

ratings. We didn't talk about having a AAA rating because we were above even that. Our rating was so superior to anyone else's, the rating system didn't even really apply to the United States. Well, now, not only does it apply, but the danger is that we won't even qualify for the top rating.

Do you know what it is that would cause them to downgrade the debt of the United States? It is not a failure to raise the debt limit by August 2; it is the failure to address this fiscal imbalance, these massive, unsustainable deficits. That is what they have told us has to be corrected or else the downgrade follows, and a downgrade will be enormously problematic because it has all kinds of knock-on effects.

So we have heard about a lot of different ideas that have been floated, and I congratulate and commend everybody who has been involved in putting in a lot of effort. I don't agree with everything that everybody has talked about doing, but I think we have seen people from both parties make a good-faith effort to try to solve this problem one way or another. But the fact is there is only one proposal on the table that has passed either body, and there is only one proposal that actually solves our long-term fiscal challenge in the law that has already passed—the bill that has already been passed.

So my question now is, Will the President join us and put our government on a path to a balanced budget? We don't expect to get there overnight. By the way, the various levels of cuts and spending and the exact terms of the balanced budget amendment naturally would be subject to discussion. But will the President join us in this effort to restore fiscal sanity and give us the basis for strong economic growth? That is the question, and that is the opportunity for the President.

Now, I know the President has been dismissive of the idea of balancing our budget, but I certainly hope he is not so opposed to balancing our budget that he would reject the debt limit increase that he has said we desperately need. There is an opportunity here to solve two problems at once—to solve this problem over the looming date of August 2 by which he has said we absolutely must raise the debt limit, but the more important opportunity is to put our house in fiscal order.

The House took a very important step in that direction. The Senate will have a vote later this week. I hope my colleagues in the Senate will embrace this opportunity and the President will join us and will put our Federal Government on a path to balance.

With that, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mrs. HAGAN). Morning business is closed. The Senator from Oregon.

Mr. MERKLEY. Madam President, I ask unanimous consent to speak as in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012—Continued

Mr. MERKLEY. Madam President, I rise to address amendment No. 570, offered by Senator WYDEN, regarding closure of the Umatilla Chemical Depot. It is an amendment on which I am proud to partner with him.

This is a very important issue to my home State of Oregon. We have a situation where 20 years of planning have gone forward to arrange for the final transition of this chemical depot based on the recommendations of the Base Closure and Realignment Commission. Indeed, the BRAC Commission, as it is known, noted:

On completion of the chemical demilitarization mission in accordance with treaty obligations, close Umatilla Chemical Depot, Oregon.

This was language that was specifically done to recognize that the chemical depot had to complete its work dismantling the chemical weapons stored there according to the Chemical Weapons Convention Treaty. That treaty had a deadline of April 29, 2012, and thus it wasn't clear that the work would be done within the 6 years outlined for most of the BRAC's work. So they changed the language from "close the Umatilla Chemical Depot" to "on completion of the chemical demilitarization mission in accordance with treaty obligations."

So since this has been a discussion for so long, with the community working so hard with so many stakeholders in order to put the plans together to transition this base to a productive civilian role, it came as a complete shock recently when the community was notified by the Army that, despite the specific language that accommodated the treaty deadline of April 2012, they were going to rule that the transfer under the BRAC legislation could not be completed because it was an exception—even an exception written into the law—to the initial 6 years.

It was quite a shock because a local reuse authority has been formed and has been working hard with representatives from all local stakeholders to make sure this base is transferred in a way that creates the best possible economy and best use of this land. It has been a complicated task. It has been an earnest effort.

This is not the time for the Army to change the rules, digging up a clause and misapplying that clause, ignoring the exception written into the law, and claiming that this work done over all this time doesn't matter.

That is why I am so delighted to join with Senator WYDEN in putting a clarification into statute that says, yes, what the original legislation said with an April 2012 deadline recognizing our treaty obligations must be honored and

the BRAC process must be honored for the best use of this land in the community.

MORNING BUSINESS

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Madam President, I ask unanimous consent to return to morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE RYAN PLAN

Mr. JOHNSON of South Dakota. Madam President, I quote former Reagan Economic Adviser Bartlett on the House Republican plan.

Distributionally, the Ryan plan is a monstrosity. The rich would receive huge tax cuts while the social safety net would be shredded to pay for them. Even as an opening bid to begin budget negotiations with the Democrats, the Ryan plan cannot be taken seriously. It is less of a wish list than a fairy tale, utterly disconnected from the real world, backed up by make-believe numbers and unreasonable assumptions. Ryan's plan isn't even an act of courage. It is just pandering to the Tea Party. A real act of courage would have been for him to admit, as all serious budget analysts know, that revenues will have to rise well above 19 percent of GDP to stabilize the debt.

Former Reagan administration economic adviser Bruce Bartlett from Capital Gains and Games Blog, "Imbalanced Budget."

I would clarify the impact of the balanced budget proposal. He has called it sheer idiocy. That comes from the former Reagan economic adviser.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012—Continued

AMENDMENT NO. 575

Ms. AYOTTE. Madam President, I ask unanimous consent to set aside the pending amendment and call up my amendment No. 575, which is at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant bill clerk read as follows:

The Senator from New Hampshire [Ms. AYOTTE] proposes an amendment numbered 575.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require the Secretary of Veterans Affairs, in coordination with the Defense Advanced Research Projects Agency, to submit a report to Congress detailing the Secretary's plans, and identifying challenges, both technical and administrative, to ensure that advanced, next-generation prosthetics are made available to injured members of the Armed Forces and veterans in a timely manner)

On page 112, between lines 2 and 3, insert the following:

SEC. 230. (a) Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in coordination with the Defense Advanced Research Projects Agency (DARPA), shall submit to the Committee on Appropriations, the Committee on Veterans' Affairs, and the Committee on Armed Services of the Senate and the Committee on Appropriations, the Committee on Veterans' Affairs, and the Committee on Armed Services of the House of Representatives a report, in writing, on the plans of the Secretary to make available to injured members of the Armed Forces and veterans the next generation of advanced prosthetics.

(b) The report required by subsection (a) shall include the following:

(1) Details of the strategic plan and timetable of the Secretary to make available to injured members of the Armed Forces and veterans the next generation of advanced prosthetics

(2) A description of the challenges, both technical and administrative, that could delay injured members of the Armed Forces and veterans access to prosthetics described in paragraph (1).

(3) The plans of the Secretary to address these challenges described under paragraph (2).

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Madam President, I have offered an amendment to H.R. 2055. It seeks to help to make sure our wounded warriors get the benefits of next-generation advanced prosthetics in a timely fashion.

This amendment would require the Secretary of Veterans Affairs to submit to Congress a report within 90 days, identifying the bureaucratic hurdles and redtape we need to cut through to make sure the research that is being done and the next-generation advanced prosthetics that are being developed to help our wounded warriors will get to them as quickly as possible.

We have invested substantial taxpayer dollars, including through the Defense Advanced Research Project Agency, or DARPA, in developing this great technology in advanced next-generation prosthetics.

Last week, I had the chance to go to Walter Reed Hospital and meet with some of our wounded warriors. They are absolutely amazing Americans, and what they have done for our country is incredible. We can never repay the sacrifices they have made. But the last thing they should have to put up with is waiting for years of delay through the FDA or other government agencies to make sure they can get the very best technology available for next-generation advanced prosthetics. That is why I offer this amendment.

I hope this amendment will be passed to make sure we can cut through the

redtape, that the Veterans' Administration will identify any hurdles that are present, that we can get through those hurdles and get that technology to our wounded warriors as soon as possible, given what they have done for our country and continue to do in fighting on our behalf. They are heroes, and they deserve to not have to wait and wade through government bureaucracy.

The PRESIDING OFFICER. The Senator from California.

AMENDMENT NO. 577

Mrs. BOXER. Madam President, I ask unanimous consent to set aside any pending amendments and call up amendment No. 577.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant bill clerk read as follows:

The Senator from California [Mrs. BOXER] proposes an amendment numbered 577.

Mrs. BOXER. Madam President, I ask unanimous consent that the amendment be considered as read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place, add the following:

SEC. ____ No later than 90 days after enactment of this Act, the Secretary of Defense shall report to the Committees on Appropriations of the Senate and the House of Representatives on the status and improvement plan for all DODEA schools with an overall condition rating of Q3 (poor) or Q4 (failing) as identified in the October 2009 Report to Congress on Department of Defense Education Activity's Military Construction Program.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, the Department of Defense runs schools that serve over 86,000 children across America, Europe, and in the Pacific region. That is why I was able to get together with Senator GRAHAM and Senator INHOFE to work on a way we could get those schools fixed because they are crumbling. Since a picture is worth a thousand words, I will show this picture from one of the schools.

We can see the tiles on the roof crumbling. We have had that in our public schools, before we woke up. Literally, these tiles fall down, and it is just by the grace of God that a child or a teacher doesn't get hit and very hurt. Clearly, we need to do something about it.

What I would like to say is, we started off with an amendment that actually required the DOD to fix these schools. Now we are asking for a report that they do it because we have to avoid some parliamentary procedure problems of legislating on approps. So we believe we have done this.

I think everyone should be read last month's Newsweek. They published an investigation by the Standard for Public Integrity, which documented the conditions of DOD-run schools with se-

rious problems, leaks, corrosion, mold and overcrowding and relying on temporary facilities.

My amendment has the strong support of the National Military Families Association. They sent me a statement and I will close with this.

DOD schools, especially at U.S. installations overseas, are a community focal point and a key element in the support network for our military families stressed by a decade of war. Poorly repaired or out-of-date buildings can also create the perception among military families that their children's education is not a priority for our Nation.

I urge support for this bipartisan amendment, and I would yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I ask unanimous consent that the Johnson-Kirk amendment No. 556 be modified further with the changes that are at the desk; that Senator WARNER be added as a cosponsor to the Johnson-Kirk amendment; that the pending amendments be set aside and two amendments from Senator HUTCHISON be called up, No. 562 and No. 563 en bloc, and following the reporting of the Hutchison amendments, the following pending amendments be agreed to:

Johnson-Kirk No. 556, as further modified; Wyden No. 570; Hutchison, No. 562; and Hutchison No. 563; further, the pending McCain amendment No. 553 be withdrawn; that no other amendments, motions or points of order be in order other than motions to table or budget points of order and the applicable motions to waive; that at 4:45 p.m., the Senate proceed to a vote in relation to the following amendments in the order listed below: Ayotte amendment No. 575, Boxer amendment No. 577, and Coburn amendment No. 564; that upon disposition of the Coburn amendment, the substitute amendment, as amended, be agreed to; the bill be read a third time and the Senate proceed to a vote on passage of the bill, as amended; and the motions to reconsider be made and laid upon the table; finally, that upon passage, the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate, with a ratio of 9 to 8.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I would ask that my request be modified to allow 2 minutes of debate, equally divided, between the votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 556, AS FURTHER MODIFIED

The amendment (No. 556), as further modified, is as follows:

On page 114 between lines 18 and 19, insert the following:

SEC. 301. Not later than 90 days after enactment of this Act, the Executive Director of Arlington National Cemetery shall provide a

report to the Committees on Appropriations of the Senate and the House of Representatives; the Senate Armed Services Committee; the Senate Veterans' Affairs Committee; and the Senate Homeland Security and Governmental Affairs Committee detailing the strategic plan and timetable to modernize the Cemetery's Information Technology system, including electronic burial records. The report should also include a description of the steps taken by the Executive Director in 2011 to implement information technology and management systems improvements, and identify any remaining information technology and systems infrastructure needs of Arlington National Cemetery.

AMENDMENTS NOS. 562 AND 563

The PRESIDING OFFICER. The clerk will report the Hutchison amendments.

The assistant bill clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON] proposes amendments numbered 562 and 563.

The amendments are as follows:

AMENDMENT NO. 562

(Purpose: To restrict the use of funds for a permanent United States Africa Command headquarters outside of the United States)

On page 84, between lines 5 and 6, insert the following:

SEC. 127. None of the funds appropriated or otherwise made available by this title may be obligated or expended for a permanent United States Africa Command headquarters outside of the United States until the Secretary of Defense provides the congressional defense committees an analysis of all military construction costs associated with establishing a permanent location overseas versus in the United States.

AMENDMENT NO. 563

(Purpose: To limit the availability of funds for military construction projects at Grafenwohr and Baumholder, Germany, pending a report on the brigade combat team scheduled to be withdrawn from Germany in 2015)

On page 84, between lines 5 and 6, insert the following:

SEC. 127. None of the funds appropriated or otherwise made available by this title may be obligated or expended on a military construction project at Grafenwohr, Germany, or Baumholder, Germany, until the Secretary of the Army submits to Congress, in writing, a report on installations and properties in Germany that the Army intends to return to the host nation, including—

(1) intended timelines for closures along with the list of military construction projects required at other installations to facilitate the downsizing and consolidation of Army forces in Germany;

(2) an identification of the brigade combat team that will be withdrawn from Germany; and

(3) an estimate of costs (including operation and maintenance costs and military construction costs) to be incurred during fiscal years 2012 through 2015 in connection with keeping the brigade identified in Germany through September 30, 2015 versus stationing a similar brigade in the United States.

The PRESIDING OFFICER. Amendment No. 556, as further modified, and amendments Nos. 570, 562, and 563 are agreed to.

Amendment No. 553 is withdrawn.

The PRESIDING OFFICER. The Senator from Arizona.

AMENDMENT NO. 564

Mr. MCCAIN. Madam President, I rise in support of the Coburn amendment and ask unanimous consent to engage in a colloquy with the Senator from Oklahoma.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Madam President, I think it is important for us to understand what this amendment is about.

It does not affect the decisions regarding disability as a result of Agent Orange that have already been decided under the guidelines that were extended by the Secretary of Veterans Affairs. This is a prospective amendment. So any allegation that this somehow affects previous awarding of disability payments is not correct. It is a prospective amendment for cases that will be decided in the future.

The issue of disability is always one that is very difficult because we start on the basis that concerns men and women who have served honorably in the military. Obviously, the predilection is, appropriately, to grant disabilities where those claims are made. But we now have a situation where somewhere around \$40 billion, \$41 billion, simply over the issue of heart disease, can be awarded without what appears to be a direct connection to Agent Orange.

There were many of our men and women who were serving in the conflict in Vietnam who were exposed to Agent Orange, but there were many more who were not. I don't think one can make a case that someone who was stationed on a ship in the Gulf of Tonkin and was many miles from any Agent Orange, that one could make a plausible case that Agent Orange was the cause of this disability.

What this amendment tries to do is give a realistic set of parameters for the awarding of disability payment for those who actually were exposed, and not only exposed but also that there is a direct connection between the exposure to herbicides and the outcome.

There are many needs amongst our veterans. They are there every single day. The purpose of this amendment is to make sure there is a legitimate need for compensation for those who were exposed to Agent Orange and a direct connection between that exposure and certain disabilities, particularly heart disease, Parkinson's disease, Hodgkin's, et cetera. What we are trying to do is make sure those who were actually exposed, and there is a direct connection, are rewarded, and adequately so, but at the same time not have a situation where it is an open-ended expenditure of taxpayers' dollars.

The Veterans' Disability Benefits Commission endorsed the need for establishing a new framework for presumptions with more transparent processes but failed to take the full step of embracing causality in decision-making. This amendment will achieve that goal identified by the Institute of Medicine to ensure that scientifically

based causality is at the heart of the disability determination process.

I would match the commitment of the Senator from Oklahoma and my own for veterans with the commitment of anyone in this body, but there also has to be some rationality associated with it. I was a great admirer of the Honorable Tony Principi, who was the former Secretary of Veterans Affairs. Again, I want to quote from his statement:

If the American people lose faith in the integrity of our disability benefit system, veterans and their families will be the ones who suffer. The surest way for that to happen is for the public to be convinced that presumptive service connection decisions are based on anything other than sound scientific advice.

These presumptions, as they presently exist, are not based on sound scientific advice. With some I am sure this amendment is not popular, but I thank my colleague from Oklahoma for bringing it to the attention of this body.

Mr. COBURN. Madam President, I thank the Senator from Arizona. We want to make sure any veteran who has a positive causation factor from any aspect that would lead to any disability, that we meet that need. That is not what this is about.

This has been looked at two times by the Institute of Medicine. The first time there was no study—none of the studies they cited showed even positive association. The last time we had two that showed some positive association but absolutely no causation. There is a big difference in science. Something can be associated with something and doesn't mean it causes it. On that basis, the Secretary committed this country to make payments to people for disabilities that are not associated with their service. The point is, in a limited budget going forward, if we are paying for disabilities that are not associated with service, that means we are going to have less money available for those veterans who do have a disability.

We have heard, No. 1, this will reverse all that has come before. It will not. It is prospective only. It will not change the presumption that if someone was in or above Vietnam they have the presumption of being exposed to Agent Orange. That will not change at all. The previous scientific diseases that were based on causation will not be eliminated at all. But, in fact, those that are not associated with causality will be eliminated.

Will they be eliminated in the future? If the science at some point in time shows us that there is a causal relationship between that exposure and disease, then we can do something about it. But now we are throwing money at disabilities that are not associated and not caused by veterans' exposure to this herbicide.

I ask, given where we are in this country and the fact that we are going to have a tough time funding veterans

programs in the future anyway, that we ought not spend a dollar on something that is not directly caused by a veteran's exposure to Agent Orange so that we have that dollar to pay for those who truly were exposed and truly have a disability.

I yield back to the Senator from Arizona.

Mr. McCAIN. I thank the Senator from Oklahoma. I ask him, I have heard anecdotally the eligibility for disability under the guidelines as issued by the Secretary of the Army—and, by the way, we are talking about \$40-some billion additional of taxpayers' money. I think that should be the subject of legislative action rather than a decision made by the Secretary of Veterans Affairs.

Is it not true that, anecdotally, we have heard that people who were in the Korean war and not the Vietnam war have somehow become eligible? And people who were on ships in the Gulf of Tonkin, not anywhere near Agent Orange, have also been declared eligible?

Mr. COBURN. They are eligible, and there are some reasons for that. But that is not what this debate is about. We are not questioning it. We are just saying on this basis we are not using science how we have used it in every other aspect of veterans' disability. Now we are going beyond science.

When we look at the total number of studies, rarely 3 percent or so show any association, and association does not imply any causation. So we have the Secretary who has made a decision to commit this country to \$42 billion of additional expenditures not based on sound science but the fact that he can do that, and that is what I think is wrong. If the veterans committee thinks there is the science to do that, they should bring a bill to the floor and do that. But the science is not there. I have looked at it. I have read it. It is not there.

The Institute of Medicine says it is not there, and they say disability ought to be based on causation, not on association.

Mr. McCAIN. Madam President, I yield the floor.

Mr. JOHNSON of South Dakota. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 577, AS MODIFIED

Mrs. BOXER. Madam President, I ask unanimous consent that Boxer amendment No. 577 be modified with the changes that are already at the desk.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The amendment (No. 577), as modified, is as follows:

At the appropriate place, add the following:

SEC. ____ . No later than 90 days after enactment of this Act, the Secretary of Defense shall report to the Congressional Defense Committees of the Senate and the House of Representatives on the status and improvement plan for all DODEA schools with an overall condition rating of Q3 (poor) or Q4 (failing) as identified in the October 2009 Report to Congress on Department of Defense Education Activity's Military Construction Program.

Mrs. BOXER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of South Dakota. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of South Dakota. I thank the Chair.

AMENDMENT NO. 575

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to amendment No. 575.

The amendment (No. 575) was agreed to.

AMENDMENT NO. 577, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the Boxer amendment No. 577, as modified.

The amendment (No. 577), as modified, was agreed to.

AMENDMENT NO. 564

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided on the Coburn amendment.

The Senator from Oklahoma.

Mr. COBURN. This is a commonsense amendment that will secure this for veterans and make sure we are not paying for disabilities for those who are not truly service connected, that are not based on science or causation. I know it is a tough vote, but in the environment we face today we ought to be using science to positively connect causality with any disability we grant.

With that, I reserve the remainder of my time.

Mrs. MURRAY. So my colleagues know, there is a reason we have made this type of compensation like Agent Orange presumptive. It is because our military did a miserable job of tracking these exposures, and it is because no veteran will ever be able to go to a map and tell you with certainty where they were exposed. No veteran will tell you what and how much of this poison Agent Orange they inhaled. So we have to look at the facts with reason and compassion, and in this case on the one hand we have the knowledge that we sprayed a known killer throughout the area where a number of these veterans were serving.

We have had thousands of veterans who have come forward and believe their cancers and ailments were caused by that exposure. We have studies that show veterans exposed to Agent Orange are more likely to have heart disease,

cancer, and other conditions. We have the Institute of Medicine which has recommended giving these veterans the benefit of the doubt, and we have the Secretary of Veterans Affairs who has decided we need to move forward to provide compensation.

On the other hand, you have an amendment today—while it makes a compelling case for saving money, it hasn't presented any evidence at all that Agent Orange did not cause the conditions faced by these Vietnam veterans coming forward. An amendment that asks our veterans to wait longer? That is something they have already done too much of. They have been waiting and getting sicker. They have been dying for 40 years or more. We should not ask them to wait longer.

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

Mrs. MURRAY. I thank the Chair. I urge my colleagues to vote to table this amendment. And if the Senator wants to finish his remarks, I will move to table when he is finished.

Mr. COBURN. I wish to make one point. The Institute of Medicine did not recommend this. As a matter of fact, their recommendation was that causality ought to be the only way in which we would do this.

I would ask for the yeas and nays on the amendment.

Mrs. MURRAY. Madam President, I move to table the amendment. I ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll. The legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Arkansas (Mr. BOOZMAN).

The PRESIDING OFFICER (Mr. WHITEHOUSE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 69, nays 30, as follows:

[Rollcall Vote No. 114 Leg.]

YEAS—69

Akaka	Hagan	Murkowski
Ayotte	Harkin	Murray
Baucus	Heller	Nelson (NE)
Begich	Hoeben	Nelson (FL)
Bennet	Inhofe	Pryor
Bingaman	Inouye	Reed
Blumenthal	Isakson	Reid
Boxer	Johanns	Roberts
Brown (MA)	Johnson (SD)	Rockefeller
Brown (OH)	Kerry	Rubio
Burr	Klobuchar	Sanders
Cantwell	Kohl	Schumer
Cardin	Landrieu	Shaheen
Carper	Lautenberg	Snowe
Casey	Leahy	Stabenow
Collins	Levin	Tester
Conrad	Lieberman	Thune
Coons	Manchin	Udall (CO)
Durbin	McCaskill	Udall (NM)
Feinstein	Menendez	Warner
Franken	Merkley	Webb
Gillibrand	Mikulski	Whitehouse
Grassley	Moran	Wyden

NAYS—30

Alexander	Chambliss	Cochran
Barrasso	Coats	Corker
Blunt	Coburn	Cornyn

Crapo	Kirk	Portman
DeMint	Kyl	Risch
Enzi	Lee	Sessions
Graham	Lugar	Shelby
Hatch	McCain	Toomey
Hutchison	McConnell	Vitter
Johnson (WI)	Paul	Wicker

NOT VOTING—1

Boozman

The motion was agreed to.

Mr. DURBIN. Mr. President, I rise to express my support for the fiscal year 2012 Military Construction and Veterans Affairs appropriations bill.

As a nation we are dedicated to taking care of our troops, those same troops who deploy into harm's way regardless of whether we are able to come to an agreement on our debt ceiling.

We are also dedicated to upholding our commitment to our veterans who have fought past wars and did so because they believed in this country and the freedoms we all enjoy today.

This bill passed the Appropriations Committee unanimously on June 30, and I'm pleased the Senate moved quickly to bring this measure to the floor for debate.

Our Nation has been at war for almost a decade. We are involved in three wars. In support of our troops on the front lines, we need to make sure they have the infrastructure they need to train and the family housing facilities they deserve.

The bill includes \$11.1 billion for military construction worldwide to provide for barracks, readiness centers, schools, hospitals and clinics.

In particular, it provides the entire requested amount, \$1.2 billion, for reservist construction projects.

Several of these projects from the President's budget are in Illinois, totaling some \$146 million. The bill provides for Army Reserve centers in Homewood and Rockford, IL. It also provides for an Army National Guard Readiness Center in Normal, IL, as well as renovations to the Great Lakes Naval Station.

The bill provides funding for necessary projects like these all across the country.

Without them, our Guard and Reserve would struggle to maintain the training and preparations necessary in a time of war.

The bill also keeps our commitment to our veterans, some of whose lives have changed forever as a result of their service.

We are all committed to providing our veterans with the care, services and facilities they deserve, even in tough budget years.

As such, the bill provides VA medical research at \$72 million above the budget request for mental health, traumatic brain injury, spinal cord injury, burns and sensory loss.

These are key areas for a cohort of veterans who are surviving in larger numbers than previous wars due to improved medical care.

To take one example: Our men and women on the front lines are increas-

ingly suffering brain injuries from improvised explosive device, IED, blasts. While we have advanced our understanding of how traumatic brain injury, TBI, affects the brain, there is still a lot more to learn through this research.

This funding will also continue work with prosthetics. Walter Reed Army Medical Center has done amazing work with providing prosthetics that even help return some servicemembers to their pre-injury jobs in the military.

Many use their new prosthetics and relearn how to not only take care of themselves, but also ski, ride a bike, and even fish. Without this funding our troops and veterans would not have access to the amazing medical advances which make these activities possible.

Another key area of this bill fully funds the information technology infrastructure at the VA. This will allow the agency to continue developing and improving electronic health records, paperless claims systems, and implementing the seamless integration between the DOD and the VA.

These systems should help address the claims backlog—a problem our veterans deserve to have addressed.

Yes, the VA has expanded eligibility to include those exposed to Agent Orange, a policy long time coming. Yes, there are large numbers of OEF and OIF veterans submitting claims, an unfortunate state of events.

But not one of these veterans deserves to wait for months and years for a response to their disability claim. We can do better. And we must do better.

And for our veterans who have been severely injured as a result of their service and now require full-time care, the VA has already begun accepting applications for the Caregivers Program. Over 1,100 applications have been received nationwide by the end of last month.

I am proud to have helped create this program as part of the Caregiver and Veterans Omnibus Health Services Act of 2009.

The Caregiver Program helps keep the promise our country has made to our veterans by providing comfortable and dignified home care by a family member for post-9/11 veterans.

I have met several of these veterans and their caregivers in Illinois. It has been a long and winding road, but we are finally going in the right direction and supporting those families whose servicemember was severely injured.

This bill provides 100 percent of the President's request, \$208 million, for implementation of the Caregivers Program, and our veterans and their families are depending on the passage of this bill.

Americans are counting on us to pass bills and legislate. Our servicemembers are counting on us to fund their needs so they can get on with the business of keeping us safe. And our veterans are expecting us to honor our commitment and honor their service by paying for the care and services they have so rightly earned.

Senator JOHNSON and Senator KIRK, the managers of this bill, have put a great deal of effort into creating a spending bill that is fiscally responsible without sacrificing the needs of our men and women in uniform. I look forward to the conclusion of debate on this bill and moving to final passage.

Mr. WARNER. Mr. President, I call to the attention of my colleagues two amendments that Senator WEBB and I have filed to the Military Construction and Veterans Affairs, and Related Agencies Appropriations Act for 2012.

Each of these amendments relates to the Navy's proposal to build a new nuclear pier facility to support east coast aircraft carriers. With annual recurring costs, this new project would likely cost just shy of a billion dollars.

At a time when our Nation is in a severe fiscal crisis and the Navy cannot pay to maintain the infrastructure it currently owns. As Admiral Mullen has said, the greatest challenge to our national security is our mounting debt.

Together, these amendments would save nearly \$15 million for an unnecessary Navy military construction project at Naval Station Mayport, FL. We are awaiting completion of an independent GAO assessment of the strategic risks to our carrier fleet which include manmade and natural disasters. It would also consider the cost and benefits of what other measures we can take to mitigate risk.

This is not a small project, the Navy estimates its homeporting plan will cost nearly \$600 million, but that cost could escalate to up to \$1 billion during the eight years ahead. Tack on to that more than \$20 million in annual maintenance costs currently estimated for an additional homeport and we are signing the taxpayer up for a big bill, much of which is not funded. It is in the "outyears" as they say.

The justification for a new homeport is the mitigation of the risk of a terrorist attack, accident, or natural disaster occurring at the nuclear handling facility at the existing carrier homeport at Norfolk, VA.

However, the current Navy plan fails to take into account the two additional east coast carrier capable facilities at Newport News, VA, and the Naval Shipyard. Each of these facilities maintains separate nuclear handling sites located many miles apart. If there were damage to the existing Naval base, the Navy could simply disperse the carriers to other piers. That is a lot cheaper and more efficient than building a new, duplicative facility.

Additionally, recent Navy briefings indicate there is a 50-percent greater chance of a major hurricane hitting Mayport than Norfolk. Why would we want to build a new facility at a higher risk location?

The Navy has also identified unfunded priorities totaling \$11.8 billion between fiscal year 2008 and fiscal year 2012. These priorities are in critical areas including shipbuilding, military construction, maintenance, and acquisition programs—programs which are

critical to both our current and future readiness.

We must maintain our existing infrastructure properly before pursuing a duplicative homeporting project. It is more fiscally responsible for the Navy to reduce its current unfunded requirements, which total tens of billions of dollars.

With our serious fiscal reality, it is much more responsible to focus on taking care of the infrastructure we have then embarking on buying new infrastructure which we cannot afford and piles more money onto our national debt.

The PRESIDING OFFICER. The substitute amendment, as amended, is agreed to.

The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, I would like to yield to Senator KIRK for any final remarks he may have.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. KIRK. Mr. President, I remind Members, we are now moving to final passage on our first appropriations bill of this Congress. It has been 2 years since the Senate has passed a separate freestanding appropriations bill, but this is a bipartisan measure. It is marked to the House budget level, the Paul Ryan budget. We made difficult decisions cutting 24 separate military construction programs. We denied the Court of Appeals for Veterans Claims a new building. We came in below the President, about \$1.2 billion below the President; \$620 million below last year, and even \$2.6 million below the House-passed bill.

This is the bill that takes care of over 22 million veterans and our military construction needs. I thank Chairman JOHNSON for his work as we get the Appropriations Committee going again in a bipartisan way.

With that, I yield back to the chairman.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, shortly we will be voting on final passage of the MILCON-VA appropriations bill. I would like to thank Leaders REID and MCCONNELL and Chairman INOUE and Vice Chairman COCHRAN for their leadership and support in getting us to this point.

I would especially like to thank my ranking member, Senator KIRK, for his cooperation and support in crafting this bill and steering it through the Senate. I am confident we would not be where we are today without his help and hard work on this bill.

I also thank my colleagues for helping us to move this bill forward by re-

jecting dilatory amendments and by showing restraint in offering amendments to this bill. A number of Senators have filed amendments that are very important to them but are also controversial or not relevant to the bill. I appreciate their willingness to postpone debate on some of these issues so as not to bog down this bill.

For example, I know Senators WEBB and WARNER feel very strongly about their amendments regarding the homeporting of a Navy carrier on the east coast, and I know the Florida Senators have equally strong feelings on this subject. I understand the Defense authorization bill includes a provision mandating a GAO report on this issue, and I appreciate the willingness of both delegations to postpone the debate on the carrier issue so we can focus on timely passage of this appropriations bill.

Mr. President, I also thank the subcommittee staff who do the heavy lifting in the drafting and managing of the bill on the Senate floor.

As I have said many times, this is a good bill. It is bipartisan, and it is responsible. I urge all of my colleagues to support it.

Mr. KIRK. If the Senator would yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. KIRK. I also thank Dave Schiappa, Laura Dove, and Ashley Messick on the Senate floor for guiding this bill through; Chairman INOUE and especially his staff director, Charlie Houy; Vice Chairman COCHRAN and his staff director, Bruce Evans.

I thank Chairman JOHNSON and especially Tina Evans, Chad Schulken, Andy Vanlandingham, Dennis Balkham, D'Ann Lettieri, and Patrick Magnuson who have brought this first appropriations bill of this Congress through.

With that, I yield the floor.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. JOHNSON of South Dakota. I ask for the yeas and nays on passage of the bill.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Arkansas (Mr. BOOZMAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 2, as follows:

[Rollcall Vote No. 115 Leg.]

YEAS—97

Akaka	Boxer	Cochran
Alexander	Brown (MA)	Collins
Ayotte	Brown (OH)	Conrad
Barrasso	Burr	Coons
Baucus	Cantwell	Cornyn
Begich	Cardin	Crapo
Bennet	Carper	DeMint
Bingaman	Casey	Durbin
Blumenthal	Chambliss	Enzi
Blunt	Coats	Feinstein

Franken	Leahy	Roberts
Gillibrand	Lee	Rockefeller
Graham	Levin	Rubio
Grassley	Lieberman	Sanders
Hagan	Lugar	Schumer
Harkin	Manchin	Sessions
Hatch	McCain	Shaheen
Heller	McCaskill	Shelby
Hoeven	McConnell	Snowe
Hutchison	Menendez	Stabenow
Inhofe	Merkley	Tester
Inouye	Mikulski	Thune
Isakson	Moran	Toomey
Johanns	Murkowski	Udall (CO)
Johnson (SD)	Murray	Udall (NM)
Johnson (WI)	Nelson (NE)	Vitter
Kerry	Nelson (FL)	Warner
Kirk	Paul	Webb
Klobuchar	Portman	Whitehouse
Kohl	Pryor	Wicker
Kyl	Reed	Wyden
Landrieu	Reid	
Lautenberg	Risch	

NAYS—2

Coburn

Corker

NOT VOTING—1

Boozman

The bill (H.R. 2055), as amended, was passed, as follows:

H.R. 2055

Resolved, That the bill from the House of Representatives (H.R. 2055) entitled "An Act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes," do pass with the following amendment:

Strike out all after the enacting clause and insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

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, \$3,066,891,000, to remain available until September 30, 2016: Provided, That of this amount, not to exceed \$255,241,000 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.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

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, \$2,187,622,000, to remain available until September 30, 2016: Provided, That of this amount, not to exceed \$84,362,000 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.

MILITARY CONSTRUCTION, AIR FORCE

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, \$1,227,058,000, to remain available until September 30, 2016: Provided, That of this amount, not to exceed \$81,913,000 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.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER 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, \$3,380,917,000, to remain available until September 30, 2016: 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 \$439,602,000 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 amount appropriated, notwithstanding any other provision of law, \$24,118,000 shall be available for payments to the North Atlantic Treaty Organization for the planning, design, and construction of a new North Atlantic Treaty Organization headquarters.

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, \$773,592,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$20,671,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard 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.

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, \$116,246,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$9,000,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard 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.

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, \$280,549,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$28,924,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Army 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.

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, \$26,299,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$2,591,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy 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.

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, \$33,620,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$2,200,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air Force 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.

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, \$272,611,000, 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, \$186,897,000, to remain available until September 30, 2016.

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, \$494,858,000.

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, \$100,972,000, to remain available until September 30, 2016.

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, \$367,863,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$84,804,000, to remain available until September 30, 2016.

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, \$404,761,000.

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, \$50,723,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, \$2,184,000, 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.

HOMEOWNERS ASSISTANCE FUND

For the Homeowners Assistance Fund established by section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966, (42 U.S.C. 3374), as amended by section 1001 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 194), \$1,284,000, to remain available until expended.

CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

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 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, \$75,312,000, to remain available until September 30, 2016, which shall be only for the Assembled Chemical Weapons Alternatives program.

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), \$323,543,000, to remain available until expended.

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), \$258,776,000, to remain available until expended: Provided, That the Department of Defense shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to obligating an amount for a construction project

that exceeds or reduces the amount identified for that project in the most recently submitted budget request for this account by 20 percent or \$2,000,000, whichever is less: Provided further, That the previous proviso shall not apply to projects costing less than \$5,000,000, except for those projects not previously identified in any budget submission for this account and exceeding the minor construction threshold under section 2805 of title 10, United States Code.

ADMINISTRATIVE PROVISIONS

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.

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 2 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.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. 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.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883, of title 10, United States Code, 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, military unaccompanied housing, and supporting facilities.

SEC. 120. (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.

(INCLUDING TRANSFER OF FUNDS)

SEC. 121. 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 incurred under 42 U.S.C. 3374(a)(1)(A). 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. 122. Notwithstanding 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, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, 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.

SEC. 123. 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. 124. 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, land acquisition, or family housing 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.

(INCLUDING TRANSFER OF FUNDS)

SEC. 125. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance 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. 126. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14-R, Volume 3, Chapter 7, of February 2009, as in effect on the date of enactment of this Act.

SEC. 127. (a) CLOSURE OF UMATILLA ARMY CHEMICAL DEPOT, OREGON.—The closure of the Umatilla Army Chemical Depot, Oregon, and subsequent management and property disposal, may be carried out in accordance with procedures and authorities contained in 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).

(b) RETENTION OF PROPERTY AND FACILITIES.—The Secretary of the Army may retain minimum essential ranges, facilities, and training areas at Umatilla Army Chemical Depot, to-

taling approximately 7,500 acres, as a training enclave for the reserve components of the Armed Forces to permit the conduct of individual and annual training.

(c) OFFICE OF ECONOMIC ADJUSTMENT ACTIVITIES.—Notwithstanding any other provision of law, the Office of Economic Adjustment Activities of the Department of Defense may make grants and supplement other Federal funds, using funds made available by title, in connection with the closure and management and disposal provided for in this section, and the projects so supported shall be considered to be authorized by law.

SEC. 128. None of the funds appropriated or otherwise made available by this title may be obligated or expended for a permanent United States Africa Command headquarters outside of the United States until the Secretary of Defense provides the congressional defense committees an analysis of all military construction costs associated with establishing a permanent location overseas versus in the United States.

SEC. 129. None of the funds appropriated or otherwise made available by this title may be obligated or expended on a military construction project at Grafenwohr, Germany, or Baumholder, Germany, until the Secretary of the Army submits to Congress, in writing, a report on installations and properties in Germany that the Army intends to return to the host nation, including—

(1) intended timelines for closures along with the list of military construction projects required at other installations to facilitate the downsizing and consolidation of Army forces in Germany;

(2) an identification of the brigade combat team that will be withdrawn from Germany; and

(3) an estimate of costs (including operation and maintenance costs and military construction costs) to be incurred during fiscal years 2012 through 2015 in connection with keeping the brigade identified in Germany through September 30, 2015 versus stationing a similar brigade in the United States.

SEC. 130. No later than 90 days after enactment of this Act, the Secretary of Defense shall report to the congressional defense committees of the Senate and the House of Representatives on the status and improvement plan for all DODEA schools with an overall condition rating of Q3 (poor) or Q4 (failing) as identified in the October 2009 Report to Congress on Department of Defense Education Activity's Military Construction Program.

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 section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; 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. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, \$58,067,319,000, to remain available until expended: Provided, That not to exceed \$32,187,000 of the amount appropriated under this heading shall be reimbursed to "General operating expenses, Veterans Benefits Administration", "Medical support and compliance", and "Information technology systems" for necessary expenses in implementing the pro-

visions 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

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 51, 53, 55, and 61 of title 38, United States Code, \$11,011,086,000, to remain available until expended: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

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, chapters 19 and 21, \$100,252,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND

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 2012, 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, \$154,698,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$19,000, 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 \$3,019,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$343,000, which may be paid to the appropriation for "General operating expenses, Veterans Benefits Administration".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$1,116,000.

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, food services, and salaries and expenses of health care employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as

authorized by section 1720G of title 38, United States Code, and loan repayments authorized by section 604 of Public Law 111-163; \$41,354,000,000, plus reimbursements, shall become available on October 1, 2012, and shall remain available until September 30, 2013: Provided, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, 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.

MEDICAL SUPPORT AND COMPLIANCE

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.); \$5,746,000,000, plus reimbursements, shall become available on October 1, 2012, and shall remain available until September 30, 2013.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities and other necessary facilities of 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 services, \$5,441,000,000, plus reimbursements, shall become available on October 1, 2012, and shall remain available until September 30, 2013.

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, \$581,000,000, plus reimbursements, shall remain available until September 30, 2013.

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; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, \$250,934,000, of which not to exceed \$25,100,000 shall remain available until September 30, 2013.

DEPARTMENTAL ADMINISTRATION GENERAL ADMINISTRATION (INCLUDING TRANSFER OF FUNDS)

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, \$431,257,000, of which not to exceed \$21,562,000 shall remain available until September 30, 2013: Provided, That \$15,000,000 shall be to increase the Department's acquisition workforce capacity and capabilities and may be transferred by the Secretary to any other account in the Department to carry out the purposes provided therein: Provided further, That funds provided under this heading may be transferred to "General operating expenses, Veterans Benefits Administration".

GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, and reimbursement of the Department of Defense for the cost of overseas employee mail, \$2,018,764,000: 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 of the funds made available under this heading, not to exceed \$105,000,000 shall remain available until September 20, 2013: Provided further, That from the funds made available under this heading, the Veterans Benefits Administration may purchase (on a 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 pay and associated costs; and 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 section 3109 of title 5, United States Code, \$3,161,376,000, plus reimbursements: Provided, That \$915,000,000 shall be for pay and associated costs, of which not to exceed \$25,000,000 shall remain available until September 30, 2013: Provided further, That \$1,709,953,000 shall be for operations and maintenance as designated in the President's 2012 budget justification, of which not to exceed \$110,000,000 shall remain available until September 30, 2013: Provided further, That \$536,423,000 shall be for information technology systems development, modernization, and enhancement as designated in the President's 2012 budget justification, and shall remain available until September 30, 2013: Provided further, That none of the funds made available under this heading 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 amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: Provided further, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects and in the amounts, specified under this heading in the report accompanying this Act.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$112,391,000, of which \$6,600,000 shall remain available until September 30, 2013.

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, \$589,604,000, to remain available until expended, of which \$5,000,000 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, including 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, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account, and funds provided for the purchase of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available 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 made available under this heading for fiscal year 2012, for each approved project shall be obligated:

- (1) by the awarding of a construction documents contract by September 30, 2012; and
- (2) by the awarding of a construction contract by September 30, 2013: Provided further, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of

both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above.

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, \$550,091,000, 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: Provided, That funds made available under this heading shall be 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 through 8137 of title 38, United States Code, \$85,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal governments in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$46,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2012 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" may be transferred as necessary to any other of the mentioned appropriations: 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 such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2012, in this Act or any other Act, under the "Medical services", "Medical support and compliance", and "Medical facilities" accounts may be transferred among the accounts: Provided, That any transfers between the "Medical services" and "Medical support and compliance" accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That any transfers to or from the "Medical facilities" account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. 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 through 5902 of title 5, United States Code.

SEC. 204. 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. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 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 the cost of such hospitalization or examination is made to the "Medical services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. 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 2011.

SEC. 207. 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 only from "Compensation and pensions".

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2012, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the "General operating expenses, Veterans Benefits Administration" and "Information technology systems" accounts 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 such an insurance program during fiscal year 2012 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 such 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 2012 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. 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.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not exceed \$42,904,000 for the Office of Resolution Management and \$3,360,000 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 the "General administration" and "Information technology systems" accounts for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental cost is more than \$1,000,000, 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. 212. 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.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, 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. 214. 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.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. 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 that account.

SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian

Health Service, and Indian tribes and tribal organizations serving rural Alaska which have entered into contracts with the Indian Health Service under the Indian Self Determination and Educational Assistance Act, to provide healthcare, including behavioral health and dental care. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term "rural Alaska" shall mean those lands sited within the external boundaries of the Alaska Native regions specified in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), and those lands within the Alaska Native regions specified in sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), which are not within the boundaries of the Municipality of Anchorage, the Fairbanks North Star Borough, the Kenai Peninsula Borough or the Matanuska Susitna Borough.

(INCLUDING TRANSFER OF FUNDS)

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 made available in this title may be used to implement any policy prohibiting the Directors of the Veterans Integrated Services Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. 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.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the "Medical services", "Medical support and compliance", "Medical facilities", "General operating expenses, Veterans Benefits Administration", "General administration", and "National cemetery administration" accounts for fiscal year 2012, may be transferred to or from the "Information technology systems" account: 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.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. Amounts made available for the "Information technology systems" account for development, modernization, and enhancement may be transferred between projects or to newly defined 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. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with—

(1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109-115; 119 Stat. 2506); or

(2) section 8110(a)(5) of title 38, United States Code.

SEC. 223. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2012, in this Act or any other Act, under the "Medical facilities" account for non-recurring maintenance, not more than 20 percent of the funds made available shall be obli-

gated during the last 2 months of that fiscal year: Provided, That the Secretary may waive this requirement after providing written notice to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2011 for "Medical services", "Medical support and compliance", "Medical facilities", "Construction, minor projects", and "Information technology systems", up to \$241,666,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of title XVII of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 225. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500) shall also be available:

(1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of title XVII of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571); and

(2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 226. Of the amounts available in this title for "Medical services", "Medical support and compliance", and "Medical facilities", a minimum of \$15,000,000, shall be transferred to the Department of Defense/Department of Veterans Affairs Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

(INCLUDING RESCISSION OF FUNDS)

SEC. 227. (a) Of the funds appropriated in title X of division B of Public Law 112-10, the following amounts which will become available on October 1, 2011, are hereby rescinded from the following accounts in the amounts specified:

(1) "Department of Veterans Affairs, Medical services", \$1,400,000,000.

(2) "Department of Veterans Affairs, Medical support and compliance", \$100,000,000.

(3) "Department of Veterans Affairs, Medical facilities", \$250,000,000.

(b) In addition to amounts provided elsewhere in this Act, an additional amount is appropriated to the following accounts in the amounts specified, to become available on October 1, 2011, and to remain available until September 30, 2013:

(1) "Department of Veterans Affairs, Medical services", \$1,400,000,000.

(2) "Department of Veterans Affairs, Medical support and compliance", \$100,000,000.

(3) "Department of Veterans Affairs, Medical facilities", \$250,000,000.

SEC. 228. The Secretary of the Department of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in major construction projects that total at least \$5,000,000, or 5 percent of the programmed amount of the project, whichever is less: Provided, That such notification shall occur within 14 days of a contract identifying the programmed amount: Provided further, That the Secretary shall notify the committees 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 229. The scope of work for a project included in "Construction, major projects" may not be increased above the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations.

SEC. 230. (a) Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in coordination with the Defense Advanced Research Projects Agency (DARPA), shall submit to the Committee on Appropriations, the Committee on Veterans Affairs, and the Committee on Armed Services of the Senate and the Committee on Appropriations, the Committee on Veterans Affairs, and the Committee on Armed Services of the House of Representatives a report, in writing, on the plans of the Secretary to make available to injured members of the Armed Forces and veterans the next generation of advanced prosthetics.

(b) The report required by subsection (a) shall include the following:

(1) Details of the strategic plan and timetable of the Secretary to make available to injured members of the Armed Forces and veterans the next generation of advanced prosthetics

(2) A description of the challenges, both technical and administrative, that could delay injured members of the Armed Forces and veterans access to prosthetics described in paragraph (1).

(3) The plans of the Secretary to address these challenges described under paragraph (2).

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, \$61,100,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, 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 through 7298 of title 38, United States Code, \$30,770,000: Provided, That \$2,726,323 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, \$45,800,000, to remain available until expended: Provided, That none of the funds available under this heading shall be for construction of a perimeter wall at Arlington National Cemetery. 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.

Funds appropriated under this Act may be relocated to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery making additional land available for ground burials.

ARMED FORCES RETIREMENT HOME
TRUST FUND

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, \$67,700,000, of which \$2,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi.

SEC. 301. Not later than 90 days after enactment of this Act, the Executive Director of Arlington National Cemetery shall provide a report to the Committees on Appropriations of the Senate and the House of Representatives; the Senate Armed Services Committee; the Senate Veterans' Affairs Committee; and the Senate Homeland Security and Governmental Affairs Committee, detailing the strategic plan and timetable to modernize the Cemetery's Information Technology system, including electronic burial records. The report should also include a description of the steps taken by the Executive Director in 2011 to implement information technology and management systems improvements, and identify any remaining information technology and systems infrastructure needs of Arlington National Cemetery.

TITLE IV
GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. Such sums as may be necessary for fiscal year 2012 for pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 403. 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. 404. 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. 405. 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. 406. 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 or any other appropriations Act.

SEC. 407. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction 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. 408. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 409. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantanamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense unless authorized by Congress.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

This Act may be cited as the "Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2012".

The PRESIDING OFFICER. The Senate insists on its amendment, requests a conference with the House on the disagreeing votes of the two Houses, and the Chair appoints:

Mr. JOHNSON of South Dakota, Mr. INOUE, Ms. LANDRIEU, Mrs. MURRAY, Mr. REED of Rhode Island, Mr. NELSON of Nebraska, Mr. PRYOR, Mr. TESTER, Mr. LEAHY, Mr. KIRK, Mrs. HUTCHISON, Mr. MCCONNELL, Ms. MURKOWSKI, Mr. BLUNT, Mr. HOEVEN, Mr. COATS, and Mr. COCHRAN, conferees on the part of the Senate.

The majority leader is recognized.

Mr. REID. Mr. President, I express my appreciation to the chairman and the ranking member of the subcommittee for the work they have done on this bill. It took a little longer than we wanted, but they got it done. They have been excellent managers of this important legislation. It is our first appropriations bill. Senator MCCONNELL and I want to do other appropriations bills. It would be a new day to do these bills rather than having a big omnibus bill. Again, I express my appreciation to the managers.

There will be no more rollcall votes today. Tomorrow, I am going to move to proceed to the bill that we call the Cut, Cap, and Balance bill received from the House today. Under the rules of the Senate, a cloture vote on the motion to proceed will occur Saturday. Therefore, I expect a cloture vote sometime before lunchtime.

I am committed to allowing a full and fair debate on this bill. I want the proponents and the opponents to have plenty of time to air their views. If the proponents of the bill would like to have the vote sooner, they can let me know and we will try to work something out. There may be efforts to try to advance that vote. As far as I am concerned, we should have a full and fair debate, and I look forward to that.

The PRESIDING OFFICER. The minority leader is recognized.

Mr. MCCONNELL. Mr. President, let me echo the remarks of the majority leader regarding the chairman and the ranking members of this subcommittee, who have done a fine job. I commend Senator KIRK, who has served around here for the last couple of years. It is truly remarkable to pass an appropriations bill. We passed it at a level where it is likely to be conferenced successfully with the House. I congratulate both Senators—in particular our new Senator from Illinois.

I also share the view of the majority leader that we should have a vigorous debate over cut, cap, and balance. I look forward to being here Saturday to vote to proceed to that bill.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

MILCON APPROPRIATIONS

Mr. KIRK. Mr. President, I extend my thanks to Chairman JOHNSON