

Senate Republicans have irresponsibly held up nominations to critical posts in the Department of Justice, depriving the President, the Attorney General, and the country of the leaders needed to head key law enforcement divisions at the Justice Department. These are leaders in our Federal law enforcement efforts. Presidents of both parties, especially newly elected ones, are normally accorded significant deference to put in place appointees for their administrations.

Yet, 10 months into President Obama's first term, even after we confirm Ms. Moreno, four nominations to be Assistant Attorneys General will remain stalled on the Senate's Executive Calendar due to Republican opposition and obstruction. These are the President's nominees to run 4 of the 11 divisions at the Justice Department—nearly half. By comparison, at this point in the Bush administration the Senate had confirmed nine Assistant Attorneys General and only one nomination was pending on the Senate Executive Calendar. The difference is that the Republican minority is refusing to consider these nominations.

The nomination we consider today, President Obama's nomination of Ignacia Moreno to be the Assistant Attorney General in charge of the Environment and Natural Resources Division, has been on the Senate Executive Calendar for almost 6 weeks, even though it was reported by the Judiciary Committee without a single Republican Senator dissenting. By comparison, a Democratic majority in the Senate confirmed President Bush's nomination of Thomas Sansonetti to the position only 1 day after it was reported by the Judiciary Committee.

The President nominated Dawn Johnson to be the Assistant Attorney General in charge of the Office of Legal Counsel at the Justice Department on February 11. Her nomination has been pending on the Senate Executive Calendar since March 19. That is the longest pending nomination on the calendar by over 2 months. We did not treat President Bush's first nominee to head the Office of Legal Counsel the same way. We confirmed Jay Bybee to that post only 49 days after he was nominated by President Bush and only 5 days after his nomination was reported by the committee. Of course, his work in the Office of Legal Counsel is now the subject of an ongoing review by the Office of Professional Responsibility.

Mary Smith's nomination to be the Assistant Attorney General in charge of the Tax Division has been pending on the Senate's Executive Calendar since June 11—nearly 5 months. We confirmed President Bush's first nomination to that position, Eileen O'Connor, only 57 days after her nomination was made and 1 day after her nomination was reported by the Committee. Her replacement, Nathan Hochman, was confirmed without delay, just 34 days after his nomination.

Chris Schroeder's nomination to be the Assistant Attorney General in charge of the Office of Legal Policy has been pending on the Senate Executive Calendar since July 28. It was reported by voice vote without a single dissenting voice. President Bush's first nominee to head that division, Viet Dinh, was confirmed 96 to 1 only 1 month after he was nominated and only a week after his nomination was reported by the committee. The three nominees to that office that succeeded Mr. Dinh—Daniel Bryant, Rachel Brand, and Elisabeth Cook—were each confirmed by voice vote in a shorter time than Professor Schroeder's nomination has been pending. Ms. Cook was confirmed 13 days after her nomination was reported by the committee, even though it was the final year of the Bush Presidency. By contrast, the majority leader may have to file another cloture position in order to overcome Republican obstruction and obtain Senate consideration of Professor Schroeder's nomination.

Instead of withholding consents and filibustering President Obama's nominees, the other side of the aisle should join us in treating them fairly. We should not have to fight for months to schedule consideration of the President's judicial nominations and nomination for critical posts in the executive branch.

Upon the announcement of her nomination, President Obama described Ignacia Moreno as a "talented individual" whose leadership will help us "preserve our environment." I agree. Ignacia Moreno is a well-qualified nominee who has chosen to leave a lucrative private practice to return to government service.

Ms. Moreno currently works for General Electric, where she oversees that corporation's compliance with State and Federal laws. Prior to that, she spent 7 years in the Energy and Natural Resources Division, where she served as a Special Assistant and later Principal Counsel to the Assistant Attorney General. I am confident that Ms. Moreno's significant experience will be put to good use when she is confirmed to return to the Justice Department.

I congratulate Ms. Moreno and her family on her confirmation today. I thank her many supporters for helping to free this nomination for Senate consideration.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Ignacia S. Moreno, of New York, to be an Assistant Attorney General?

Mr. CARDIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. 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. DURBIN. I announce that the Senator from West Virginia (Mr.

BYRD), the Senator from Delaware (Mr. CARPER), and the Senator from Louisiana (Ms. LANDRIEU) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from South Carolina (Mr. DEMINT), the Senator from Georgia (Mr. ISAKSON), and the Senator from Ohio (Mr. VOINOVICH).

Further, if present and voting, the Senator from South Carolina (Mr. DEMINT) would have voted "yea."

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

The result was announced—yeas 93, nays 0, as follows:

[Rollcall Vote No. 341 Leg.]

YEAS—93

Akaka	Feingold	Menendez
Alexander	Feinstein	Merkley
Barrasso	Franken	Mikulski
Baucus	Gillibrand	Murkowski
Bayh	Graham	Murray
Begich	Grassley	Nelson (NE)
Bennet	Gregg	Nelson (FL)
Bennett	Hagan	Pryor
Bingaman	Harkin	Reed
Bond	Hatch	Reid
Boxer	Hutchison	Risch
Brown	Inhofe	Roberts
Brownback	Inouye	Rockefeller
Bunning	Johanns	Sanders
Burr	Johnson	Schumer
Burris	Kaufman	Sessions
Cantwell	Kerry	Shaheen
Cardin	Kirk	Shelby
Casey	Klobuchar	Snowe
Coburn	Kohl	Specter
Cochran	Kyl	Stabenow
Collins	Lautenberg	Tester
Conrad	Leahy	Thune
Corker	LeMieux	Udall (CO)
Cornyn	Levin	Udall (NM)
Crapo	Lieberman	Vitter
Dodd	Lincoln	Warner
Dorgan	Lugar	Webb
Durbin	McCain	Whitehouse
Ensign	McCaskey	Wicker
Enzi	McConnell	Wyden

NOT VOTING—7

Byrd	DeMint	Voinovich
Carper	Isakson	
Chambliss	Landrieu	

The nomination was confirmed.

The PRESIDING OFFICER. The President will be notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MILITARY CONSTRUCTION, VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The PRESIDING OFFICER. The Senate will now proceed to the consideration of H.R. 3082, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3082) making appropriations for military construction, the Department Of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

AMENDMENT NO. 2730

Mr. JOHNSON. Mr. President, I call up amendment No. 2730.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Dakota [Mr. JOHNSON], for himself and Mrs. HUTCHISON, proposes an amendment numbered 2730.

Mr. JOHNSON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. JOHNSON. Mr. President, I am pleased to present the fiscal year 2010 Military Construction, Veterans Affairs, and Related Agencies appropriations bill. The bill was unanimously reported out of committee on July 7. It is a well balanced and bipartisan measure, and I hope all Senators will support it.

I thank my ranking member, Senator HUTCHISON, for her help and cooperation in crafting the bill. Senator HUTCHISON's dedication to America's veterans and to our military forces has been a tremendous asset in developing this bill. I also thank Chairman INOUE and Vice Chairman COCHRAN for their support and assistance in moving this bill forward.

The Military Construction and Veterans Affairs bill provides critical investments in capital infrastructure for our military, including barracks and family housing; training and operational facilities; and childcare and family support centers. In addition, it fulfills the Nation's promise to our veterans by providing the resources needed for the medical care and benefits that our veterans have earned through their service.

The bill before the Senate today provides a total of \$134 billion in funding for fiscal year 2010. This includes \$76.7 billion in discretionary funding—\$439 million over the budget request; \$1.4 billion for overseas contingency operations to support our troops in Afghanistan, and \$56 billion in mandatory funding for veterans programs.

In addition, I am pleased to report that, for the first time, the bill before us contains \$48.2 billion in advance appropriations for veterans medical care for fiscal year 2011. This funding will ensure that the VA has a predictable stream of funding and that medical services will not be adversely affected should another stopgap funding measure be needed in the future. As an original cosponsor of the legislation authorizing advance appropriations for veterans health care, I am particularly pleased that Senator HUTCHISON and I were able to provide the funding in this bill to implement this important legislation.

Other funding priorities in the bill include \$53 billion in discretionary funding for veterans programs, \$150 million over the budget request and \$3.9 billion more than last year; \$45 bil-

lion for veterans' medical care, \$4.2 billion over last year; \$23 billion for military construction, \$286 million over the President's budget request; \$1.3 billion for Guard and reserve construction projects, \$264 million above the budget request, and \$279 million for related agencies, including the American Battle Monuments Commission and Arlington National Cemetery.

For fiscal year 2010, the bill provides \$53.2 billion in discretionary funding for veterans programs, an increase of \$150 million over the budget request and \$3.9 billion over last year. This includes \$44.7 billion for veterans medical care, an increase of \$4.2 billion over last year.

The veterans funding also includes \$250 million requested by the President for rural health care, continuing an initiative the committee began last year. To further improve outreach to veterans in rural areas, including Native Americans, the bill provides \$50 million above the budget request for a new rural clinic initiative to serve veterans in rural areas currently underserved by VA facilities.

For military construction, the bill provides \$23.2 billion, \$286 million over the President's budget request. This includes nearly \$1.3 billion for Guard and Reserve projects, \$264 million above the budget request. As so many of us know, our Reserve components have provided unparalleled support to their active component counterparts in operations around the globe. Providing quality infrastructure for the Guard and Reserve is only a small token of our appreciation.

In all, the military construction projects included within this bill are as diverse as the individuals serving our Nation—from building a field training facility in North Carolina, to constructing a military school in Europe; from developing a military health clinic in Washington State to providing dining halls in forward operating locations in Afghanistan.

For the first time since the war in Afghanistan began, the President has requested war-related funding as part of the regular budget process. This year, we have incorporated projects for Afghanistan into the normal budget order by providing an overseas contingency operations account to support war fighting operations. Within this account, we supported the President's budget request of \$1.4 billion for military construction projects at 22 forward operating locations in Afghanistan.

For military family housing, the bill provides \$2 billion as requested. The budget request for family housing is \$1.5 billion below the fiscal year 2009 enacted level, due primarily to the nearing completion of the military's housing privatization initiative and subsequent reductions in operating expenses. The privatization of military family housing has been a good news story for our military families and the American taxpayers. Our military fam-

ilies will get first rate housing while at the same time reducing construction and maintenance costs to the military.

Our committee mark also includes funding to complete previous and ongoing base closure actions. This bill contains \$7.5 billion for BRAC 2005 as requested and \$421.8 million for BRAC 1990, a \$25 million increase above the request. The BRAC 2005 request is \$1.3 billion below the fiscal year 2009 enacted level, reflecting reduced construction requirements.

The bill also includes \$276.3 million as requested to fund the NATO Security Investment Program, NSIP. This program provides the U.S. funding share of joint U.S.-NATO military facilities.

Two military construction programs of particular importance to me are the Homeowners Assistance Program, HAP, which provides mortgage relief to military families required to relocate, and the Energy Conservation Investment Program. Building on an expansion of the HAP program that was funded in the stimulus bill, this bill adds \$350 million to complete the funding requirement to temporarily extend HAP benefits to all eligible military families who have suffered losses on home sales due to the mortgage crisis. The additional funding also supports the permanent extension of HAP benefits to wounded warriors who must relocate for medical reasons and to surviving spouses of fallen warriors. As everyone knows, the mortgage crisis has had a devastating impact on many Americans, and our military families are not immune from the collapse in the housing market. In particular, military families have been adversely impacted when forced to sell their homes at a loss when required by the military to relocate either within the United States or overseas. In such circumstances, our military men and women do not have the luxury of waiting for the housing market to recover.

The Energy Conservation Investment Program—ECIP—is designed to promote energy conservation and efficiency, including investments in renewable and alternative energy resources, on our military installations. The subcommittee has added \$135 million in funding to the President's budget request to provide for such innovations. Our bill also includes language urging the Department of Defense to develop a more comprehensive strategy to address energy conservation, energy efficiency and energy security. While I am encouraged by the efforts of the services at finding ways to reduce energy use on military installations, I worry that the Department as a whole does not have a single point of coordination that will ensure that innovative ideas and projects are shared across all of the services and within the Department.

This bill includes \$26.9 million for projects at active duty installations and Guard facilities in my home State of South Dakota. This includes \$14.5

million to expand the Deployment Center at Ellsworth Air Force Base; \$7.89 million for the Army and Air Guard Joint Force Headquarters Readiness Center at Camp Rapid; \$1.95 million for a National Guard troop medical clinic addition at Camp Rapid; \$1.3 million to construct an above-ground magazine storage facility for the Air Guard at Joe Foss Field; and \$1.3 million for a munitions maintenance complex addition, also for the Air Guard at Joe Foss Field.

Once again we have made veterans a top priority this year by including \$53.2 billion in discretionary funding for the VA, an increase of \$150 million over the budget request and \$3.9 billion over last year. The Department is expecting to treat almost 6.1 million patients in fiscal year 2010; therefore we have targeted the bulk of the discretionary funding for the three medical care accounts, which total \$44.7 billion this year. This includes a \$3.7 billion increase over fiscal year 2009 for the medical services account.

The challenges that face the VA in the 21st century are daunting but not insurmountable. These include modernizing and transforming antiquated systems; treating combat injuries, many of which leave no physical scars; and adjusting services to meet changing demographics. The VA will have to balance the services required by aging veterans, such as long term care, with the needs required by a surge of new veterans from the wars in Iraq and Afghanistan. Moreover, as more and more women are choosing the Armed Forces as a career, the VA will need to transform from a culture dominated by services designed for men to one that includes services specific to the health care needs of women veterans. To that end, this bill includes \$183 million to specifically address the unique health care needs of women veterans.

Veterans Affairs Secretary Shinseki has laid out an ambitious plan to transform the Department of Veterans Affairs into a 21st century organization. The bill before the Senate is a step in that direction by providing the VA with the resources needed to address these and other issues. For example, the bill provides \$6 billion for long-term care, a \$663 million increase from last year. The funding includes both institutional and home based care programs. In addition, the bill provides \$115 million for grants for the construction of State extended care facilities, \$30 million over the budget request. This program provides grants to State veterans homes to construct new facilities or to correct life threatening code violations.

The bill also includes \$2.1 billion, \$460 million above fiscal year 2009, for medical care for veterans of the wars in Iraq and Afghanistan. The VA has seen a surge of these veterans and expects to see over 419,000 this year alone, a 61 percent increase in patient load since 2008. Many of these veterans suffer combat specific injuries such as

polytrauma, post traumatic stress disorder, and traumatic brain injury. The resources provided in the bill are essential to the VA's ability to treat these veterans.

As a Senator from a large, highly rural state, I have been emphatic that the VA must change its way of doing business when it comes to providing services to veterans who live well outside urban areas. Last year, as chairman of the subcommittee, I established a new rural health initiative at the VA, and provided \$250 million specifically for the Department to address the gap in services that exists in rural areas. This year's bill includes an additional \$250 million, as requested by the President, to continue this program. To further bolster the rural health effort, I added \$50 million to the bill for a new Rural Clinic Initiative. This will provide the VA with additional funding to establish Community Based Outpatient Clinics—CBOCs—in rural areas that are currently underserved by VA health care facilities.

According to the VA, roughly 131,000 veterans are homeless on any given night. This is 131,000 too many veterans. Secretary Shinseki has made combating homelessness a top priority at the VA. To assist, the bill includes \$3.2 billion for health care and support services for homeless veterans. This includes \$500 million in direct programs to assist homeless veterans.

The bill also puts a priority on reducing the time it takes for veterans to receive the benefits they have earned. Funding is included which will provide the Veterans Benefits Administration with the resources to hire 1,200 new claims processors in fiscal year 2010. This will bring the compensation and pensions workforce level to 14,549 in 2010 as compared to 7,550 in 2005. This increased workforce will be necessary as claims for benefits are estimated to reach almost one million in fiscal year 2010.

The last two issues I will highlight deal with infrastructure, both capital and electronic. The VA operates the Nation's largest integrated health care system in the United States. It does so through a system of 153 hospitals and 1,002 outpatient clinics. These buildings must be maintained at the highest level to ensure patient safety and high quality medical care. Once again this year, the bill contains additional funding above the budget request to ensure that VA facilities do not become dilapidated and that the backlog of code violations identified in facility condition assessment reports is addressed. In total, this bill provides \$1.3 billion, \$300 million above the President's request, to address critical non-recurring maintenance at existing VA hospitals and clinics. Additionally, \$1.9 billion is provided for the construction of new VA hospitals and clinics. The bill also includes \$685 million for minor construction projects, \$85 million above the President's request.

Funding for bricks and mortar and recapitalization is not the only infra-

structure investment made in the bill. In the 21st century, health care delivery is dependent on modern technology and robust information technology. Therefore, we have included \$3.3 billion for the Department to modernize its information technology programs, including its electronic medical records, a new paperless claims system, and systems designed for seamless integration of medical and service records with the Department of Defense.

Finally, the bill provides \$279 million for a handful of small but important related agencies, including the American Battle Monuments Commission and Arlington National Cemetery.

Next Wednesday is Veterans Day, a day on which the Nation honors all those who have served in the armed forces of the United States. I can think of no better way to express the Senate's gratitude for the service of our veterans and the sacrifices they have made for our country than to pass this bill without delay. Again, I thank my ranking member for her support in crafting the bill. I also thank the staff of the subcommittee—Christina Evans, Chad Schulken and Andy Vanlandingham of my staff, and Dennis Balkham and Ben Hammond of the minority staff—for their hard work and cooperative effort to produce this bill.

Mr. President, I want to express my sorrow at the tragic events that unfolded at Fort Hood, TX, this afternoon. I extend my condolences to the troops and families at Fort Hood, and to my ranking member Senator HUTCHISON. Our thoughts and prayers are with her and with the Fort Hood community in this difficult time.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. ROBERTS. Mr. President, suddenly I find myself a member of the powerful Appropriations Committee, but it comes under a dark cloud indeed. The distinguished chairman, who does such a great job in behalf of our veterans and military construction, has pointed out the terrible tragedy that has happened at Fort Hood. So I am here standing in, if you will, for Senator HUTCHISON, who does such a good job, in partnership with my colleague and my friend and my neighbor, whom I respect a great deal. So I appreciate the opportunity to speak on the bill before us.

As Senator HUTCHISON departs as early as she possibly can to get to Texas to assist in the challenge of this great tragedy, we wish her well, and our prayers are with her and all the people at Fort Hood and all the people in Texas.

As the distinguished chairman has stated, a lot of time and energy have gone into putting this legislation together. Senator HUTCHISON wanted to thank Chairman JOHNSON and his staff for working hard to address the needs of our servicemembers and veterans. I am going to repeat just a couple of things that are in the full statement of the distinguished Senator from Texas.

As Chairman JOHNSON has pointed out, the Military Construction, Veterans Affairs, and Related Agencies appropriations bill includes for fiscal year 2010 \$76.7 billion in discretionary spending, \$23.2 billion for military construction, \$53.2 billion for our veterans, \$55.8 billion in mandatory spending for veterans' benefits, and \$1.4 billion for military construction projects to assist our troops in Afghanistan in their fight against terrorism.

A lot of the figures Senator HUTCHISON has here have been mentioned by the distinguished chairman, so I won't go into those, but Senator HUTCHISON wanted to indicate and wanted to highlight that she was very pleased that the bill provides full funding for the base realignment and closure actions. The funds are essential to bringing our troops home, predominantly from Europe and Korea, and basing them in the United States. By fully funding BRAC, we can help the Department of Defense to stay on schedule to achieve this goal by September of 2011.

Senator HUTCHISON would also like to highlight that the legislation contains the necessary funds for the Defense Department program especially designed to help our servicemembers who were forced to relocate in this harsh economic housing environment—I might add that we see this at Fort Leavenworth and Fort Riley as well in Kansas—the Homeowners Assistance Fund. Chairman JOHNSON has been absolutely instrumental in making this program a success.

The legislation contains about \$1.4 billion in emergency funding for the war in Afghanistan. Senator HUTCHISON, myself—almost every Senator knows that the policies of this conflict have been passionately debated on the Senate floor in recent days, but I am sure we can all agree that independent of our views on the war or the strategy of that national security threat, we must provide the infrastructure needs of our sailors, soldiers, airmen, and marines, who, by the way, celebrated their birthday today. This bill does just that.

In addition, I would point out that the distinguished ranking member wanted to express her strong commitment to making sure that our NATO allies—our NATO allies—fund their fair share of these joint projects.

The chairman has already gone over the figures for the Department of Veterans Affairs, although Senator HUTCHISON did want to point out that it includes funding to enhance outreach and services for mental health care, combat homelessness, further meet the needs of women veterans, and expand our health care to rural areas—something the chairman knows all about, something which I like to think I know something about, and something that I know Senator HUTCHISON knows about a great deal.

Finally, we have included \$48.2 billion in advanced appropriations for vet-

erans' medical care for fiscal year 2011. This funding will allow the VA to better plan the budget for our veterans' health care.

Congress has shown its resolve time and again to care for our Nation's veterans and provide the infrastructure for our men and women in uniform. We all owe them a debt of gratitude and will do our part to take care of them.

So I ask my colleagues to support this bill. We have no objection on this side.

Again, I wish to thank the distinguished chairman for all of his work and leadership.

I yield the floor.

(At the request of Mr. ROBERTS, the following statement was ordered to be printed in the RECORD.)

• Mrs. HUTCHISON. Mr. President, as the ranking member of the Military Construction, Veterans Affairs, and Related Agencies Subcommittee, I appreciate the opportunity to speak on the bill before us. A lot of time and energy has gone into putting this legislation together, and I would like to thank Chairman JOHNSON and his staff for working hard to address the needs of our service members and veterans.

This is a bipartisan bill, and I can say with great confidence that this subcommittee makes sure that the priorities of all Senators, on both sides of the aisle, are evaluated and taken care of to the best of our ability.

As Chairman JOHNSON has pointed out, this Military Construction, Veterans Affairs, and Related Agencies Appropriations bill includes, for fiscal year 2010: \$76.7 billion in discretionary spending, including \$23.2 billion for military construction and \$53.2 billion for our veterans; \$55.8 billion in mandatory spending for veterans' benefits, and \$1.4 billion for military construction projects to assist our troops in Afghanistan in their fight against terrorists and insurgents.

This legislation provides \$23.2 billion for the Defense Department's military construction program. I am concerned that the DOD requested over \$7 billion less for 2010, a 25 percent decrease from the previous year, and I hope this trend does not continue. Of all the funds we provide for our government, supporting the infrastructure needs of our soldiers is one of the most important I can think of.

I am pleased that our bill provides full funding for the Base Realignment and Closure actions at almost \$7.5 billion. These funds are essential to bring our troops home, predominantly from Europe and Korea, and basing them in the United States. By fully funding BRAC we can help the DOD stay on schedule to achieve this goal by September 2011.

I wish to point out as well that our legislation contains the necessary funds for the Defense Department program specially designed to help our service members who are forced to relocate in this harsh economic housing environment, the Homeowners Assist-

ance Fund. Chairman JOHNSON has been instrumental in making this program a success.

This bill funds the Guard and Reserve at \$264 million above the President's request. A significant number of the troops fighting the war on terror consist of Guard and Reserve members, so I am very glad we were able to provide additional resources for them.

This summer, as our Nation was preparing for its Fourth of July celebrations, I had the honor of visiting our troops in Iraq and Kuwait. I listened to their concerns and saw first hand how the facilities we provide in this bill are instrumental in their ability to carry out their mission.

This legislation contains almost \$1.4 billion in emergency funding for the war in Afghanistan. The policies of this conflict have been passionately debated on the Senate floor in recent days. But I am sure we can all agree that—independent of our views of the war—we must provide the infrastructure needs of our sailors, soldiers, airmen and marines. This bill does that.

In addition, I would like to point out that this subcommittee is committed to making sure that our NATO allies fund their fair share of all joint projects. I can assure my colleagues, and the American people, that every MILCON facility shared by allied forces is evaluated for NATO reimbursement and that we push hard for cost sharing at every possible opportunity.

Our bill provides \$109 billion for the Department of Veterans Affairs, a 14 percent increase above fiscal year 2009. Veterans' healthcare is funded at \$45 billion, and medical research is funded at \$580 million. This bill also makes a significant investment in VA infrastructure needs, with nearly \$5 billion for the maintenance and repair of VA medical facilities and \$2 billion in new construction projects.

The Veterans Benefits Administration is funded at \$56 billion to administer compensation, pension, and readjustment benefits earned by our veterans. We have fully funded the new education benefits provided by the post-9/11 educational assistance program, and included funding for 1,200 new claims processors to reduce the claims backlog.

This legislation addresses the many demands facing the Department of Veterans Affairs. It includes funding over 2009 levels to enhance outreach and services for mental health care, combat homelessness, further meet the needs of women veterans, and expand access to healthcare in rural areas. Finally, we included \$48.2 billion in advance appropriations for veterans' medical care for fiscal year 2011. This funding will allow the Veterans Health Administration to better plan and budget for veterans' health care.

Congress has shown its resolve time and again to care for our nation's veterans and provide the infrastructure for our men and women in uniform. We

owe all of them our gratitude, and we will do our part to take care of them. I ask my colleagues to support this bill.

Again, I would like to thank Senators INOUE and COCHRAN for their support putting this bill together, and I would especially like to thank Chairman JOHNSON for his leadership and the hard work of his staff: Christina Evans, Chad Schulken, and Andy Vanlandingham.●

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

AMENDMENT NO. 2732 TO AMENDMENT NO. 2730

Mr. JOHNSON. Mr. President, I send an amendment to the desk on behalf of myself and Senator HUTCHISON and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Dakota [Mr. JOHNSON], for himself and Mrs. HUTCHISON, proposes an amendment numbered 2732 to amendment No. 2730.

Mr. JOHNSON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To make a technical amendment regarding the designation of funds)

On page 56, between lines 9 and 10, insert the following:

SEC. 401. Amounts appropriated or otherwise made available by this title are designated as being for overseas deployments and other activities pursuant to sections 401(c)(4) and 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

Mr. JOHNSON. Mr. President, this amendment is a technical amendment which provides for the proper designation for title IV of the bill, Overseas Contingency Operations. This information was inadvertently left out of the

bill. An amendment would correct this error.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. JOHNSON. Mr. President, I believe it has been cleared by both sides. I ask unanimous consent that the amendment be agreed to.

Mr. ROBERTS. Will the chairman yield?

Mr. JOHNSON. Yes.

Mr. ROBERTS. The chairman has accurately described the contents of the amendment. We have no objection and ask that it be agreed to.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 2732) was agreed to.

Mr. JOHNSON. Mr. 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.

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

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

Mr. BROWN. Mr. President, with respect to amendment No. 2732, I move to reconsider and table the vote on adoption of the amendment.

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

Mr. CONRAD. Mr. President, section 401(c)(4) of S. Con. Res. 13, the 2010 budget resolution, permits the chairman of the Senate Budget Committee to adjust the section 401(b) discre-

tionary spending limits, allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, and aggregates for legislation making appropriations for fiscal years 2009 and 2010 for overseas deployments and other activities by the amounts provided in such legislation for those purposes and so designated pursuant to section 401(c)(4). The adjustment is limited to the total amount of budget authority specified in section 104(21) of S. Con. Res. 13. For 2009, that limitation is \$90.745 billion, and for 2010, it is \$130 billion.

On July 7, 2009, the Senate Appropriations Committee reported S. 1407, the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2010. The reported bill contains \$1.399 billion in funding that the Senate Appropriations Committee intends to designate for overseas deployments and other activities pursuant to section 401(c)(4). An amendment has been offered that provides a designation consistent with section 401(c)(4). The Congressional Budget Office estimates that the \$1.399 billion in budget authority will result in \$145 million in new outlays in 2010. As a result, I am revising both the discretionary spending limits and the allocation to the Senate Committee on Appropriations for discretionary budget authority and outlays by those amounts in 2010. When combined with previous adjustments made pursuant to section 401(c)(4), \$129.999 billion has been designated so far for overseas deployments and other activities for 2010.

I ask unanimous consent that the following revisions to S. Con. Res. 13 be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010—S. CON. RES. 13; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 401(c)(4) TO THE ALLOCATION OF BUDGET AUTHORITY AND OUTLAYS TO THE SENATE APPROPRIATIONS COMMITTEE AND THE SECTION 401(b) SENATE DISCRETIONARY SPENDING LIMITS

(In millions of dollars)

	Current allocation/ limit	Adjustment	Revised allocation/limit
FY 2009 Discretionary Budget Authority	1,482,201	0	1,482,201
FY 2009 Discretionary Outlays	1,247,872	0	1,247,872
FY 2010 Discretionary Budget Authority	1,218,252	1,399	1,219,651
FY 2010 Discretionary Outlays	1,376,050	145	1,376,195

HEALTH CARE REFORM

Mr. BROWN. Mr. President, I rise again this evening, as I have many days in the last couple of months, to share with my colleagues letters from people in Ohio—from Bucyrus, Lima, Springfield, and Zanesville—people who are sharing their stories with us.

As I have been in the Senate now for 3 years, it occurs to me that perhaps more often than not, we talk about policy up here, but we simply do not pay enough attention to individual problems and individual people. That is why a lot of people think their elected officials are out of touch with them. These letters really do share with us where we are, what we ought to do, and

how we should respond as we move forward on the health issue.

This letter comes from Ann from Montgomery County. She writes:

Our insurance premiums have nearly tripled in the last 6 years, going from \$500 per month to \$1,500 per month. At the same time, none of our benefits have increased. Since we bought our policy, we have paid the insurance company \$68,000 for the insurance. Anthem's total spending for my family's claims since we bought the insurance: \$4,064.24. Anthem's profit from my family: \$64,000. Anthem's CEO's total compensation last year alone: \$10 million.

Ann from Montgomery County, Dayton, Huber Heights, Centerville, Oakwood—that area of the State, southwest Ohio. Obviously, Ann is angry and

frustrated with what she has seen. She has paid so much for insurance, gotten so few benefits, and she sees Anthem's CEO taking down \$10 million a year.

What we see repeatedly in the insurance industry, the average CEO salary for the biggest 11 insurance companies is \$11 million a year. Insurance company profits have gone up more than 400 percent in the last 7 years.

The way they make this money is this kind of business model where they hire a huge bureaucracy, a bunch of bureaucrats to keep people from buying insurance if they are sick. They discriminate based on gender. They discriminate based on age. They discriminate based on disability. In some cases,