

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3082) MAKING APPROPRIATIONS FOR MILITARY CONSTRUCTION, THE DEPARTMENT OF VETERANS AFFAIRS, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2010, AND FOR OTHER PURPOSES

JULY 9, 2009.—Referred to the House Calendar and ordered to be printed

Ms. PINGREE, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 622]

The Committee on Rules, having had under consideration House Resolution 622, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 3082, the Military Construction and Veterans Affairs Appropriations Act, 2010, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The resolution waives all points of order against consideration of the bill except for clauses 9 and 10 of rule XXI. The resolution provides that the bill shall be considered as read through page 58, line 6. The resolution waives all points of order against provisions in the bill for failure to comply with clause 2 of rule XXI.

The resolution makes in order the amendments printed in this report. The resolution provides that each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI.

The resolution provides that for those amendments reported from the Committee of the Whole, the question of their adoption shall be put to the House en gros and without demand for division of the question. The resolution provides one motion to recommit with or without instructions.

The resolution provides that after disposition of the amendments specified in the first section of the resolution, the chair and ranking minority member of the Committee on Appropriations or their designees each may offer one pro forma amendment to the bill for the purpose of debate, which shall be controlled by the proponent. The resolution provides that the Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Appropriations or his designee and that the Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII). Finally, the resolution provides that during consideration of the bill, the Chair may reduce to two minutes the minimum time for electronic voting.

EXPLANATION OF WAIVERS

The waiver of all points of order against the consideration of the bill (except clauses 9 and 10 of rule XXI), includes a waiver of section 302(f) of the Congressional Budget Act regarding consideration of legislation providing new budget authority in excess of a subcommittee's 302(b) allocation of such authority, and a waiver of clause 4(c) of rule XIII (requiring a three-day layover of printed committee hearings).

The waiver of all points of order against provisions in the bill includes a waiver of clause 2 of rule XXI, prohibiting unauthorized appropriations or legislative provisions in an appropriations bill.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 189

Date: July 9, 2009.

Measure: H.R. 3082.

Motion by: Mr. Dreier.

Summary of motion: To grant an open rule.

Results: Defeated 4–7.

Vote by Members: McGovern—Nay; Hastings—Nay; Matsui—Nay; Cardoza—Nay; Arcuri—Nay; Perlmutter—Nay; Pingree—Nay; Dreier—Yea; Diaz-Balart—Yea; Sessions—Yea; Foxx—Yea.

Rules Committee record vote No. 190

Date: July 9, 2009.

Measure: H.R. 3082.

Motion by: Mr. Diaz-Balart.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Gohmert, #10, which would prohibit any federal funds from being provided to a state, city, county, or other political subdivision thereof if the Secretary of Defense determines that such state or political subdivision prohibits or unreasonably restricts, through zoning requirements more restrictive than those imposed on most small businesses in that jurisdiction, the ability of the Armed Forces to establish and operate a military recruiting office.

Results: Defeated 4–7.

Vote by Members: McGovern—Nay; Hastings—Nay; Matsui—Nay; Cardoza—Nay; Arcuri—Nay; Perlmutter—Nay; Pingree—Nay; Dreier—Yea; Diaz-Balart—Yea; Sessions—Yea; Foxx—Yea.

Rules Committee record vote No. 191

Date: July 9, 2009.

Measure: H.R. 3082.

Motion by: Dr. Foxx.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Paulsen, #3, which would provide that no funds may be used to create a nationalized or single-payer health care system that would decrease the health care services available to veterans or otherwise diminish the unique identity and role of the health care provided to veterans.

Results: Defeated 4–7.

Vote by Members: McGovern—Nay; Hastings—Nay; Matsui—Nay; Cardoza—Nay; Arcuri—Nay; Perlmutter—Nay; Pingree—Nay; Dreier—Yea; Diaz-Balart—Yea; Sessions—Yea; Foxx—Yea.

SUMMARY OF AMENDMENTS MADE IN ORDER

(Summaries derived from information provided by sponsors.)

1. Cohen (TN): Would increase by \$1,000,000 funds to the Title II Department of Veterans Affairs, Veterans Health Administration, Medical services account. In turn, the amendment would decrease by \$1,000,000 funds to the Title II Department of Veterans Affairs, Veterans Health Administration, General Operating Expenses account.

2. Filner (CA)/Langevin (RI): Would increase the level of funding for the Department of Veterans Affairs, Office of National Veterans' Sports Programs and Special Events by \$3,500,000. Would decrease funding for the VA's Medical Support and Compliance account by \$3,500,000.

3. Capito (WV): Would increase funding for the United States Court of Appeals for Veterans Claims by \$1,000,000, subsequently increasing the funding for veterans' free legal services by \$1,000,000. The offset would be produced by reducing the Office of Inspector General Account.

4. Garrett (NJ): Would increase funding for the Grants for Construction of State Veterans Cemeteries account by \$4,000,000 and decrease funding for the Grants for Construction, Minor Projects account by \$4,000,000.

5. Sessions (TX): Would require, not later than 60 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report detailing the current and planned use of Hyperbaric Oxygen Therapy (HBOT) in Department of Veterans Affairs medical facilities. Such report shall include the number of veterans being treated with HBOT, the types of conditions being treated with HBOT and their respective success rates, and the current inventory of hyperbaric chambers.

6. Flake, Jeff (AZ): Would prohibit funding for all of the member-requested earmarks for military construction projects.

7. Hensarling (TX): Would strike \$2,330,000 for a Marine Mammal Surgical Center at Point Loma Naval Base and reduce the overall cost of the bill by a commensurate amount.

8. Moore, Gwen (WI): Would prohibit the use of funds in this bill for the use of ‘enhanced use leases’ at the three original National Homes for Disabled Volunteer Soldiers (Soldier’s Home Branches) established before 1868.

TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COHEN OF TENNESSEE, OR HIS DESIGNEE

Page 33, line 16, after the dollar amount insert the following: “(increased by \$1,000,000)”.

Page 37, line 14, after the dollar amount insert the following: “(reduced by \$1,000,000)”.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FILNER OF CALIFORNIA, OR HIS DESIGNEE

Page 35, line 4, after the dollar amount insert the following: “(reduced by \$3,500,000)”.

Page 37, line 14, after the dollar amount insert the following: “(increased by \$3,500,000)”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CAPITO OF WEST VIRGINIA, OR HER DESIGNEE

Page 39, line 14, after the first dollar amount insert the following: “(reduced by \$1,000,000)”.

Page 54, line 21, after each dollar amount insert the following: “(increased by \$1,000,000)”.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GARRETT OF NEW JERSEY, OR HIS DESIGNEE

Page 42, line 5, after the dollar amount insert the following: “(decreased by \$4,000,000)”.

Page 43, line 6, after the dollar amount insert the following: “(increased by \$4,000,000)”.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SESSIONS OF TEXAS, OR HIS DESIGNEE

Page 58, after line 6, insert the following:

SEC. 409. Not later than 60 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report detailing the current and planned use of Hyperbaric Oxygen Therapy (hereinafter in this section referred to as “HBOT”) in Department of Veterans Affairs medical facilities. Such report shall include the number of veterans being treated with HBOT, the types of conditions being treated with HBOT and their respective success rates, and the current inventory of hyperbaric chambers.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FLAKE OF ARIZONA, OR HIS DESIGNEE

At the end of the bill (before the short title), insert the following:
 SEC. _____. None of the funds provided in this Act shall be available from the following Department of Defense military construction accounts for the following projects:

Account	Location	Project	Amount
Army	Alabama: An-niston Depot.	Industrial Area Electric Sys-tem Upgrade.	\$3,300,000
Army	Alabama: Fort Rucker.	Water Survival Training Fa-cility.	\$401,000
Army	Alabama: Red-stone Arsenal.	Gate 7 Access Control Point.	\$3,550,000
Air Force	Arkansas: Little Rock AFB.	Security Forces Operations Facility.	\$10,400,000
Army NG	Arkansas: West Memphis.	Readiness Cen-ter.	\$1,240,000
Army	Arizona: Fort Huachuca.	Fire Station, Two Com-pany.	\$6,700,000
Navy	California: Bridgeport MWTC.	Commissary	\$6,830,000
Air Force	California: Los Angeles AFB.	Consolidated Parking Area Ph 1.	\$8,000,000
Air Reserve	California: March ARB.	Small Arms Fir-ing Range.	\$9,800,000
Navy	California: Monterey NSA.	Marine Meterology Center.	\$10,240,000
Navy	California: Point Loma NB.	Add/Alt Marine Mammal Sur-gical Center.	\$2,330,000
Air Force	California: Travis AFB.	Taxiway Mike Bypass Road.	\$6,000,000
Air Force	Colorado: Peter-son AFB.	East Gate Re-alignment.	\$7,200,000

Account	Location	Project	Amount
Air NG	Connecticut: Bradley IAP.	CNAF Bed- down—Up- grade Facili- ties.	\$9,000,000
Navy	Connecticut: New London NSB.	MK-48 Torpedo Magazine.	\$6,570,000
Air Force	Florida: Eglin AFB.	Flight Test Op- erations Fa- cility (413 FLTS).	\$9,400,000
Air Force	Florida: MacDill AFB.	Mission Sup- port Facility.	\$384,000
Air Force	Florida: MacDill AFB.	Consolidated Communica- tions Facility.	\$21,000,000
Navy	Florida: Mayport NS.	Fitness Center	\$26,360,000
Navy	Florida: Pan- ama City NSA.	Joint Diver A- School Dor- mitory.	\$520,000
Navy	Georgia: Albany MCLB.	Weapons Main- tenance Hardstand Facility.	\$4,870,000
Army NG	Georgia: Hunter AAF.	Readiness Cen- ter.	\$8,967,000
Air Force	Georgia: Robins AFB.	Hot Cargo Pad/ Taxiway.	\$6,200,000
Air Force	Hawaii: Hickam AFB.	Ground Control Tower.	\$4,000,000
Army NG	Hawaii: Kapolei	Readiness Cen- ter (JFHQ).	\$5,446,000
Navy	Hawaii: Pearl Harbor NSY.	Drydock 2 Star- board Water- front Facility.	\$850,000
Army NG	Iowa: Camp Dodge.	Motor Vehicle Storage Buildings, Freedom Cen- ter.	\$1,963,000
Army NG	Iowa: Dav- enport.	Army Aviation Support Fa- cility Add/Alt.	\$2,000,000

Account	Location	Project	Amount
Army NG	Iowa: Fairfield	Field Maintenance Shop Add/Alt.	\$2,000,000
Army NG	Iowa: Iowa Falls.	Add/Alt Readiness Center.	\$2,000,000
Air Force	Idaho: Mountain Home AFB.	Civil Engineer Maintenance Complex.	\$690,000
Air NG	Illinois: Lincoln Capital Airport.	Relocate Base Entrance.	\$3,000,000
Air Force	Illinois: Scott AFB.	Aeromedical Evacuation Facility.	\$7,400,000
Navy	Indiana: Crane NSWC.	Strategic Weapons System Engineering Facility.	\$510,000
Air NG	Kansas: McConnell AFB.	Upgrade DCGS	\$8,700,000
Army	Kentucky: Fort Campbell.	Physical Fitness Complex.	\$900,000
Army	Kentucky: Fort Campbell.	Chapel Complex	\$14,400,000
Army NG	Kentucky: Frankfort.	Joint Forces Headquarters.	\$334,000
Army NG	Kentucky: London.	Phase IV Aviation Operations Facility.	\$1,805,000
Air NG	Kentucky: Standiford Field.	Contingency Response Group Facility.	\$600,000
Army	Louisiana: Fort Polk.	Multipurpose Machine Gun Range.	\$6,400,000
Navy	Maine: Portsmouth NSY.	Consolidation of Structural Shops.	\$2,000,000
Navy	Maine: Portsmouth NSY.	Gate 2 Security Improvements.	\$7,090,000

Account	Location	Project	Amount
Army	Maryland: Aberdeen Proving Ground.	Information Processing Node, Ph 2.	\$956,000
Air Force	Maryland: Andrews AFB.	Physical Fitness Facility.	\$930,000
Navy	Maryland: Carderock NSWC DET.	RDTE Support Facility, Ph 2.	\$6,520,000
Army	Maryland: Fort Detrick.	Auditorium and Training Center Expansion.	\$7,400,000
Army	Maryland: Fort Meade.	Intersection, Rockenbach Road & Cooper Avenue.	\$2,350,000
Navy	Maryland: Indian Head NSWC.	Advanced Energetics Research Lab Complex, Ph 2.	\$16,460,000
Air NG	Massachusetts: Barnes ANGB.	F-15 Aircraft Ready Shelters.	\$8,100,000
Air NG	Massachusetts: Hanscom AFB.	Joint Forces Operations Center—ANG Share.	\$1,500,000
Army NG	Michigan: Camp Grayling.	Barracks Replacement, Ph 2.	\$440,000
Army NG	Michigan: Fort Custer (Augusta).	Organizational Maintenance Shop (ADRS).	\$7,732,000
Air NG	Minnesota: Minneapolis-St. Paul IAP.	Add/Alt Starbase Facility.	\$1,900,000
Air NG	Mississippi: Gulfport-Biloxi RAP.	Relocate Base Entrance.	\$6,500,000
Army	Missouri: Fort Leonard Wood.	Health Clinic ...	\$7,800,000

Account	Location	Project	Amount
Air Force	Missouri: Whiteman AFB.	EOD Oper- ations Com- plex.	\$7,400,000
Air Force	Missouri: Whiteman AFB.	Land Acquisi- tion North and South Boundaries.	\$5,500,000
Army NG	Montana: Fort Harrison.	Add/Alt Troop Medical Facil- ity.	\$1,750,000
Army NG	Nevada: Las Vegas.	Civil Support Team Ready Building.	\$727,000
Air NG	New Jersey: At- lantic City IAP.	Munitions Ad- ministration Facility.	\$1,700,000
Air Force	New Jersey: McGuire AFB.	Warfighter and Family Sup- port Center.	\$7,900,000
Army	New Jersey: Picatinny Ar- senal.	Ballistic Eval- uation Facil- ity, Ph 2.	\$10,200,000
Air Force	New Mexico: Cannon AFB.	Dormitory (96 RM).	\$450,000
Air Force	New Mexico: Holloman AFB.	Fire/Crash Res- cue Station.	\$10,400,000
Air Force	New Mexico: Kirtland AFB.	Add to Space RDTE Oper- ations Center.	\$5,800,000
Army	New York: Fort Drum.	All Weather Marksman- ship Facility.	\$8,200,000
Air NG	New York: Fort Drum.	Reaper LRE Beddown (Wheeler Sack AAF).	\$2,700,000
Air Reserve	New York: Ni- agara Falls ARS.	Indoor Small Arms Range.	\$5,700,000
Army NG	North Carolina: East Flat Rock.	Readiness Cen- ter Add/Alt.	\$2,516,000

Account	Location	Project	Amount
Army	North Carolina: Fort Bragg.	Field Support Brigade Headquarters.	\$720,000
Army NG	North Carolina: Fort Bragg.	Tactical UAS Support Fa- cility.	\$6,038,000
Air Force	North Carolina: Seymour Johnson AFB.	Radar Approach Control Com- plex, Ph 1.	\$6,900,000
Air Force	North Dakota: Minot AFB.	Control Tower/ Base Oper- ations Facil- ity.	\$1,710,000
Army NG	Ohio: Beightler Armory.	Joint Forces Headquarters (JOC) Addi- tion.	\$2,000,000
Army NG	Ohio: Ravenna	Shoot House	\$2,000,000
Air NG	Ohio: Toledo Express Air- port.	Multi-Use In- structional Facility.	\$2,000,000
Air Force	Ohio: Wright- Patterson AFB.	Replace West Ramp, Ph 2.	\$10,600,000
Air NG	Ohio: Zanesville ANGS.	New Supply Warehouse.	\$1,000,000
Air Force	Oklahoma: Tin- ker AFB.	T-9 Noise Sup- pressor.	\$5,100,000
Army NG	Oregon: Camp Rilea.	Water Supply System.	\$368,000
Army NG	Oregon: Polk County.	Readiness Cen- ter.	\$12,100,000
Army NG	Pennsylvania: Luzerne.	Readiness Cen- ter.	\$924,000
Navy	Rhode Island: Newport NS.	Renovate Perry Hall.	\$8,530,000
Air NG	South Carolina: McEntire JRB.	Joint Use Armed Forces Reserve Cen- ter.	\$1,300,000
Air Force	South Carolina: Shaw AFB.	Add/Alter USAFCENT Headquarters.	\$21,183,000

Account	Location	Project	Amount
Air NG	South Dakota: Joe Foss Field.	Add to Muni- tions Mainte- nance Com- plex.	\$1,300,000
Army Reserve ...	Texas: Bryan	Army Reserve Center.	\$12,200,000
Army	Texas: Fort Bliss.	Access Control Points.	\$6,500,000
Army	Texas: Fort Hood.	Family Life Center.	\$8,500,000
Navy Reserve	Texas: Fort Worth NAS/ JRB.	Replace Joint Base Commu- nications Building.	\$6,170,000
Air NG	Texas: Kelly Field Annex.	Add/Alt Aircraft Maintenance Shops.	\$7,900,000
Navy	Texas: Kingsville NAS.	Solar Panel Array.	\$4,470,000
Army Reserve ...	Texas: Robstown.	Tactical Equip- ment Mainte- nance Facility.	\$10,200,000
Air Force	Utah: Hill AFB	PCC Apron NW End Taxiway A.	\$5,100,000
Army NG	Vermont: Ethan Allen Range.	BOQ Add/Alt	\$1,996,000
Navy	Virginia: Dahl- gren NSWC.	Electromagnetic Research & Engineering Fac Ph 2.	\$3,660,000
Defense-Wide	Virginia: Dam Neck Annex.	SOF Force Pro- tection Im- provements.	\$4,100,000
Army	Virginia: Fort Lee.	Defense Access Roads.	\$5,000,000
Navy	Washington: Everett NS.	Small Craft Launch.	\$3,810,000
Air Force	Washington: Fairchild AFB.	Refueling Vehi- cle Mainte- nance Facility.	\$4,150,000

Account	Location	Project	Amount
Army	Washington: Fort Lewis.	Fort Lewis- McChord AFB Joint Ac- cess.	\$9,000,000
Navy	Washington: In- dian Island NM.	Ordnance Stor- age Pads with Covers.	\$13,130,000
Army NG	West Virginia: Logan/Mingo County.	Readiness Cen- ter.	\$501,000
Army NG	West Virginia: Parkersburg.	Readiness Cen- ter.	\$2,234,000
Army NG	West Virginia: Parkersburg.	Field Mainte- nance Shop.	\$967,000
Air NG	Wisconsin: Gen- eral Mitchell IAP.	Add/Alt KC-135 Corrosion Control Hangar.	\$5,000,000
Air Force	Guam: Ander- sen AFB.	Postal Service Center.	\$3,500,000
Army NG	Puerto Rico: Camp Santiago.	Urban Assault Course.	\$1,669,000

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
HENSARLING OF TEXAS, OR HIS DESIGNEE

At the end of the bill (before the short title) insert the following:
SEC. ____ . None of the funds provided in this Act under the head-
ing “Military Construction-Navy and Marine Corps” shall be avail-
able for the Marine Mammal Surgical Center at Point Loma Naval
Base, California, and the aggregate amount otherwise provided
under such heading is hereby reduced by \$2,330,000.

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MOORE OF
WISCONSIN, OR HER DESIGNEE

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 for the processing of new enhanced use leases in the three
original National Homes for Disabled Volunteer Soldiers (soldier’s
home branches) established before 1868.