



Legislative Bulletin.....July 31, 2008

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H.R. 6599 – **PART 2** – Military Construction and Veterans Affairs Appropriations Act

H.R. 6599, the Military Construction and Veterans Appropriations Act, 2009 (sponsored by Rep. Edwards, D-TX), is scheduled to be considered on the House floor today, Thursday, July 31, 2008, subject to a modified open rule ([H. Res. 1384](#)), making in order amendments preprinted in the Congressional Record under the five-minute rule. The rule allows one motion to recommit with or without instructions.

The rule waives all points of order against consideration of the bill, except those regarding PAYGO and earmarks, and allows the Chair to postpone consideration of the legislation at any time during its consideration. For a summary of the underlying bill, see a separate RSC document released yesterday. The amendment summaries below reflect all of the amendments preprinted in the Congressional Record, and thus all of the amendments made in order by the rule.

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Amendments Pre-Filed in the Congressional Record on 7/29/08

1. Buyer (R-IN). The amendment *increases* funds for Veterans Health Administration, Medical Facilities by \$150 million (from \$5.029 billion to \$5.179 billion), and *decreases* funds for the Department of Veterans Affairs, Major Construction earmarks listed in the committee report by \$150 million (from \$799 million to \$649 million).

2. Buyer (R-IN). The amendment *increases* funds for Veterans Health Administration, Medical Facilities by \$7 million (from \$5.029 billion to \$5.036 billion), and *decreases* funds for the Department of Veterans Affairs, Major Construction earmarks listed in the committee report by \$7 million (from \$799 million to \$792 million).

3. King (R-IA). The amendment prohibits funds made available by the legislation from being used to enforce the Davis-Bacon Act. For more on the Davis-Bacon Act, go [here](#).

4. Flake (R-AZ)/Campbell (R-CA). The amendment prohibits a total of \$622 million in funding for 103 Congressional earmarks listed in the committee report. The resulting savings would lower the overall cost of the bill. The National Taxpayers Union will score a “yes” vote on this

amendment (see [here](#)). The Club for Growth will also key vote a “yes” vote on this amendment (see [here](#)).

5. Hensarling (R-TX). The amendment prevents any funds in the bill from being used to enforce section 526 of the Energy Independence and Security Act of 2007. This section states in its entirety:

No Federal agency shall enter into a contract for procurement of an alternative or synthetic fuel, including a fuel produced from nonconventional petroleum sources, for any mobility-related use, other than for research or testing, unless the contract specifies that the lifecycle greenhouse gas emissions associated with the production and combustion of the fuel supplied under the contract must, on an ongoing basis, be less than or equal to such emissions from the equivalent conventional fuel produced from conventional petroleum sources.

Section 526 was added largely to stifle the Defense Department’s plans to buy coal-based (or “coal-to-liquids”) jet fuels, which environmentalists contend will ultimately produce more greenhouse gas emissions than would traditional petroleum—a contention that is uncertain at best and that does not account for ongoing improvements in carbon-capture technologies.

6. McCaul (R-TX). The amendment prohibits funds from being used for a project or program named for a currently serving Member, Delegate, Resident Commissioner, or Senator. According to the sponsor: “Although there is currently a House rule that prohibits naming federal buildings after current Members of Congress, this rule does not extend to other entities that receive federal funds.”

7. Burgess (R-TX). The amendment makes available, out of the \$4.8 billion appropriated for Military Construction, Army, \$100 million for the design and construction of one petroleum refinery for the Army. The amendment also makes available, out of the \$3.3 billion appropriated for Military Construction, Navy and Marine Corps, \$200 million for the design and construction of a petroleum refinery for the Navy and Marine Corps. Further, the amendment makes available, out of the \$977 million appropriated for Military Construction, Air Force, \$100 million for the design and construction of a petroleum refinery for the Air Force. Finally, the amendment *reduces* funding for the Defense Base Closure Account by \$400 million (from \$9.065 billion to \$8.665 billion).

8. Terry (R-NE). The amendment adds a new section to the bill establishing a national cemetery in Sarpy County, NE. In selecting the site of the national cemetery, the amendment requires the Secretary to consult with appropriate officials in both the Sarpy County region and the state of Nebraska.

9. Jackson-Lee (D-TX). The amendment directs the Department of Veterans Affairs to “increase the number of medical centers specializing in post-traumatic stress disorder in underserved urban areas.” The amendment further requires that at least one of these medical centers be located: 1) in a HUBzone; 2) be located within a state that has sustained more than five percent of the total casualties suffered by U.S. forces during the wars in Iraq and Afghanistan; and 3) have “at least 7 years experience and significant expertise in providing treatment and counseling services with respect to substance abuse, alcohol addiction, and psychiatric or stress-related disorders to

populations with special needs, including veterans and members of the Armed Forces serving on active duty.”

10. *Murphy (D-CT)*. Prohibits funds in the bill from being used to “obstruct nonpartisan voter registration drives at Department of Veterans Affairs facilities or to prohibit nonpartisan organizations from providing voter registration information and assistance at facilities of the Department of Veterans Affairs.”

11. *Garrett (R-NJ)*. The amendment *reduces* funds for the Department of Veterans Affairs, Departmental Administration by \$18 million (which equates to a one percent reduction from the funding level provided for departmental administration in the bill), and *increases* funds for the State Extended Care Facilities Grant Program by \$18 million. According to the sponsor: “Currently, this account has a significant backlog of approved projects totaling approximately hundreds of millions of dollars. Many facilities need upgrades that are essential to the health and safety of residents.”

12. *Lamborn (R-CO)*. The underlying bill prohibits funds in the bill from being used to expand the boundaries of the Pinon Canyon Manuver Site in Colorado. This amendment would create an exception from this prohibition if the purchase of land comes from a “willing seller.”

13. *Perlmutter (D-CO)*. The amendment *reduces* funds for the Department of Veterans Affairs, Departmental Administration by \$42 million (from \$1.802 billion to \$1.76 billion), and *increases* funds for Construction, Major Projects by \$42 million (from \$923 million to \$965 million).

14. *Stupak (D-MI)*. The amendment adds a new section to the bill prohibiting funds from being used for a project for the construction, alteration, maintenance, or repair of a public building unless all of the iron and steel used is produced in America. The amendment provides exceptions if the amendment’s application “would be inconsistent with the public interest,” if American produced iron and steel is not available in sufficient and quantities, or if the amendment’s requirement would increase the cost of a project by more than 25%.

15. *Stupak (D-MI)*. The amendment prohibits funds in the bill from being used to enforce a provision in law, U.S.C. 111(c)(5) of title 38, that requires a proportionate increase to the VA deductible when the mileage reimbursement rate for traveling to a VA facility for medical treatment increases. The underlying bill increases the mileage reimbursement from 28.5 cents per mile to 41.5 cents per mile.

16. *Hastings (D-FL)*. The amendment prohibits funds in the bill from being used to establish contracts or procurement methods and procedures in contravention of the Federal Property and Administrative Services Act.

17. *Filner (D-CA)*. The amendment adds a new section to the bill making available, out of the \$5.029 billion provided in the bill for Veterans Health Administration, Medical Facilities, \$250 million to establish a community grant program to provide rehabilitative services to veterans and servicemembers with post-traumatic stress disorder or traumatic brain injury.

18. Filner (D-CA). The amendment adds a new section to the bill making available, out of the \$5.029 billion provided in the bill for Veterans Health Administration, Medical Facilities, \$10 million to establish a “heroes’ homecoming pilot program” to evaluate the effectiveness of offering compulsory screening, evaluation, and treatment for mental health conditions such as post-traumatic stress disorder, and traumatic brain injury, to servicemembers.

19. Gingrey (R-GA). The amendment prohibits funds in the bill from being used to take private property for public use without just compensation.

20. Filner (D-CA). The amendment would, for the purposes of qualifying for service-connection of disabilities, include in the definition of “combat with the enemy”: service on active duty and in a theater of combat operations during a period of war, or service in combat against a hostile force during a period of hostilities.

21. Filner (D-CA). The amendment adds a new section to the bill to provide payments for veterans who served in the Phillippines during World War II. Payments would be in the amount of \$9,000 for non-citizens of the United States and \$15,000 for citizens of the United States. The amendment also *reduces* funds for Information Technology Systems by \$198 million.

22. Filner (D-CA). The amendment adds a new section to the bill to provide \$120 million for the Merchant Mariner Equity Compensation Fund. This funding will be used to provide monthly payments of \$1,000 for individuals who served during World War II in the United States Merchants Marine and fulfill the eligibility requirements prescribed by the amendment. The amendment also *reduces* funds for Information Technology Systems by \$120 million.

23. Boehner (R-OH). The amendment adds the text of the [American Energy Act](#), the “all of the above” Republican conference consensus energy bill, to the legislation.

24. Capito (R-WV). The amendment *increases* funds for Construction, Major Projects by \$100 million (from \$5.029 billion to \$5.129 billion). The amendment also *decreases* funds for the Department of Veterans Affairs, Office of Inspector General by \$70 million (from \$923 million to \$853 million), and *decreases* funds for Grants for Construction of State Extended Care Facilities by \$30 million (from \$165 million to \$135 million).

25. Capito (R-WV). The amendment requires the Secretary of Veterans Affairs to increase the mileage reimbursement rate for veterans by an additional 6.5 cents, to 41.5 cents per mile.

26. Stearns (R-FL). The amendment requires the Secretary of Veterans Affairs to “offer veterans an internet website with a comprehensive list of employment opportunities throughout the United States so that veterans are better able to secure employment.”

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27. Buyer (R-IN). The amendment makes available, out of the \$165 million appropriated for the State Extended Care Facilities Grant Program, \$7 million for the installation of alternative fueling stations at 35 medical facility campuses.

28. Buyer (R-IN). The amendment provides \$150 million for the “installation of appropriate solar electric energy roof applications” from the \$991 million made available by the bill for Construction, Minor Projects.

29. Taylor (D-MS). The amendment prohibits funds in the bill from being used to implement section 2703 or Public Law 109-234. This section states in its entirety:

Notwithstanding any other provision of law, within six months of enactment of this Act, the Secretary of Veterans Affairs is authorized and directed to clean up and transfer all land parcels of the Department’s land in Gulfport, Mississippi, to the city of Gulfport, Mississippi.

30. Jefferson (D-LA). The amendment would give priority to the Gulf Opportunity Zone for funding available in the bill to carry out the transitional housing loan program.

31. Terry (R-NE). The amendment prohibits funds from being used to construct any new national veterans’ cemetery, *unless* the Secretary of Veterans Affairs provides to Congress a list (within 180 days of enactment) of six new locations for the establishment of national cemeteries that includes Omaha, Nebraska.

32. Murphy (D-PA). Prohibits funds in the bill from being used to “prevent nonpartisan voter organizations, including the veterans service organizations, from conducting voluntary and nonintrusive voter registration drives at facilities of the Department of Veterans Affairs.” This amendment is similar to the tenth amendment on this list, filed by Representative Chris Murphy (D-CT).

33. Wamp (R-TN). The amendment prohibits funds made available by the bill from being used to modify the standards used to determine the entitlement of veterans to special monthly pensions.

34. Murphy (D-CT). The amendment prohibits funds in the bill from being used to enforce section 3 of VHA Directive 2008-25. That section states in its entirety:

It is VHA policy to assist patients who seek to exercise their right to register and vote; however, due to the Hatch Act requirements and to avoid disruptions to facility operations, voter registration drives are not permitted.

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