of the Budget Committee and one who has spoken with the chairman of the Budget Committee and the gentleman who wrote the budget and the gentleman who put that into the budget, this is not the purpose for which it was put there. That is not it.

Mr. Chairman, again, there are at least half a billion dollars of Member projects in this legislation. Now had those projects not been there, we would not have been here today. Half a billion dollars of spending that the Commander in Chief did not request, the Pentagon did not request, and I certainly hear my friends from the other side of the aisle be very vocal about wanting to take away tax relief because we have to support the brave

men and women on the front. I wonder if they would be as interested in reducing spending on their particular earmarks in order to achieve that particular purpose.

Again, Mr. Chairman, the question is not whether or not we are going to support our troops, the question is how are we going to do it and is our budget a farce. Is our budget meaningless, or does it actually stand for something?

Those on the other side of the aisle will never lose an opportunity to raise taxes, but maybe there is another option here. Maybe we ought to look at other spending. We know there will be a number of appropriation bills to come to this floor. I do not know what will be in all of them. I certainly know looking in my rear view mirror what some of the spending has been in the past.

In appropriation bills for 2006, we added \$273,000 for garden mosaics in New York. Maybe that is money we could have spend today on this military construction. We added \$179,000 for hydroponic tomato production. Maybe that money could have been spent on military construction. There was a million dollars for the Water-Free Urinal Conservation Initiative; maybe that money could have been spent. Again, we are debating where this money is going to come from.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. HENSARLING. I yield to the gentleman from New York.

Mr. WALSH. I would just like to ask the gentleman, those projects that he just mentioned, are those projects in this bill?

□ 1345

Mr. HENSARLING. Reclaiming my time, Mr. Chairman, this represents appropriations that took place in last year's appropriations bills, and I am using them as an example of pools of money that have been available.

Again, there are earmarks in this bill that did not have to be there. They did not have to be there, Mr. Chairman. So what we have is a budget sleight of hand. The ink is not even dry on the budget, and we are already attempting to violate it. And that is simply not right.

Clearly, the greatest threat, the greatest threat to our country is the war on terror. But we also have another threat, and that is out-of-control Federal spending. If we are going to buy the guns, we had better get a little lean on the butter, and we had better quit wrapping the butter in the American flag in this sleight of hand. It is wrong, Mr. Chairman. It is wrong to do it. We will support our troops, but to sit here and pay for all of these earmarks and all the pork projects wrapped in the American flag is the wrong thing to do.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as I was sitting here, it struck me that the gentleman from

Texas resembles a poor imitation of Vice President CHENEY because, like Vice President CHENEY, he is shooting at the wrong target. The first rule of thumb is that if you are going to shoot somebody or something, you make sure you are shooting the right person.

What the gentleman just said to us is almost unbelievable. I mean, it sounded to me like I was in a sophomore high school class rather than in the House of Representatives, which is supposed to be the greatest deliberative body in the world. We are told that because he was peaked about a hydroponic tomato project in a bill last year that somehow he was determined to take it out on the military by yanking out military construction projects that were asked for not by me, not by Mr. WALSH or anyone else, but by the President of the United States.

I do not have any projects in this bill. I have a district that has very little to do with military except with respect to the Guard, and almost all of them are stuck in Iraq. So I can speak objectively with respect to projects. But it does seem quaint to me that if the gentleman did not like something that happened in another bill in another year in the deep, dark, distant past that instead he is going to shoot the future by yanking out money that the President of the United States thought it was important enough to ask for. I think that says something about the judgment of the persons making these motions today.

Mr. LAHOOD. Mr. Chairman, I move to strike the last word.

I want to stipulate, Mr. Chairman, I do not have any projects in this bill. I also want to stipulate that the gentlemen that have been out here on the floor for the last 2 hours, talking about the fact that they support our troops, they support the idea that we should be funding our troops and funding the war, almost all of them voted against the rule that would have funded all of the money for the last supplemental for the war.

You all voted against the rule. So please do not come out here and lecture us on the idea that you are for supporting the troops when you voted against the rule. Every project that you had stricken today was authorized by the last Armed Services bill that was on the floor about 10 days ago. When I last checked the vote on that, only three people voted against that bill. None of you. So please do not come out here and lecture us.

You picked the wrong bill to have your earmark fight. Please do not tell us you support the troops. Please do not tell us you support the war. When you came out here and X'd out all of these important projects that help our troops, help us win the war, help the administration fight the war on terror.

Pick another bill, not this one, and then try to lecture all of us on the idea that you support all of this. You voted for it in the authorization bill; however, you did vote against it in the rule

in the last supplemental, which would have funded the supplemental. So you cannot have it both ways. I know you would love to, but you cannot.

And I just want the record to show what happened here.

Mr. BOEHNER. Mr. Chairman, I move to strike the last word.

I want to thank my colleagues for their indulgence for just a moment.

On Wednesday we passed a budget. We did it, I think, in the right way. Members had ample time for debate. We had a 15-minute vote and the budget was passed. And I am proud of my colleagues on our side for coming together to make that happen.

Once that decision was made, we have got to allocate those funds, and we have got to make decisions. And we are beginning that process, yesterday with the Interior approps bill, today with the military quality of life.

I come here today because there is a process fight under way. Not a fight over policy. Not a fight over the quality of the spending that was in here. It was over how it was done. And the leadership could have intervened and could have protected this and irritated one group of Members in favor of another. We did not do that. But I rise to say that all of us in this House want to do everything we can for our troops. As my friend from Wisconsin, Mr. OBEY, would say, we can all pose for the holy pictures. But the points of order that have been raised on this go to a question of how this \$50 billion that was set aside for the use of fighting the war on terror and Iraq is set aside to do that. Last year when we had the military quality of life bill, none of those funds were included in this. We worked with the appropriators today, and I have a better understanding of why it is in there. But we obviously have some Members that disagree about the fact that that money was used in this fashion.

But the reason I rise is to ask all of my colleagues to be patient. It is easy around here to get into a fight over issues of process that sound like some big policy fight when, in fact, it is not about the policy. It is not about the fact that we are not supporting our troops. There is a disagreement over about how this was done today. And I am going to pledge to work with the appropriators and all of my colleagues to make sure that we all have a clearer understanding of how this money is to be spent and the process by which it is spent.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

TITLE V  
GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Mr. WALSH (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 62, line 19, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The text of the bill through page 62, line 19, is as follows:

SEC. 502. Such sums as may be necessary for fiscal year 2007 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 503. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 504. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 505. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of "E-Commerce" technologies and procedures in the conduct of their business practices and public service activities.

SEC. 506. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 507. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 508. The amounts appropriated in Division B, title I, chapter 7 of Public Law 109-148 under the headings "Military Construction, Defense-Wide" and "Construction, Major Projects" may be used only for construction, or modification of joint-use and/or co-located facilities.

AMENDMENT OFFERED BY MR. TIAHRT

Mr. TIAHRT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TIAHRT:

At the end of the bill (before the short title) insert the following:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used to promulgate regulations without consideration of the effect of such regulations on the competitiveness of American businesses.

Mr. WALSH. Mr. Chairman, I reserve a point of order against the gentleman's amendment.

The CHAIRMAN. A point of order is reserved.

Mr. TIAHRT. Mr. Chairman, the elected Representatives of this great institution, the House of Representatives, should be very concerned about the direction of our current and future economy.

Over the last generation, past Congresses and this Congress have created and expanded barriers to keeping and creating jobs in America. And those congressionally constructed barriers are affecting us today.

Our trade deficit this year will be somewhere in the area of \$700 billion. China will graduate more English-speaking electrical engineers this year than we do if current trends hold true. India will graduate more software engineers than all the universities and colleges in the United States of America added together. Chile is currently pursuing more trade agreements than the United States. And Ireland has taken their economy in the European Union from third-rate status to the hottest and most vibrant economy in the entire European Union.

There is no doubt that we have the number one economy in the world today, but we are jeopardizing that status by the barriers created by this Congress. Those barriers include health care policy, the fastest growing cost in the American economy. It is nearly 15 percent of our total gross domestic product today. Those higher costs mean some jobs will not be created. Those higher costs mean some jobs will be driven overseas.

Our tax policy punishes success and makes it more appealing to move workers overseas to countries like Ireland. Our regulatory burdens are huge roadblocks to new jobs.

Yesterday, this Congress rejected a commonsense proposal for reform with EPA regulations that would have reduced the costs and still retained 99 percent of the reporting data of the Toxic Properties Inventory Report. Small manufacturing firms of 20 employees or less right now spend more than \$22,000 a year on regulatory compliance. If we could just put some commonsense reform and cut those jobs in half, we could increase jobs at those small firms by up to 50 percent by just reforming regulations. This Congress chose not to do that last night.

Our litigation expenses raise the cost through court costs, lawyer fees, and liability insurance costs. Lawsuits drive jobs overseas. Other barriers include engineering policy, energy policy, education policy, trade policy, and unfocused research and development investments.

A regulatory problem that directly affects this bill is related to a company called Agriboard. Agriboard is a panel made of wheat chaff. It is stronger than most manmade materials. It is fire resistant, blast resistant, even tested by the military, energy efficient, mold resistant, termite and insect resistant, environmentally safe, and sound resistant.

Agriboard Industries makes panels for construction for residential, commercial, or military buildings. But they are falling victim to the regulatory bureaucratic red tape fiasco at the Department of Defense.

These panels have been used in Sri Lanka for the tsunami victims and

have passed or exceeded DOD structural blast tests. They are stronger, environmentally sound, cheaper, and more durable than most construction material. Yet they have had a hard time getting through the onerous procurement system to be considered by the Department of Defense for base construction. Agriboard products deserve consideration; yet our system is preventing them from that consideration.

Base commanders have limited flexibility on how those projects are constructed based on the value of the project. Instead, the process is handed from top down and is cumbersome and ineffective. A company has to get new materials approved by the Pentagon prior to being used in any significant projects. I am told that process for approval is laborious and complex. This makes our government inefficient. It also prevents American companies, such as Agriboard, from competing and expanding their businesses which would mean more high-paying jobs for America.

Mr. Chairman, it is time Congress removed economic barriers, streamlined the procurement process, because in doing so, we will reduce costs and create more opportunity in America to create and keep American jobs.

Mr. Chairman, I realize our rules would recognize that this is an authorization on the appropriations bill and therefore not in order. But I believe it is always in order to fight for American jobs.

Mr. Chairman, respectfully I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

□ 1400

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

At the end of the bill (before the short title), insert the following:

**TITLE VI—ADDITIONAL GENERAL PROVISIONS**

Sec. 601. None of the funds appropriated in this Act may be used to implement Paragraph 4.F of "Public Affairs Guidance On Casualty and Mortuary Affairs in Military Operations," (R 311900Z) March 2003.

Ms. JACKSON-LEE of Texas. Mr. Chairman, first I would like to express my appreciation to Chairman WALSH and Ranking Member EDWARDS for their hard work on this hard task on behalf of the Nation's soldiers.

My task today is one of the saddest aspects of being part of the United States military, and that is when our soldiers fall, when they lose their lives in the service of this country on the battlefields around the world.

I remind my colleagues of a very stoic but very brave situation that occurred when President Reagan left the

White House in Washington, D.C. and went to Dover Air Force Base to welcome home the fallen soldiers who had died in Lebanon. All the Nation was able to mourn and all the Nation poured their heart out on behalf of those families and those fallen soldiers. I was then quite shocked to realize that there is now an advisory that directs this government not to honor our soldiers when they come, having fallen in battle, back to the soil of the United States of America.

Might I share with you the language. "There will be no arrival ceremonies for or media coverage of deceased military personnel returning to or departing from Ramstein AB or Dover Air Force Base, to include interim stops." What a shocking statement to make to the Nation, that when our soldiers fall in battle or when they lose their lives as members of the United States military, there is a blanket order, an executive order, an order of this administration, not to pay honor and tribute to them.

Mr. Chairman, I am not speaking of disrespecting family members who desire no such formal ceremonies. What I am suggesting is it should be an option and that there should be no blanket barrier that would, in fact, stop the honoring of these soldiers.

I remind you of the words of Abe Lincoln, who said "Family has made the costly sacrifice on the alter of freedom." We owe them the respect of this honor, and a grateful Nation should be permitted to show its gratitude. But with this blanket order that suggests that there can be no public ceremony, I believe we denigrate, we deny the opportunity for honor.

My colleagues will say that there are individual ceremonies and funerals and memorials. And they may be right. But I ask you as Americans and colleagues, how many times have we been able to mourn as a nation the soldiers who are in the war on terror, fighting in places around the world? In these recent years, we have seen none. We have not honored any publicly.

Yes, one week from now will be Memorial Day, but yet we are denied the right to be able to show our gratitude. My amendment is to comfort the widow and the orphans. My amendment is on behalf of Americans.

Mr. Chairman, let me simply say that in reading this language, I struggled with the reason and the premise. I know that my good friend, Chairman WALSH, is going to suggest that there is a point of order and it is not germane. What I would say to him is that because of its importance, I ask you to waive the point of order, because our families and our Nation is crying out to be able to honor these fallen soldiers.

Why can't we join together as patriots, respecting and recognizing the young lives that have been sacrificed, by the Reservists, the National Guard and all the service branches on behalf of this Nation? Why would you have

this kind of prohibition with no basis, no premise, particularly when we saw flag-draped coffins being utilized after the tragedy of 9/11? Why would you not allow us as Americans to embrace the widows and orphans and be able to say to them, thank you.

Mr. Chairman, I ask that the point of order be waived and I ask that my colleagues support this amendment.

Mr. WALSH. Mr. Chairman, I rise to strike the last word.

Mr. Chairman, I do not intend to oppose this nor do I intend to raise a point of order, but I want to make it absolutely 100 percent clear that this amendment will have absolutely no impact on this policy. The funds that the gentlelady proposes to limit are not in this bill. The paragraph 4(f) that she cites is not in this bill. This amendment has no impact whatsoever on this bill. For that reason, I have no objection to the gentlelady's amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE). The amendment was rejected.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will only take 1 minute. I just want to respond to something the distinguished majority leader said. He indicated that what had occurred on the House floor today was a process fight.

That is not what it was at all. It was a priorities fight. We saw this unraveling today because the majority party insisted on sticking by a budget resolution which puts super-sized tax cuts for the most comfortable in this society ahead of every other consideration.

We may not see arguments quite as dramatic and as chaotic as we did today on this bill, but as appropriation bills move through this House, we will see similar conflicting priorities, because the budget which has caused the problem is a budget which does not put the needs of military families first, it does not put the needs of education first, it does not put the need to invest in critical programs that strengthen the economy of the country in the future first. Instead, it continues to insist that we provide over \$40 billion in tax cuts to persons who make over \$1 million a year. That is a priorities fight. It is not a technical process fight. I think we need to keep that in mind.

Mr. WALSH. Mr. Chairman, I rise to strike the last word. I don't know whether this will be the last word, but I hope it is, because enough has been said.

Mr. Chairman, I have made every effort throughout the process of constructing this bill to reach across the aisle and to do this in a bipartisan way, not only because I believe that is the way we should operate here, but because on a bill of this importance that involves our national security and the health and well-being of our soldiers, sailors, airmen and marines, we need to be bipartisan, and I am afraid because

of the tenor of this debate that the vote, in the end, will not be. I don't know. I can't predict the outcome.

I do have to say, I very much regret the process fight that we had on our side of the aisle. I strongly disagree with my colleagues who chose this bill to make their fight over earmark reform. Every earmark in this bill is authorized. That is the process that we follow.

I also deeply regret that Members on the other side of the aisle chose to make this their political fight, to make their political points about tax cuts and revenues and to make it a partisan bill. This is not a partisan bill. It should not be a partisan bill.

So I feel badly that the tenor of the debate was not about the strength of our military and the importance of their mission, but it was about process and politics. In my mind, on this bill, there is no place for either. Our commitment is to our troops, to their lives, to their families and to our veterans, and I hope that both sides, now that the debate is over, will close ranks, stand shoulder to shoulder and send our troops a very, very clear signal that we support them, we support their mission, and that we support this bill.

Mr. Chairman, I would urge a unanimous vote on this very important subcommittee appropriations bill.

Mr. EDWARDS. Mr. Chairman, I move to strike the last word. Out of respect for the chairman, I will yield to him, because I think he should have the last word. I won't take all 5 minutes.

Mr. Chairman, I intend to vote for this bill for several reasons: One, because the chairman of this subcommittee worked on a professional and thoroughly bipartisan basis to take what I think was an inadequate budget allocation due to the budget resolution and do the very best with it that he could and we could, and we did that. I think we did a good job of it.

Secondly, despite the fact that I am offended that a half a billion dollars of vital Pentagon requested military construction projects were just taken out of this bill, I think our troops deserve the other projects that are still left in this bill, especially as so many of them are facing wartime. That is why I am going to vote for this bill, and I urge my Democratic colleagues to join with me if they share my views.

I do want to say that to the American people perhaps this has been confusing and seemed like a process, I want to summarize what has happened today.

Because of an inadequate budget resolution which many of us opposed 2 days ago, this House has cut \$507 million out of military construction projects the Bush administration said were needed to be funded.

The second thing that has happened today is that because of the budget resolution, and, in my opinion, its over-emphasis on tax cuts and its under-emphasis on putting the defense needs of



our country above those tax cuts, we have a bill that will cut \$735 million out of what the administration requested for defense health care programs for active duty military men and women, including those in combat, and for our retirees.

The one place where I would respectfully disagree with my chairman, Mr. WALSH, is that for many of us, this debate wasn't about politics. For many of us, we pleaded genuinely for this House not to vote for a budget resolution that we felt would result in what has just happened today. We predicted it would happen, that we would end up underfunding key vital priorities for our country. We pleaded at the Appropriations Committee in good faith to not adopt a 302(b) appropriation allocation that for our subcommittee for this bill cut \$824 million out of the President's request.

I think to talk about the price being paid because of the budget resolution passed earlier this week, it isn't about politics, it is about an honest difference of where our country should go and where we should place our priorities.

Having said that, where I have agreed with the chairman at every step of the way is in his effort to put together a budget for a subcommittee that didn't have enough money in a way that funded the highest possible priorities given those budget constraints. That was a good process, and that was a bipartisan process, and had the technical amendments and debate not been brought up by several colleagues on the chairman's side of the aisle, we wouldn't have had this fight today. We were going to vote for this on a bipartisan basis.

□ 1415

Having said that, I still hope we support this bill. But I think it is time for us to level with the American people. We cannot have our cake and eat it too. And if we are going to vote for budget resolutions, we cannot run from the impact those budget resolutions have on our military men and women, on education, health care, job training, and other programs as well.

Finally, I want to salute the staff, on both the Republican and Democratic side of this subcommittee, an outstanding professional staff, that did an excellent job of taking a tough budget allocation, doing the best with it that I think anybody could have done.

Mr. Chairman, I yield any remaining time to the chairman out of my respect for him so that he can have the last word.

Mr. WALSH. Mr. Chairman, I thank my colleague for yielding.

Mr. Chairman, I very much appreciate the acknowledgement that he gave to our staff who have worked very, very hard, both sides of the aisle, to make the best bill that we could. I assure my colleague and the Members of the House that as we go forward we will find the resources that we need to

make sure that our troops have all of the resources at their hand to be successful in their mission.

AMENDMENT OFFERED BY MR. BLUMENAUER

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, the pending business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 151, noes 247, not voting 34, as follows:

[Roll No. 175]

AYES—151

Ackerman	Green, Gene	Moran (VA)
Baird	Grijalva	Nadler
Baldwin	Gutierrez	Napolitano
Barrow	Harman	Neal (MA)
Bean	Harris	Oberstar
Becerra	Hastings (FL)	Obey
Berkley	Herseth	Olver
Berman	Higgins	Owens
Bishop (NY)	Hinchee	Pallone
Blumenauer	Holt	Pascrell
Boswell	Honda	Paul
Brady (PA)	Hooley	Payne
Brown, Corrine	Hyde	Pomeroy
Brown-Waite,	Insee	Price (NC)
Ginny	Israel	Rangel
Capps	Jackson (IL)	Rothman
Capuano	Jackson-Lee	Roybal-Allard
Cardoza	(TX)	Rush
Carnahan	Jefferson	Sánchez, Linda
Case	Johnson (IL)	T.
Chandler	Johnson, E. B.	Sanchez, Loretta
Clay	Jones (NC)	Schakowsky
Cleaver	Kaptur	Schiff
Clyburn	Kelly	Scott (VA)
Coble	Kildee	Serrano
Conyers	Kilpatrick (MI)	Sherman
Cooper	Kucinich	Simmons
Costello	Langevin	Skelton
Crowley	Lantos	Slaughter
Davis (IL)	Larsen (WA)	Smith (NJ)
Davis (TN)	Lee	Solis
Davis, Jo Ann	Lipinski	Stearns
DeFazio	Loftgren, Zoe	Sweeney
DeGette	Lowey	Thompson (CA)
Delahunt	Lynch	Thompson (MS)
DeLauro	Maloney	Tierney
Dicks	Markey	Towns
Dingell	Matsui	Udall (CO)
Doggett	McCarthy	Udall (NM)
Ehlers	McCollum (MN)	Velázquez
Emanuel	McGovern	Visclosky
Eshoo	McKinney	Walden (OR)
Farr	McNulty	Wasserman
Filner	Meehan	Schultz
Fitzpatrick (PA)	Meek (FL)	Waters
Ford	Meeks (NY)	Watson
Fortenberry	Millender-	Watt
Frank (MA)	McDonald	Waxman
Gerlach	Miller (MI)	Weiner
Gilchrest	Miller (NC)	Wexler
Gordon	Miller, Gary	Woolsey
Green, Al	Moore (WI)	Wu

NOES—247

Abercrombie	Biggart	Boyd
Aderholt	Bilirakis	Bradley (NH)
Akin	Bishop (UT)	Brady (TX)
Alexander	Blackburn	Brown (OH)
Allen	Blunt	Brown (SC)
Baca	Boehler	Burgess
Bachus	Boehner	Burton (IN)
Barrett (SC)	Bonilla	Butterfield
Bartlett (MD)	Bono	Buyer
Barton (TX)	Boozman	Calvert
Bass	Boren	Camp (MI)
Berry	Boustany	Campbell (CA)

Cannon	Issa	Pombo
Cantor	Istook	Porter
Capito	Jenkins	Price (GA)
Cardin	Jindal	Pryce (OH)
Carson	Johnson (CT)	Putnam
Carter	Johnson, Sam	Radanovich
Castle	Jones (OH)	Rahall
Chabot	Keller	Ramstad
Chocola	Kennedy (MN)	Regula
Cole (OK)	Kind	Rehberg
Conaway	King (IA)	Reichert
Costa	King (NY)	Renzi
Cramer	Kingston	Reyes
Crenshaw	Kirk	Rogers (AL)
Cubin	Klaine	Rogers (KY)
Cuellar	Knollenberg	Rogers (MI)
Culberson	Kolbe	Rohrabacher
Cummings	Kuhl (NY)	Ros-Lehtinen
Davis (CA)	LaHood	Ross
Davis, Tom	Latham	Royce
Deal (GA)	LaTourette	Ruppersberger
DeLay	Leach	Ryan (OH)
Dent	Levin	Ryan (WI)
Diaz-Balart, L.	Lewis (CA)	Ryun (KS)
Diaz-Balart, M.	Lewis (KY)	Sabo
Doolittle	Linder	Saxton
Drake	LoBiondo	Schmidt
Dreier	Lucas	Schwartz (PA)
Duncan	Lungren, Daniel	Schwarz (MI)
Edwards	E.	Scott (GA)
Emerson	Mack	Sensenbrenner
Engel	Marchant	Sessions
Etheridge	Marshall	Shadegg
Everett	Matheson	Shaw
Feeney	McCaul (TX)	Shays
Ferguson	McCotter	Sherwood
Flake	McCrery	Shimkus
Foley	McHenry	Shuster
Forbes	McHugh	Simpson
Fossella	McIntyre	Smith (TX)
Fox	McKeon	Snyder
Franks (AZ)	McMorris	Sodrel
Frelinghuysen	Melancon	Souder
Galleghy	Mica	Spratt
Garrett (NJ)	Michaud	Sullivan
Gibbons	Miller (FL)	Tanner
Gillmor	Miller, George	Tauscher
Gingrey	Mollohan	Taylor (MS)
Gonzalez	Moore (KS)	Taylor (NC)
Goode	Moran (KS)	Terry
Goodlatte	Murphy	Thornberry
Granger	Murtha	Tiahrt
Graves	Myrick	Tiberi
Green (WI)	Neugebauer	Turner
Gutknecht	Ney	Upton
Hall	Northup	Van Hollen
Hart	Norwood	Walsh
Hastings (WA)	Nunes	Wamp
Hayes	Ortiz	Weldon (FL)
Hayworth	Osborne	Weldon (PA)
Hefley	Otter	Weller
Hensarling	Pastor	Westmoreland
Hergert	Pearce	Whitfield
Hinojosa	Pence	Wicker
Hobson	Peterson (MN)	Wilson (NC)
Hoekstra	Peterson (PA)	Wilson (SM)
Holden	Petri	Wilson (SC)
Hostettler	Pickering	Wolf
Hoyer	Pitts	Wynn
Hunter	Platts	Young (AK)
Inglis (SC)	Poe	Young (FL)

NOT VOTING—34

Andrews	Fattah	Pelosi
Baker	Gohmert	Reynolds
Beauprez	Hulshof	Salazar
Bishop (GA)	Kanjorski	Sanders
Bonner	Kennedy (RI)	Smith (WA)
Boucher	Larson (CT)	Stark
Davis (AL)	Lewis (GA)	Strickland
Davis (FL)	Manzullo	Stupac
Davis (KY)	McDermott	Tancredo
Doyle	Musgrave	Thomas
English (PA)	Nussle	
Evans	Oxley	

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1437

Messrs. SMITH of Texas, BARTLETT of Maryland, WYNN, Ms. HART and Miss MCMORRIS changed their vote from "aye" to "no."

Mr. WEXLER, Ms. MOORE of Wisconsin, Ms. HARRIS, and Ms. CORRINE BROWN of Florida changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read the last three lines.

The Clerk read as follows:

This Act may be cited as the "Military Construction, Military Quality of Life and Veterans Affairs Appropriations Act, 2007".

Mr. WALSH. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WALDEN of Oregon) having assumed the chair, Mr. SHIMKUS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5385) making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

The SPEAKER pro tempore. Pursuant to House Resolution 821, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 395, nays 0, not voting 37, as follows:

[Roll No. 176]

YEAS—395

Abercrombie Boren Chabot
Ackerman Boswell Chandler
Aderholt Bosstany Chocola
Akin Boyd Clay
Alexander Bradley (NH) Cleaver
Allen Brady (PA) Clyburn
Baca Brady (TX) Coble
Bachus Brown (OH) Cole (OK)
Baird Brown (SC) Conaway
Baldwin Brown, Corrine Conyers
Barrett (SC) Brown-Waite, Cooper
Barrow Ginny Costa
Bartlett (MD) Burgess Costello
Barton (TX) Burton (IN) Cramer
Bass Butterfield Crenshaw
Bean Buyer Crowley
Becerra Calvert Cubin
Berkley Camp (MI) Cuellar
Berman Campbell (CA) Culberson
Berry Cannon Cummings
Biggert Cantor Davis (CA)
Bilirakis Capito Davis (IL)
Bishop (NY) Capps Davis (TN)
Bishop (UT) Capuano Davis, Jo Ann
Blackburn Cardin Davis, Tom
Blumenauer Cardoza Deal (GA)
Blunt Carmahan DeFazio
Boehner Carson DeGette
Bonilla Carter Delahunt
Bono Case DeLauro
Boozman Castle DeLay

Dent King (IA) Pombo
Diaz-Balart, L. King (NY) Pomeroy
Diaz-Balart, M. Kingston Porter
Dicks Kirk Price (GA)
Dingell Kline Price (NC)
Doggett Knollenberg Pryce (OH)
Doolittle Kolbe Putnam
Drake Kucinich Radanovich
Dreier Kuhl (NY) Rahall
Duncan LaHood Ramstad
Edwards Langevin Rangel
Ehlers Lantos Regula
Emanuel Larsen (WA) Rehberg
Emerson Latham Reichert
Engel LaTourrette Renzi
Eshoo Leach Reyes
Etheridge Lee Rogers (AL)
Everett Levin Rogers (KY)
Farr Lewis (CA) Rogers (MI)
Feeoney Lewis (KY) Rohrabacher
Ferguson Linder Ros-Lehtinen
Filner Lipinski Ross
Fitzpatrick (PA) LoBiondo Rothman
Flake Lofgren, Zoe Roybal-Allard
Foley Lowey Royce
Forbes Lucas Ruppertsberger
Ford Lungren, Daniel Rush
Fortenberry E. Ryan (OH)
Fossella Lynch Ryan (WI)
Foxy Mack Ryun (KS)
Frank (MA) Maloney Sabo
Franks (AZ) Marchant Sanchez, Linda
Frelinghuysen Markey T.
Gallegly Marshall Sanchez, Loretta
Gerlach Matheson Saxton
Gibbons Matsui Schakowsky
Gilchrist McCarthy Schiff
Gillmor McCaul (TX) Schmidt
Gingrey McCollum (MN) Schwartz (PA)
Gonzalez McCotter Schwarz (MI)
Goode McCreery Scott (GA)
Goodlatte McGovern Scott (VA)
Gordon McHenry Sensenbrenner
Graves McHugh Serrano
Green (WI) McIntyre Sessions
Green, Al McKeon Shadegg
Green, Gene McKinney Shaw
Grijalva McMorris Shays
Gutierrez McNulty Sherman
Gutknecht Meehan Sherwood
Hall Meek (FL) Shimkus
Harman Meeks (NY) Shuster
Harris Melancon Simmons
Hart Mica Simpson
Hastings (FL) Michaud Skelton
Hastings (WA) Millender Slaughter
Hayes McDonald Smith (NJ)
Hayworth Miller (FL) Smith (TX)
Hefley Miller (MI) Snyder
Hensarling Miller (NC) Sodrel
Herger Miller, Gary Solis
Herseth Miller, George Souder
Higgins Mollohan Spratt
Hinchev Moore (KS) Stearns
Hinojosa Moore (WI) Sullivan
Hobson Moran (KS) Sweeney
Hoekstra Moran (VA) Tanner
Holden Murphy Tauscher
Holt Murtha Taylor (MS)
Honda Myrick Taylor (NC)
Hooley Nadler Terry
Hostettler Napolitano Thompson (CA)
Hoyer Neal (MA) Thompson (MS)
Hunter Neugebauer Thornberry
Hyde Ney Tiahrt
Inglis (SC) Northup Tiberi
Inslee Norwood Tierney
Israel Nunes Towns
Issa Oberstar Turner
Obey Obeys Udall (CO)
Oliver Udall (NM)
Ortiz Upton
Osborne Van Hollen
Otter Velazquez
Owens Visclosky
Pallone Walden (OR)
Pascrell Walsh
Pastor Wamp
Paul Wasserman
Payne Schultz
Pearce Waters
Pence Watson
Peterson (MN) Watt
Peterson (PA) Waxman
Petri Weiner
Kennedy (MN) Pickering Weldon (FL)
Kildee Pitts Weldon (PA)
Kilpatrick (MI) Platts Weller
Kind Poe Westmoreland

Wexler Wilson (SC) Wynn
Whitfield Wolf Young (AK)
Wicker Woolsey Young (FL)
Wilson (NM) Wu

NOT VOTING—37

Andrews Fattah Oxley
Baker Garrett (NJ) Pelosi
Beauprez Gohmert Reynolds
Bishop (GA) Granger Salazar
Boehler Hulshof Sanders
Bonner Kanjorski Smith (WA)
Boucher Kennedy (RI) Stark
Davis (AL) Larson (CT) Strickland
Davis (FL) Lewis (GA) Stupak
Davis (KY) Manzullo Tancredo
Doyle McDermott Thomas
English (PA) Musgrave
Evans Nussle

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1454

So the bill was passed.
The result of the vote was announced as above recorded.
A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. SALAZAR. Mr. Speaker, due to a commitment of my time in Colorado this evening, I must leave before the end of voting on H.R. 5385, The Military Construction, Military Quality of Life and Veterans Affairs Appropriations Act of 2007. Had I been able to finish voting on this bill I would have made the following votes: "aye" on the Blumenauer amendment and "yea" on final passage.

PERSONAL EXPLANATION

Mr. DAVIS of Kentucky. Mr. Speaker, on Friday, May 19, 2006, I was absent from the House due to a prescheduled event with the President on his American Competitiveness Initiative at Northern Kentucky University. Had I been present I would have voted: Rollcall No. 173 (previous question)—"yea"; Rollcall No. 174 (rule)—"yea"; Rollcall No. 175 (Blumenauer amendment)—"no"; Rollcall No. 176 (final passage)—"yea."

PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Mr. Speaker, I would like to submit this statement for the RECORD and regret that I could not be present today, Friday, May 19, 2006 to vote on rollcall vote Nos. 173, 174, 175, and 176 due to a family medical emergency.

Had I been present, I would have voted: "Nay" on rollcall vote no. 173 on calling the previous question on H. Res. 821—the rule providing for consideration of H.R. 5385, the FY07 Military Quality of Life, Veterans Affairs, and Related Agencies Appropriations Bill; "nay" on rollcall vote no. 173 on passage of H. Res. 821—the rule providing for consideration of H.R. 5385, the FY07 Military Quality of Life, Veterans Affairs, and Related Agencies Appropriations Bill. "aye" on rollcall vote no. 175 on an amendment to H.R. 5385 that increases the 1990 BRAC accounts by \$27.5 million and increases environmental restoration on formerly used bases account by \$50 million, and; "yea" on rollcall vote no. 176 on final passage of H.R. 5385, the FY07 Military