

***In the Senate of the United States,***

*November 17, 2009.*

*Resolved*, That the bill from the House of Representatives (H.R. 3082) entitled “An Act 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.”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

1 *That the following sums are appropriated, out of any*  
2 *money in the Treasury not otherwise appropriated, for*  
3 *military construction, the Department of Veterans Affairs,*  
4 *and related agencies for the fiscal year ending September*  
5 *30, 2010, and for other purposes, namely:*

6

*TITLE I*

7

*DEPARTMENT OF DEFENSE*

8

*MILITARY CONSTRUCTION, ARMY*

9

*For acquisition, construction, installation, and equip-*

10 *ment of temporary or permanent public works, military in-*

1 *stallations, facilities, and real property for the Army as*  
2 *currently authorized by law, including personnel in the*  
3 *Army Corps of Engineers and other personal services nec-*  
4 *essary for the purposes of this appropriation, and for con-*  
5 *struction and operation of facilities in support of the func-*  
6 *tions of the Commander in Chief, \$3,477,673,000, to remain*  
7 *available until September 30, 2014: Provided, That of this*  
8 *amount, not to exceed \$191,573,000 shall be available for*  
9 *study, planning, design, architect and engineer services,*  
10 *and host nation support, as authorized by law, unless the*  
11 *Secretary of Defense determines that additional obligations*  
12 *are necessary for such purposes and notifies the Committees*  
13 *on Appropriations of both Houses of Congress of the deter-*  
14 *mination and the reasons therefor: Provided further, That*  
15 *the amounts made available under this heading shall be ex-*  
16 *pended for the projects and activities, and in the amounts*  
17 *specified, under this heading in the Committee rec-*  
18 *ommendations and detail tables, including the table entitled*  
19 *“Military Construction Projects Listing by Location” in the*  
20 *report accompanying this Act.*

21 *MILITARY CONSTRUCTION, NAVY AND MARINE CORPS*

22 *For acquisition, construction, installation, and equip-*  
23 *ment of temporary or permanent public works, naval in-*  
24 *stallations, facilities, and real property for the Navy and*  
25 *Marine Corps as currently authorized by law, including*

1 *personnel in the Naval Facilities Engineering Command*  
2 *and other personal services necessary for the purposes of this*  
3 *appropriation, \$3,548,771,000, to remain available until*  
4 *September 30, 2014: Provided, That of this amount, not to*  
5 *exceed \$176,896,000 shall be available for study, planning,*  
6 *design, and architect and engineer services, as authorized*  
7 *by law, unless the Secretary of Defense determines that ad-*  
8 *ditional obligations are necessary for such purposes and no-*  
9 *tifies the Committees on Appropriations of both Houses of*  
10 *Congress of the determination and the reasons therefor: Pro-*  
11 *vided further, That the amounts made available under this*  
12 *heading shall be expended for the projects and activities,*  
13 *and in the amounts specified, under this heading in the*  
14 *Committee recommendations and detail tables, including*  
15 *the table entitled “Military Construction Projects Listing*  
16 *by Location” in the report accompanying this Act.*

17 *MILITARY CONSTRUCTION, AIR FORCE*

18 *For acquisition, construction, installation, and equip-*  
19 *ment of temporary or permanent public works, military in-*  
20 *stallations, facilities, and real property for the Air Force*  
21 *as currently authorized by law, \$1,213,539,000, to remain*  
22 *available until September 30, 2014, of which \$9,800,000*  
23 *shall be for an Aircraft Fuel Systems Maintenance Dock*  
24 *at Columbus AFB, Mississippi: Provided, That of this*  
25 *amount, not to exceed \$106,918,000 shall be available for*

1 *study, planning, design, and architect and engineer serv-*  
2 *ices, as authorized by law, unless the Secretary of Defense*  
3 *determines that additional obligations are necessary for*  
4 *such purposes and notifies the Committees on Appropria-*  
5 *tions of both Houses of Congress of the determination and*  
6 *the reasons therefor: Provided further, That the amounts*  
7 *made available under this heading shall be expended for the*  
8 *projects and activities, and in the amounts specified, under*  
9 *this heading in the Committee recommendations and detail*  
10 *tables, including the table entitled “Military Construction*  
11 *Projects Listing by Location” in the report accompanying*  
12 *this Act.*

13 *MILITARY CONSTRUCTION, DEFENSE-WIDE*

14 *(INCLUDING TRANSFER OF FUNDS)*

15 *For acquisition, construction, installation, and equip-*  
16 *ment of temporary or permanent public works, installa-*  
17 *tions, facilities, and real property for activities and agen-*  
18 *cies of the Department of Defense (other than the military*  
19 *departments), as currently authorized by law,*  
20 *\$3,069,114,000, to remain available until September 30,*  
21 *2014: Provided, That such amounts of this appropriation*  
22 *as may be determined by the Secretary of Defense may be*  
23 *transferred to such appropriations of the Department of De-*  
24 *fense available for military construction or family housing*  
25 *as the Secretary may designate, to be merged with and to*

1 *be available for the same purposes, and for the same time*  
2 *period, as the appropriation or fund to which transferred:*  
3 *Provided further, That of the amount appropriated, not to*  
4 *exceed \$142,942,000 shall be available for study, planning,*  
5 *design, and architect and engineer services, as authorized*  
6 *by law, unless the Secretary of Defense determines that ad-*  
7 *ditional obligations are necessary for such purposes and no-*  
8 *tifies the Committees on Appropriations of both Houses of*  
9 *Congress of the determination and the reasons therefor: Pro-*  
10 *vided further, That the amounts made available under this*  
11 *heading shall be expended for the projects and activities,*  
12 *and in the amounts specified, under this heading in the*  
13 *Committee recommendations and detail tables, including*  
14 *the table entitled “Military Construction Projects Listing*  
15 *by Location” in the report accompanying this Act.*

16 *MILITARY CONSTRUCTION, ARMY NATIONAL GUARD*

17 *For construction, acquisition, expansion, rehabilita-*  
18 *tion, and conversion of facilities for the training and ad-*  
19 *ministration of the Army National Guard, and contribu-*  
20 *tions therefor, as authorized by chapter 1803 of title 10,*  
21 *United States Code, and Military Construction Authoriza-*  
22 *tion Acts, \$497,210,000, to remain available until Sep-*  
23 *tember 30, 2014: Provided, That the amounts made avail-*  
24 *able under this heading shall be expended for the projects*  
25 *and activities, and in the amounts specified, under this*

1 heading in the Committee recommendations and detail ta-  
2 bles, including the table entitled “Military Construction  
3 Projects Listing by Location” in the report accompanying  
4 this Act.

5 *MILITARY CONSTRUCTION, AIR NATIONAL GUARD*

6 *For construction, acquisition, expansion, rehabilita-*  
7 *tion, and conversion of facilities for the training and ad-*  
8 *ministration of the Air National Guard, and contributions*  
9 *therefor, as authorized by chapter 1803 of title 10, United*  
10 *States Code, and Military Construction Authorization Acts,*  
11 *\$297,661,000, to remain available until September 30,*  
12 *2014: Provided, That the amounts made available under*  
13 *this heading shall be expended for the projects and activi-*  
14 *ties, and in the amounts specified, under this heading in*  
15 *the Committee recommendations and detail tables, includ-*  
16 *ing the table entitled “Military Construction Projects List-*  
17 *ing by Location” in the report accompanying this Act.*

18 *MILITARY CONSTRUCTION, ARMY RESERVE*

19 *For construction, acquisition, expansion, rehabilita-*  
20 *tion, and conversion of facilities for the training and ad-*  
21 *ministration of the Army Reserve as authorized by chapter*  
22 *1803 of title 10, United States Code, and Military Con-*  
23 *struction Authorization Acts, \$379,012,000, to remain*  
24 *available until September 30, 2014: Provided, That the*  
25 *amounts made available under this heading shall be ex-*

1 *pended for the projects and activities, and in the amounts*  
2 *specified, under this heading in the Committee rec-*  
3 *ommendations and detail tables, including the table entitled*  
4 *“Military Construction Projects Listing by Location” in the*  
5 *report accompanying this Act.*

6 *MILITARY CONSTRUCTION, NAVY RESERVE*

7 *For construction, acquisition, expansion, rehabilita-*  
8 *tion, and conversion of facilities for the training and ad-*  
9 *ministration of the reserve components of the Navy and Ma-*  
10 *rine Corps as authorized by chapter 1803 of title 10, United*  
11 *States Code, and Military Construction Authorization Acts,*  
12 *\$64,124,000, to remain available until September 30, 2014:*  
13 *Provided, That the amounts made available under this*  
14 *heading shall be expended for the projects and activities,*  
15 *and in the amounts specified, under this heading in the*  
16 *Committee recommendations and detail tables, including*  
17 *the table entitled “Military Construction Projects Listing*  
18 *by Location” in the report accompanying this Act.*

19 *MILITARY CONSTRUCTION, AIR FORCE RESERVE*

20 *For construction, acquisition, expansion, rehabilita-*  
21 *tion, and conversion of facilities for the training and ad-*  
22 *ministration of the Air Force Reserve as authorized by*  
23 *chapter 1803 of title 10, United States Code, and Military*  
24 *Construction Authorization Acts, \$47,376,000, to remain*  
25 *available until September 30, 2014: Provided, That the*

1 amounts made available under this heading shall be ex-  
2 pended for the projects and activities, and in the amounts  
3 specified, under this heading in the Committee rec-  
4 ommendations and detail tables, including the table entitled  
5 “Military Construction Projects Listing by Location” in the  
6 report accompanying this Act.

7       *NORTH ATLANTIC TREATY ORGANIZATION SECURITY*

8                       *INVESTMENT PROGRAM*

9       *For the United States share of the cost of the North*  
10 *Atlantic Treaty Organization Security Investment Pro-*  
11 *gram for the acquisition and construction of military facili-*  
12 *ties and installations (including international military*  
13 *headquarters) and for related expenses for the collective de-*  
14 *fense of the North Atlantic Treaty Area as authorized by*  
15 *section 2806 of title 10, United States Code, and Military*  
16 *Construction Authorization Acts, \$276,314,000, to remain*  
17 *available until expended: Provided, That of the amount ap-*  
18 *propriated, not to exceed \$41,400,000 shall be available for*  
19 *the United States share of the planning, design and con-*  
20 *struction of a new North Atlantic Treaty Organization*  
21 *headquarters.*

22                       *FAMILY HOUSING CONSTRUCTION, ARMY*

23       *For expenses of family housing for the Army for con-*  
24 *struction, including acquisition, replacement, addition, ex-*  
25 *pansion, extension, and alteration, as authorized by law,*



1 \$273,236,000, to remain available until September 30,  
2 2014: Provided, That the amounts made available under  
3 this heading shall be expended for the projects and activi-  
4 ties, and in the amounts specified, under this heading in  
5 the Committee recommendations and detail tables, includ-  
6 ing the table entitled “Military Construction Projects List-  
7 ing by Location” in the report accompanying this Act.

8 *FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY*

9 *For expenses of family housing for the Army for oper-*  
10 *ation and maintenance, including debt payment, leasing,*  
11 *minor construction, principal and interest charges, and in-*  
12 *surance premiums, as authorized by law, \$523,418,000.*

13 *FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE*  
14 *CORPS*

15 *For expenses of family housing for the Navy and Ma-*  
16 *rine Corps for construction, including acquisition, replace-*  
17 *ment, addition, expansion, extension, and alteration, as au-*  
18 *thorized by law, \$146,569,000, to remain available until*  
19 *September 30, 2014: Provided, That the amounts made*  
20 *available under this heading shall be expended for the*  
21 *projects and activities, and in the amounts specified, under*  
22 *this heading in the Committee recommendations and detail*  
23 *tables, including the table entitled “Military Construction*  
24 *Projects Listing by Location” in the report accompanying*  
25 *this Act.*

1 *FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY*  
2 *AND MARINE CORPS*

3 *For expenses of family housing for the Navy and Ma-*  
4 *rine Corps for operation and maintenance, including debt*  
5 *payment, leasing, minor construction, principal and inter-*  
6 *est charges, and insurance premiums, as authorized by law,*  
7 *\$368,540,000.*

8 *FAMILY HOUSING CONSTRUCTION, AIR FORCE*

9 *For expenses of family housing for the Air Force for*  
10 *construction, including acquisition, replacement, addition,*  
11 *expansion, extension, and alteration, as authorized by law,*  
12 *\$66,101,000, to remain available until September 30, 2014:*  
13 *Provided, That the amounts made available under this*  
14 *heading shall be expended for the projects and activities,*  
15 *and in the amounts specified, under this heading in the*  
16 *Committee recommendations and detail tables, including*  
17 *the table entitled “Military Construction Projects Listing*  
18 *by Location” in the report accompanying this Act.*

19 *FAMILY HOUSING OPERATION AND MAINTENANCE, AIR*  
20 *FORCE*

21 *For expenses of family housing for the Air Force for*  
22 *operation and maintenance, including debt payment, leas-*  
23 *ing, minor construction, principal and interest charges,*  
24 *and insurance premiums, as authorized by law,*  
25 *\$502,936,000.*

1 *FAMILY HOUSING CONSTRUCTION, DEFENSE-WIDE*

2 *For expenses of family housing for the activities and*  
3 *agencies of the Department of Defense (other than the mili-*  
4 *tary departments) for construction, including acquisition,*  
5 *replacement, addition, expansion, extension and alteration,*  
6 *as authorized by law, \$2,859,000, to remain available until*  
7 *September 30, 2014: Provided, That the amounts made*  
8 *available under this heading shall be expended for the*  
9 *projects and activities, and in the amounts specified, under*  
10 *this heading in the Committee recommendations and detail*  
11 *tables, including the table entitled “Military Construction*  
12 *Projects Listing by Location” in the report accompanying*  
13 *this Act.*

14 *FAMILY HOUSING OPERATION AND MAINTENANCE,*  
15 *DEFENSE-WIDE*

16 *For expenses of family housing for the activities and*  
17 *agencies of the Department of Defense (other than the mili-*  
18 *tary departments) for operation and maintenance, leasing,*  
19 *and minor construction, as authorized by law, \$49,214,000.*

20 *DEPARTMENT OF DEFENSE FAMILY HOUSING*  
21 *IMPROVEMENT FUND*

22 *For the Department of Defense Family Housing Im-*  
23 *provement Fund, \$2,600,000, to remain available until ex-*  
24 *pended, for family housing initiatives undertaken pursuant*  
25 *to section 2883 of title 10, United States Code, providing*

1 *alternative means of acquiring and improving military*  
2 *family housing and supporting facilities.*

3 *HOMEOWNERS ASSISTANCE FUND*

4 *For the Homeowners Assistance Fund established by*  
5 *section 1013 of the Demonstration Cities and Metropolitan*  
6 *Development Act of 1966 (42 U.S.C. 3374), as amended by*  
7 *section 1001 of division A of the American Recovery and*  
8 *Reinvestment Act of 2009 (Public Law 111-5; 123 Stat.*  
9 *194), \$373,225,000, to remain available until expended.*

10 *CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-*  
11 *WIDE*

12 *For expenses of construction, not otherwise provided*  
13 *for, necessary for the destruction of the United States stock-*  
14 *pile of lethal chemical agents and munitions in accordance*  
15 *with section 1412 of the Department of Defense Authoriza-*  
16 *tion Act, 1986 (50 U.S.C. 1521), and for the destruction*  
17 *of other chemical warfare materials that are not in the*  
18 *chemical weapon stockpile, as currently authorized by law,*  
19 *\$151,541,000, to remain available until September 30,*  
20 *2014, which shall be only for the Assembled Chemical Weap-*  
21 *ons Alternatives program: Provided, That the amounts*  
22 *made available under this heading shall be expended for the*  
23 *projects and activities, and in the amounts specified, under*  
24 *this heading in the Committee recommendations and detail*  
25 *tables, including the table entitled “Military Construction*

1 *Projects Listing by Location” in the report accompanying*  
2 *this Act.*

3 *DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990*

4 *For deposit into the Department of Defense Base Clo-*  
5 *sure Account 1990, established by section 2906(a)(1) of the*  
6 *Defense Base Closure and Realignment Act of 1990 (10*  
7 *U.S.C. 2687 note), \$421,768,000, to remain available until*  
8 *expended.*

9 *DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005*

10 *For deposit into the Department of Defense Base Clo-*  
11 *sure Account 2005, established by section 2906A(a)(1) of the*  
12 *Defense Base Closure and Realignment Act of 1990 (10*  
13 *U.S.C. 2687 note), \$7,479,498,000, to remain available*  
14 *until expended: Provided, That the Department of Defense*  
15 *shall notify the Committees on Appropriations of both*  
16 *Houses of Congress 14 days prior to obligating an amount*  
17 *for a construction project that exceeds or reduces the amount*  
18 *identified for that project in the most recently submitted*  
19 *budget request for this account by 20 percent or \$2,000,000,*  
20 *whichever is less: Provided further, That the previous pro-*  
21 *viso shall not apply to projects costing less than \$5,000,000,*  
22 *except for those projects not previously identified in any*  
23 *budget submission for this account and exceeding the minor*  
24 *construction threshold under 10 U.S.C. 2805.*

1

*ADMINISTRATIVE PROVISIONS*

2

*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.*

8

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

11

*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.*

18

*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.*

22

*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 Engineer-*

1 *ing Command, except: (1) where there is a determination*  
2 *of value by a Federal court; (2) purchases negotiated by*  
3 *the Attorney General or the designee of the Attorney Gen-*  
4 *eral; (3) where the estimated value is less than \$25,000; or*  
5 *(4) as otherwise determined by the Secretary of Defense to*  
6 *be in the public interest.*

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

13       *SEC. 107. None of the funds made available in this*  
14 *title for minor construction may be used to transfer or relo-*  
15 *cate any activity from one base or installation to another,*  
16 *without prior notification to the Committees on Appropria-*  
17 *tions of both Houses of Congress.*

18       *SEC. 108. None of the funds made available in this*  
19 *title may be used for the procurement of steel for any con-*  
20 *struction project or activity for which American steel pro-*  
21 *ducers, fabricators, and manufacturers have been denied the*  
22 *opportunity to compete for such steel procurement.*

23       *SEC. 109. None of the funds available to the Depart-*  
24 *ment of Defense for military construction or family housing*

1 *during the current fiscal year may be used to pay real prop-*  
2 *erty taxes in any foreign nation.*

3 *SEC. 110. None of the funds made available in this*  
4 *title may be used to initiate a new installation overseas*  
5 *without prior notification to the Committees on Appropria-*  
6 *tions of both Houses of Congress.*

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

15 *SEC. 112. None of the funds made available in this*  
16 *title for military construction in the United States terri-*  
17 *ories and possessions in the Pacific and on Kwajalein*  
18 *Atoll, or in countries bordering the Arabian Sea, may be*  
19 *used to award any contract estimated by the Government*  
20 *to exceed \$1,000,000 to a foreign contractor: Provided, That*  
21 *this section shall not be applicable to contract awards for*  
22 *which the lowest responsive and responsible bid of a United*  
23 *States contractor exceeds the lowest responsive and respon-*  
24 *sible bid of a foreign contractor by greater than 20 percent:*  
25 *Provided further That this section shall not apply to con-*



1 *tract awards for military construction on Kwajalein Atoll*  
2 *for which the lowest responsive and responsible bid is sub-*  
3 *mitted by a Marshallese contractor.*

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

11       *SEC. 114. Not more than 20 percent of the funds made*  
12 *available in this title which are limited for obligation dur-*  
13 *ing the current fiscal year shall be obligated during the last*  
14 *two months of the fiscal year.*

15                   *(INCLUDING TRANSFER OF FUNDS)*

16       *SEC. 115. Funds appropriated to the Department of*  
17 *Defense for construction in prior years shall be available*  
18 *for construction authorized for each such military depart-*  
19 *ment by the authorizations enacted into law during the cur-*  
20 *rent session of Congress.*

21       *SEC. 116. For military construction or family housing*  
22 *projects that are being completed with funds otherwise ex-*  
23 *pired or lapsed for obligation, expired or lapsed funds may*  
24 *be used to pay the cost of associated supervision, inspection,*

1 *overhead, engineering and design on those projects and on*  
2 *subsequent claims, if any.*

3       *SEC. 117. Notwithstanding any other provision of law,*  
4 *any funds made available to a military department or de-*  
5 *fense agency for the construction of military projects may*  
6 *be obligated for a military construction project or contract,*  
7 *or for any portion of such a project or contract, at any*  
8 *time before the end of the fourth fiscal year after the fiscal*  
9 *year for which funds for such project were made available,*  
10 *if the funds obligated for such project: (1) are obligated from*  
11 *funds available for military construction projects; and (2)*  
12 *do not exceed the amount appropriated for such project,*  
13 *plus any amount by which the cost of such project is in-*  
14 *creased pursuant to law.*

15       *SEC. 118. (a) The Secretary of Defense, in consultation*  
16 *with the Secretary of State, shall submit to the Committees*  
17 *on Appropriations of both Houses of Congress, by February*  
18 *15 of each year, an annual report in unclassified and, if*  
19 *necessary, classified form, on actions taken by the Depart-*  
20 *ment of Defense and the Department of State during the*  
21 *previous fiscal year to encourage host countries to assume*  
22 *a greater share of the common defense burden of such coun-*  
23 *tries and the United States.*

24       *(b) The report under subsection (a) shall include a de-*  
25 *scription of—*

1           (1) *attempts to secure cash and in-kind contribu-*  
2           *tions from host countries for military construction*  
3           *projects;*

4           (2) *attempts to achieve economic incentives of-*  
5           *fered by host countries to encourage private invest-*  
6           *ment for the benefit of the United States Armed*  
7           *Forces;*

8           (3) *attempts to recover funds due to be paid to*  
9           *the United States by host countries for assets deeded*  
10          *or otherwise imparted to host countries upon the ces-*  
11          *sation of United States operations at military instal-*  
12          *lations;*

13          (4) *the amount spent by host countries on de-*  
14          *fense, in dollars and in terms of the percent of gross*  
15          *domestic product (GDP) of the host country; and*

16          (5) *for host countries that are members of the*  
17          *North Atlantic Treaty Organization (NATO), the*  
18          *amount contributed to NATO by host countries, in*  
19          *dollars and in terms of the percent of the total NATO*  
20          *budget.*

21          (c) *In this section, the term “host country” means*  
22          *other member countries of NATO, Japan, South Korea, and*  
23          *United States allies bordering the Arabian Sea.*

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 119. *In addition to any other transfer authority*  
3 *available to the Department of Defense, proceeds deposited*  
4 *to the Department of Defense Base Closure Account estab-*  
5 *lished by section 207(a)(1) of the Defense Authorization*  
6 *Amendments and Base Closure and Realignment Act (10*  
7 *U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such*  
8 *Act, may be transferred to the account established by section*  
9 *2906(a)(1) of the Defense Base Closure and Realignment*  
10 *Act of 1990 (10 U.S.C. 2687 note), to be merged with, and*  
11 *to be available for the same purposes and the same time*  
12 *period as that account.*

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 120. *Subject to 30 days prior notification to the*  
15 *Committees on Appropriations of both Houses of Congress,*  
16 *such additional amounts as may be determined by the Sec-*  
17 *retary of Defense may be transferred to: (1) the Department*  
18 *of Defense Family Housing Improvement Fund from*  
19 *amounts appropriated for construction in “Family Hous-*  
20 *ing” accounts, to be merged with and to be available for*  
21 *the same purposes and for the same period of time as*  
22 *amounts appropriated directly to the Fund; or (2) the De-*  
23 *partment of Defense Military Unaccompanied Housing Im-*  
24 *provement Fund from amounts appropriated for construc-*  
25 *tion of military unaccompanied housing in “Military Con-*

1 *struction” accounts, to be merged with and to be available*  
2 *for the same purposes and for the same period of time as*  
3 *amounts appropriated directly to the Fund: Provided, That*  
4 *appropriations made available to the Funds shall be avail-*  
5 *able to cover the costs, as defined in section 502(5) of the*  
6 *Congressional Budget Act of 1974, of direct loans or loan*  
7 *guarantees issued by the Department of Defense pursuant*  
8 *to the provisions of subchapter IV of chapter 169 of title*  
9 *10, United States Code, pertaining to alternative means of*  
10 *acquiring and improving military family housing, military*  
11 *unaccompanied housing, and supporting facilities.*

12 *SEC. 121. (a) Not later than 60 days before issuing*  
13 *any solicitation for a contract with the private sector for*  
14 *military family housing the Secretary of the military de-*  
15 *partment concerned shall submit to the Committees on Ap-*  
16 *propriations of both Houses of Congress the notice described*  
17 *in subsection (b).*

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

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

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

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

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

9                                   (INCLUDING TRANSFER OF FUNDS)

10          SEC. 122. In addition to any other transfer authority  
11          available to the Department of Defense, amounts may be  
12          transferred from the accounts established by sections  
13          2906(a)(1) and 2906A(a)(1) of the Defense Base Closure  
14          and Realignment Act of 1990 (10 U.S.C. 2687 note), to the  
15          fund established by section 1013(d) of the Demonstration  
16          Cities and Metropolitan Development Act of 1966 (42  
17          U.S.C. 3374) to pay for expenses associated with the Home-  
18          owners Assistance Program incurred under 42 U.S.C.  
19          3374(a)(1)(A). Any amounts transferred shall be merged  
20          with and be available for the same purposes and for the  
21          same time period as the fund to which transferred.

22          SEC. 123. Funds made available in this title for oper-  
23          ation and maintenance of family housing shall be the exclu-  
24          sive source of funds for repair and maintenance of all fam-  
25          ily housing units, including general or flag officer quarters:

1 *Provided, That not more than \$35,000 per unit may be*  
2 *spent annually for the maintenance and repair of any gen-*  
3 *eral or flag officer quarters without 30 days prior notifica-*  
4 *tion to the Committees on Appropriations of both Houses*  
5 *of Congress, except that an after-the-fact notification shall*  
6 *be submitted if the limitation is exceeded solely due to costs*  
7 *associated with environmental remediation that could not*  
8 *be reasonably anticipated at the time of the budget submis-*  
9 *sion: Provided further, That the Under Secretary of Defense*  
10 *(Comptroller) is to report annually to the Committees on*  
11 *Appropriations of both Houses of Congress all operation*  
12 *and maintenance expenditures for each individual general*  
13 *or flag officer quarters for the prior fiscal year.*

14 *SEC. 124. Amounts contained in the Ford Island Im-*  
15 *provement Account established by subsection (h) of section*  
16 *2814 of title 10, United States Code, are appropriated and*  
17 *shall be available until expended for the purposes specified*  
18 *in subsection (i)(1) of such section or until transferred pur-*  
19 *suant to subsection (i)(3) of such section.*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *SEC. 125. None of the funds made available in this*  
22 *title, or in any Act making appropriations for military*  
23 *construction which remain available for obligation, may be*  
24 *obligated or expended to carry out a military construction,*  
25 *land acquisition, or family housing project at or for a mili-*

1 tary installation approved for closure, or at a military in-  
2 stallation for the purposes of supporting a function that has  
3 been approved for realignment to another installation, in  
4 2005 under the Defense Base Closure and Realignment Act  
5 of 1990 (part A of title XXIX of Public Law 101–510; 10  
6 U.S.C. 2687 note), unless such a project at a military in-  
7 stallation approved for realignment will support a con-  
8 tinuing mission or function at that installation or a new  
9 mission or function that is planned for that installation,  
10 or unless the Secretary of Defense certifies that the cost to  
11 the United States of carrying out such project would be less  
12 than the cost to the United States of cancelling such project,  
13 or if the project is at an active component base that shall  
14 be established as an enclave or in the case of projects having  
15 multi-agency use, that another Government agency has in-  
16 dicated it will assume ownership of the completed project.  
17 The Secretary of Defense may not transfer funds made  
18 available as a result of this limitation from any military  
19 construction project, land acquisition, or family housing  
20 project to another account or use such funds for another  
21 purpose or project without the prior approval of the Com-  
22 mittees on Appropriations of both Houses of Congress. This  
23 section shall not apply to military construction projects,  
24 land acquisition, or family housing projects for which the  
25 project is vital to the national security or the protection



1 *of health, safety, or environmental quality: Provided, That*  
2 *the Secretary of Defense shall notify the congressional de-*  
3 *fense committees within seven days of a decision to carry*  
4 *out such a military construction project.*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *SEC. 126. During the 5-year period after appropria-*  
7 *tions available in this Act to the Department of Defense*  
8 *for military construction and family housing operation and*  
9 *maintenance and construction have expired for obligation,*  
10 *upon a determination that such appropriations will not be*  
11 *necessary for the liquidation of obligations or for making*  
12 *authorized adjustments to such appropriations for obliga-*  
13 *tions incurred during the period of availability of such ap-*  
14 *propriations, unobligated balances of such appropriations*  
15 *may be transferred into the appropriation “Foreign Cur-*  
16 *rency Fluctuations, Construction, Defense”, to be merged*  
17 *with and to be available for the same time period and for*  
18 *the same purposes as the appropriation to which trans-*  
19 *ferred.*

20 *SEC. 127. Amounts appropriated or otherwise made*  
21 *available in an account funded under the headings in this*  
22 *title may be transferred among projects and activities with-*  
23 *in that account in accordance with the reprogramming*  
24 *guidelines for military construction and family housing*  
25 *construction contained in the report accompanying this*

1 *Act, and in the guidance for military construction*  
2 *reprogrammings and notifications contained in Depart-*  
3 *ment of Defense Financial Management Regulation*  
4 *7000.14–R, Volume 3, Chapter 7, of December 1996, as in*  
5 *effect on the date of enactment of this Act.*

6 *SEC. 128. (a) During each of fiscal years 2010 through*  
7 *2014, the Secretary of Defense shall submit to the congres-*  
8 *sional defense committees a report analyzing alternative de-*  
9 *signs for any major construction projects requested in that*  
10 *fiscal year related to the security of strategic nuclear weap-*  
11 *ons facilities.*

12 *(b) The report shall examine, with regard to each alter-*  
13 *native—*

14 *(1) the costs, including full life cycle costs; and*

15 *(2) the benefits, including security enhancements.*

16 *SEC. 129. Not later than each of April 15, 2010, July*  
17 *15, 2010, and October 15, 2010, the Secretary of Defense*  
18 *shall submit to the congressional defense committees a con-*  
19 *solidated report from each of the military departments and*  
20 *Defense agencies identifying, by project and dollar amount,*  
21 *bid savings resulting from cost and scope variations pursu-*  
22 *ant to section 2853 of title 10, United States Code, exceed-*  
23 *ing 25 percent of the appropriated amount for military con-*  
24 *struction projects funded by this Act, the Supplemental Ap-*  
25 *propriations Act, 2009 (Public Law 111–32), and the Mili-*

1 *tary Construction and Veterans Affairs Appropriations Act,*  
2 *2009 (division E of Public Law 110–329), including*  
3 *projects funded through the regular military construction*  
4 *accounts, the Department of Defense Base Closure Account*  
5 *2005, and the overseas contingency operations military con-*  
6 *struction accounts.*

7       *SEC. 130. (a) Of the funds appropriated or otherwise*  
8 *made available by this title under the heading “DEPART-*  
9 *MENT OF DEFENSE BASE CLOSURE ACCOUNT, 2005”,*  
10 *\$450,000 shall be available for the Secretary of Defense to*  
11 *enter into an arrangement with the National Academy of*  
12 *Sciences to conduct a study through the Transportation Re-*  
13 *search Board of Federal funding of transportation improve-*  
14 *ments to accommodate installation growth associated with*  
15 *the 2005 Defense Base Closure and Realignment (BRAC)*  
16 *program.*

17       *(b) The study conducted pursuant to subsection (a)*  
18 *shall—*

19               *(1) examine case studies of congestion caused on*  
20 *metropolitan road and transit facilities when BRAC*  
21 *requirements cause shifts in personnel to occur faster*  
22 *than facilities can be improved through the usual*  
23 *State and local processes;*

24               *(2) review the criteria used by the Defense Access*  
25 *Roads (DAR) program for determining the eligibility*

1 of transportation projects and the appropriate De-  
2 partment of Defense share of public highway and  
3 transit improvements in BRAC cases;

4 (3) assess the adequacy of current Federal sur-  
5 face transportation and Department of Defense pro-  
6 grams that fund highway and transit improvements  
7 in BRAC cases to mitigate transportation impacts in  
8 urban areas with preexisting traffic congestion and  
9 saturated roads;

10 (4) identify promising approaches for funding  
11 road and transit improvements and streamlining  
12 transportation project approvals in BRAC cases; and

13 (5) provide recommendations for modifications of  
14 current policy for the DAR and Office of Economic  
15 Adjustment programs, including funding strategies,  
16 road capacity assessments, eligibility criteria, and  
17 other government policies and programs the National  
18 Academy of Sciences may identify, to mitigate the  
19 impact of BRAC-related installation growth on pre-  
20 existing urban congestion.

21 (c) The Secretary of Defense shall enter into an ar-  
22 rangement with the National Academy of Sciences to pro-  
23 vide the study conducted pursuant to subsection (a) by not  
24 later than 45 days after the date of the enactment of the  
25 Act.

1        *(d)(1) Not later than May 15, 2010, the National*  
2 *Academy of Sciences shall provide an interim report of its*  
3 *findings to the Secretary of Defense and the Committees on*  
4 *Armed Services and Appropriations of the Senate and the*  
5 *House of Representatives.*

6        *(2) Not later than January 31, 2011, the National*  
7 *Academy of Sciences shall provide a final report of its find-*  
8 *ings to the Secretary of Defense and the Committees on*  
9 *Armed Services and Appropriations of the Senate and the*  
10 *House of Representatives.*

11        *SEC. 131. (a)(1) The amount appropriated or other-*  
12 *wise made available by this title under the heading “MILI-*  
13 *TARY CONSTRUCTION, AIR FORCE” is hereby increased by*  
14 *\$37,500,000.*

15        *(2) Of the amount appropriated or otherwise made*  
16 *available by this title under the heading “MILITARY CON-*  
17 *STRUCTION, AIR FORCE”, as increased by paragraph (1),*  
18 *\$37,500,000 shall be available for construction of an Un-*  
19 *manned Aerial System Field Training Complex at*  
20 *Holloman Air Force Base, New Mexico.*

21        *(b) Of the amount appropriated or otherwise made*  
22 *available by title I of the Military Construction and Vet-*  
23 *erans Affairs Appropriations Act, 2009 (division E of Pub-*  
24 *lic Law 110–329; 122 Stat. 3692) under the heading “MILI-*  
25 *TARY CONSTRUCTION, AIR FORCE” and available for the*

1 *purpose of Unmanned Aerial System Field Training facili-*  
2 *ties construction, \$38,500,000 is hereby rescinded.*

3 *SEC. 132. (a)(1) The amount appropriated or other-*  
4 *wise made available by this title under the heading “MILI-*  
5 *TARY CONSTRUCTION, DEFENSE-WIDE” is hereby increased*  
6 *by \$68,500,000, with the amount of such increase to remain*  
7 *available until September 30, 2014.*

8 *(2) Of the amount appropriated or otherwise made*  
9 *available by this title under the heading “MILITARY CON-*  
10 *STRUCTION, DEFENSE-WIDE”, as increased by paragraph*  
11 *(1), \$68,500,000 shall be available for the construction of*  
12 *an Aegis Ashore Test Facility at the Pacific Missile Range*  
13 *Facility, Hawaii.*

14 *(b) Of the amount appropriated or otherwise made*  
15 *available by title I of the Military Construction and Vet-*  
16 *erans Affairs Appropriations Act, 2009 (division E of Pub-*  
17 *lic Law 110–329; 122 Stat. 3692) under the heading “MILI-*  
18 *TARY CONSTRUCTION, DEFENSE-WIDE” and available for*  
19 *the purpose of European Ballistic Missile Defense program*  
20 *construction, \$69,500,000 is hereby rescinded.*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

*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, \$47,218,207,000, to remain available until expended: Provided, That not to exceed \$29,283,000 of the amount appropriated under this heading shall be reimbursed to "General operating expenses", "Medical support and compliance", and "Information technology systems" for necessary expenses in implementing the provisions of chapters 51, 53,*

1 *and 55 of title 38, United States Code, the funding source*  
2 *for which is specifically provided as the “Compensation and*  
3 *pensions” appropriation: Provided further, That such sums*  
4 *as may be earned on an actual qualifying patient basis,*  
5 *shall be reimbursed to “Medical care collections fund” to*  
6 *augment the funding of individual medical facilities for*  
7 *nursing home care provided to pensioners as authorized.*

8 *READJUSTMENT BENEFITS*

9 *For the payment of readjustment and rehabilitation*  
10 *benefits to or on behalf of veterans as authorized by chapters*  
11 *21, 30, 31, 33, 34, 35, 36, 39, 51, 53, 55, and 61 of title*  
12 *38, United States Code, \$8,663,624,000, to remain available*  
13 *until expended: Provided, That expenses for rehabilitation*  
14 *program services and assistance which the Secretary is au-*  
15 *thorized to provide under subsection (a) of section 3104 of*  
16 *title 38, United States Code, other than under paragraphs*  
17 *(1), (2), (5), and (11) of that subsection, shall be charged*  
18 *to this account.*

19 *VETERANS INSURANCE AND INDEMNITIES*

20 *For military and naval insurance, national service life*  
21 *insurance, servicemen’s indemnities, service-disabled vet-*  
22 *erans insurance, and veterans mortgage life insurance as*  
23 *authorized by title 38, United States Code, chapters 19 and*  
24 *21, \$49,288,000, to remain available until expended.*



1            *VETERANS HOUSING BENEFIT PROGRAM FUND*

2            *For the cost of direct and guaranteed loans, such sums*  
3 *as may be necessary to carry out the program, as authorized*  
4 *by subchapters I through III of chapter 37 of title 38,*  
5 *United States Code: Provided, That such costs, including*  
6 *the cost of modifying such loans, shall be as defined in sec-*  
7 *tion 502 of the Congressional Budget Act of 1974: Provided*  
8 *further, That during fiscal year 2010, within the resources*  
9 *available, not to exceed \$500,000 in gross obligations for*  
10 *direct loans are authorized for specially adapted housing*  
11 *loans.*

12            *In addition, for administrative expenses to carry out*  
13 *the direct and guaranteed loan programs, \$165,082,000.*

14            *VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT*

15                            *(INCLUDING TRANSFER OF FUNDS)*

16            *For the cost of direct loans, \$29,000, as authorized by*  
17 *chapter 31 of title 38, United States Code: Provided, That*  
18 *such costs, including the cost of modifying such loans, shall*  
19 *be as defined in section 502 of the Congressional Budget*  
20 *Act of 1974: Provided further, That funds made available*  
21 *under this heading are available to subsidize gross obliga-*  
22 *tions for the principal amount of direct loans not to exceed*  
23 *\$2,298,000.*

24            *In addition, for administrative expenses necessary to*  
25 *carry out the direct loan program, \$328,000, which may*

1 *be paid to the appropriation for “General operating ex-*  
2 *penses”.*

3 *NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM*

4 *ACCOUNT*

5 *For administrative expenses to carry out the direct*  
6 *loan program authorized by subchapter V of chapter 37 of*  
7 *title 38, United States Code, \$664,000.*

8 *GUARANTEED TRANSITIONAL HOUSING LOANS FOR*

9 *HOMELESS VETERANS PROGRAM ACCOUNT*

10 *For the administrative expenses to carry out the guar-*  
11 *anteed transitional housing loan program authorized by*  
12 *subchapter VI of chapter 20 of title 38, United States Code,*  
13 *not to exceed \$750,000 of the amounts appropriated by this*  
14 *Act for “General operating expenses” and “Medical support*  
15 *and compliance” may be expended.*

16 *VETERANS HEALTH ADMINISTRATION*

17 *MEDICAL SERVICES*

18 *(INCLUDING TRANSFER OF FUNDS)*

19 *For necessary expenses for furnishing, as authorized*  
20 *by law, inpatient and outpatient care and treatment to*  
21 *beneficiaries of the Department of Veterans Affairs and vet-*  
22 *erans described in section 1705(a) of title 38, United States*  
23 *Code, including care and treatment in facilities not under*  
24 *the jurisdiction of the Department, and including medical*  
25 *supplies and equipment, food services, and salaries and ex-*

1 *penses of healthcare employees hired under title 38, United*  
2 *States Code, and aid to State homes as authorized by sec-*  
3 *tion 1741 of title 38, United States Code; \$34,704,500,000,*  
4 *plus reimbursements: Provided, That of the funds made*  
5 *available under this heading, not to exceed \$1,600,000,000*  
6 *shall be available until September 30, 2011: Provided fur-*  
7 *ther, That, notwithstanding any other provision of law, the*  
8 *Secretary of Veterans Affairs shall establish a priority for*  
9 *the provision of medical treatment for veterans who have*  
10 *service-connected disabilities, lower income, or have special*  
11 *needs: Provided further, That, notwithstanding any other*  
12 *provision of law, the Secretary of Veterans Affairs shall give*  
13 *priority funding for the provision of basic medical benefits*  
14 *to veterans in enrollment priority groups 1 through 6: Pro-*  
15 *vided further, That, notwithstanding any other provision*  
16 *of law, the Secretary of Veterans Affairs may authorize the*  
17 *dispensing of prescription drugs from Veterans Health Ad-*  
18 *ministration facilities to enrolled veterans with privately*  
19 *written prescriptions based on requirements established by*  
20 *the Secretary: Provided further, That the implementation*  
21 *of the program described in the previous proviso shall incur*  
22 *no additional cost to the Department of Veterans Affairs:*  
23 *Provided further, That for the Department of Defense/De-*  
24 *partment of Veterans Affairs Health Care Sharing Incen-*  
25 *tive Fund, as authorized by section 8111(d) of title 38,*

1 *United States Code, a minimum of \$15,000,000, to remain*  
2 *available until expended, for any purpose authorized by sec-*  
3 *tion 8111 of title 38, United States Code.*

4 *MEDICAL SUPPORT AND COMPLIANCE*

5 *For necessary expenses in the administration of the*  
6 *medical, hospital, nursing home, domiciliary, construction,*  
7 *supply, and research activities, as authorized by law; ad-*  
8 *ministrative expenses in support of capital policy activities;*  
9 *and administrative and legal expenses of the Department*  
10 *for collecting and recovering amounts owed the Department*  
11 *as authorized under chapter 17 of title 38, United States*  
12 *Code, and the Federal Medical Care Recovery Act (42*  
13 *U.S.C. 2651 et seq.); \$5,100,000,000, plus reimbursements,*  
14 *of which \$250,000,000 shall be available until September*  
15 *30, 2011.*

16 *MEDICAL FACILITIES*

17 *For necessary expenses for the maintenance and oper-*  
18 *ation of hospitals, nursing homes, and domiciliary facilities*  
19 *and other necessary facilities of the Veterans Health Admin-*  
20 *istration; for administrative expenses in support of plan-*  
21 *ning, design, project management, real property acquisition*  
22 *and disposition, construction, and renovation of any facil-*  
23 *ity under the jurisdiction or for the use of the Department;*  
24 *for oversight, engineering, and architectural activities not*  
25 *charged to project costs; for repairing, altering, improving,*

1 *or providing facilities in the several hospitals and homes*  
2 *under the jurisdiction of the Department, not otherwise pro-*  
3 *vided for, either by contract or by the hire of temporary*  
4 *employees and purchase of materials; for leases of facilities;*  
5 *and for laundry services, \$4,849,883,000, plus reimburse-*  
6 *ments, of which \$250,000,000 shall be available until Sep-*  
7 *tember 30, 2011: Provided, That \$100,000,000 for non-re-*  
8 *curring maintenance provided under this heading shall be*  
9 *allocated in a manner not subject to the Veterans Equitable*  
10 *Resource Allocation.*

11 *MEDICAL AND PROSTHETIC RESEARCH*

12 *For necessary expenses in carrying out programs of*  
13 *medical and prosthetic research and development as author-*  
14 *ized by chapter 73 of title 38, United States Code,*  
15 *\$580,000,000, plus reimbursements, to remain available*  
16 *until September 30, 2011.*

17 *NATIONAL CEMETERY ADMINISTRATION*

18 *For necessary expenses of the National Cemetery Ad-*  
19 *ministration for operations and maintenance, not otherwise*  
20 *provided for, including uniforms or allowances therefor;*  
21 *cemeterial expenses as authorized by law; purchase of one*  
22 *passenger motor vehicle for use in cemeterial operations;*  
23 *hire of passenger motor vehicles; and repair, alteration or*  
24 *improvement of facilities under the jurisdiction of the Na-*  
25 *tional Cemetery Administration, \$250,000,000, of which*

1 *not to exceed \$24,200,000 shall be available until September*  
2 *30, 2011.*

3 *DEPARTMENTAL ADMINISTRATION*

4 *GENERAL OPERATING EXPENSES*

5 *For necessary operating expenses of the Department of*  
6 *Veterans Affairs, not otherwise provided for, including ad-*  
7 *ministrative expenses in support of Department-Wide cap-*  
8 *ital planning, management and policy activities, uniforms,*  
9 *or allowances therefor; not to exceed \$25,000 for official re-*  
10 *ception and representation expenses; hire of passenger*  
11 *motor vehicles; and reimbursement of the General Services*  
12 *Administration for security guard services, and the Depart-*  
13 *ment of Defense for the cost of overseas employee mail,*  
14 *\$2,086,251,000: Provided, That expenses for services and as-*  
15 *sistance authorized under paragraphs (1), (2), (5), and (11)*  
16 *of section 3104(a) of title 38, United States Code, that the*  
17 *Secretary of Veterans Affairs determines are necessary to*  
18 *enable entitled veterans: (1) to the maximum extent feasible,*  
19 *to become employable and to obtain and maintain suitable*  
20 *employment; or (2) to achieve maximum independence in*  
21 *daily living, shall be charged to this account: Provided fur-*  
22 *ther, That the Veterans Benefits Administration shall be*  
23 *funded at not less than \$1,689,207,000: Provided further,*  
24 *That of the funds made available under this heading, not*  
25 *to exceed \$111,000,000 shall be available for obligation*

1 *until September 30, 2011: Provided further, That from the*  
2 *funds made available under this heading, the Veterans Ben-*  
3 *efits Administration may purchase (on a one-for-one re-*  
4 *placement basis only) up to two passenger motor vehicles*  
5 *for use in operations of that Administration in Manila,*  
6 *Philippines.*

7 *INFORMATION TECHNOLOGY SYSTEMS*

8 *For necessary expenses for information technology sys-*  
9 *tems and telecommunications support, including develop-*  
10 *mental information systems and operational information*  
11 *systems; for pay and associated costs; and for the capital*  
12 *asset acquisition of information technology systems, includ-*  
13 *ing management and related contractual costs of said ac-*  
14 *quisitions, including contractual costs associated with oper-*  
15 *ations authorized by section 3109 of title 5, United States*  
16 *Code, \$3,307,000,000, plus reimbursements, to be available*  
17 *until September 30, 2011: Provided, That not later than*  
18 *30 days after the date of the enactment of this Act, the Sec-*  
19 *retary of Veterans Affairs shall submit to the Committees*  
20 *on Appropriations of both Houses of Congress a reprogram-*  
21 *ming base letter which sets forth, by project, the Operations*  
22 *and Maintenance and Salaries and Expenses costs to be*  
23 *carried out utilizing amounts made available by this head-*  
24 *ing: Provided further, That of the amounts appropriated,*  
25 *\$800,485,000 may not be obligated or expended until the*

1 *Secretary of Veterans Affairs or the Chief Information Offi-*  
2 *cer of the Department of Veterans Affairs submits to the*  
3 *Committees on Appropriations of both Houses of Congress*  
4 *a certification of the amounts, in parts or in full, to be*  
5 *obligated and expended for each development project: Pro-*  
6 *vided further, That amounts specified in the certification*  
7 *with respect to development projects under the preceding*  
8 *proviso shall be incorporated into the reprogramming base*  
9 *letter with respect to development projects funded using*  
10 *amounts appropriated by this heading.*

11 *OFFICE OF INSPECTOR GENERAL*

12 *For necessary expenses of the Office of Inspector Gen-*  
13 *eral, to include information technology, in carrying out the*  
14 *provisions of the Inspector General Act of 1978 (5 U.S.C.*  
15 *App.), \$109,000,000, of which \$6,000,000 shall be available*  
16 *until September 30, 2011.*

17 *CONSTRUCTION, MAJOR PROJECTS*

18 *For constructing, altering, extending, and improving*  
19 *any of the facilities, including parking projects, under the*  
20 *jurisdiction or for the use of the Department of Veterans*  
21 *Affairs, or for any of the purposes set forth in sections 316,*  
22 *2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122*  
23 *of title 38, United States Code, including planning, archi-*  
24 *tectural and engineering services, construction management*  
25 *services, maintenance or guarantee period services costs as-*



1 sociated with equipment guarantees provided under the  
2 project, services of claims analysts, offsite utility and storm  
3 drainage system construction costs, and site acquisition,  
4 where the estimated cost of a project is more than the  
5 amount set forth in section 8104(a)(3)(A) of title 38, United  
6 States Code, or where funds for a project were made avail-  
7 able in a previous major project appropriation,  
8 \$1,194,000,000, to remain available until expended, of  
9 which \$16,000,000 shall be to make reimbursements as pro-  
10 vided in section 13 of the Contract Disputes Act of 1978  
11 (41 U.S.C. 612) for claims paid for contract disputes: Pro-  
12 vided, That except for advance planning activities, includ-  
13 ing needs assessments which may or may not lead to capital  
14 investments, and other capital asset management related  
15 activities, including portfolio development and management  
16 activities, and investment strategy studies funded through  
17 the advance planning fund and the planning and design  
18 activities funded through the design fund, including needs  
19 assessments which may or may not lead to capital invest-  
20 ments, and funds provided for the purchase of land for the  
21 National Cemetery Administration through the land acqui-  
22 sition line item, none of the funds appropriated under this  
23 heading shall be used for any project which has not been  
24 approved by the Congress in the budgetary process: Pro-  
25 vided further, That funds provided in this appropriation

1 *for fiscal year 2010, for each approved project shall be obli-*  
2 *gated: (1) by the awarding of a construction documents con-*  
3 *tract by September 30, 2010; and (2) by the awarding of*  
4 *a construction contract by September 30, 2011: Provided*  
5 *further, That the Secretary of Veterans Affairs shall*  
6 *promptly submit to the Committees on Appropriations of*  
7 *both Houses of Congress a written report on any approved*  
8 *major construction project for which obligations are not in-*  
9 *curred within the time limitations established above.*

10 *CONSTRUCTION, MINOR PROJECTS*

11 *For constructing, altering, extending, and improving*  
12 *any of the facilities, including parking projects, under the*  
13 *jurisdiction or for the use of the Department of Veterans*  
14 *Affairs, including planning and assessments of needs which*  
15 *may lead to capital investments, architectural and engi-*  
16 *neering services, maintenance or guarantee period services*  
17 *costs associated with equipment guarantees provided under*  
18 *the project, services of claims analysts, offsite utility and*  
19 *storm drainage system construction costs, and site acquisi-*  
20 *tion, or for any of the purposes set forth in sections 316,*  
21 *2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and*  
22 *8162 of title 38, United States Code, where the estimated*  
23 *cost of a project is equal to or less than the amount set*  
24 *forth in section 8104(a)(3)(A) of title 38, United States*  
25 *Code, \$685,000,000, to remain available until expended,*

1 *along with unobligated balances of previous “Construction,*  
2 *minor projects” appropriations which are hereby made*  
3 *available for any project where the estimated cost is equal*  
4 *to or less than the amount set forth in such section: Pro-*  
5 *vided, That funds in this account shall be available for: (1)*  
6 *repairs to any of the nonmedical facilities under the juris-*  
7 *isdiction or for the use of the Department which are necessary*  
8 *because of loss or damage caused by any natural disaster*  
9 *or catastrophe; and (2) temporary measures necessary to*  
10 *prevent or to minimize further loss by such causes.*

11 *GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE*

12 *FACILITIES*

13 *For grants to assist States to acquire or construct*  
14 *State nursing home and domiciliary facilities and to re-*  
15 *model, modify, or alter existing hospital, nursing home, and*  
16 *domiciliary facilities in State homes, for furnishing care*  
17 *to veterans as authorized by sections 8131 through 8137 of*  
18 *title 38, United States Code, \$115,000,000, to remain avail-*  
19 *able until expended.*

20 *GRANTS FOR CONSTRUCTION OF STATE VETERANS*

21 *CEMETERIES*

22 *For grants to assist States in establishing, expanding,*  
23 *or improving State veterans cemeteries as authorized by sec-*  
24 *tion 2408 of title 38, United States Code, \$42,000,000, to*  
25 *remain available until expended.*

1                                    *ADMINISTRATIVE PROVISIONS*  
2                                    *(INCLUDING TRANSFER OF FUNDS)*

3            *SEC. 201. Any appropriation for fiscal year 2010 for*  
4 *“Compensation and pensions”, “Readjustment benefits”,*  
5 *and “Veterans insurance and indemnities” may be trans-*  
6 *ferred as necessary to any other of the mentioned appro-*  
7 *priations: Provided, That before a transfer may take place,*  
8 *the Secretary of Veterans Affairs shall request from the*  
9 *Committees on Appropriations of both Houses of Congress*  
10 *the authority to make the transfer and such Committees*  
11 *issue an approval, or absent a response, a period of 30 days*  
12 *has elapsed.*

13                                    *(INCLUDING TRANSFER OF FUNDS)*

14            *SEC. 202. Amounts made available for the Department*  
15 *of Veterans Affairs for fiscal year 2010, in this Act or any*  
16 *other Act, under the “Medical services”, “Medical support*  
17 *and compliance” and “Medical facilities” accounts may be*  
18 *transferred between the accounts to the extent necessary to*  
19 *implement the restructuring of the Veterans Health Admin-*  
20 *istration accounts: Provided, That any transfers between*  
21 *the “Medical services” and “Medical support and compli-*  
22 *ance” accounts of 1 percent or less of the total amount ap-*  
23 *propriated to the account in this or any other Act may take*  
24 *place subject to notification from the Secretary of Veterans*  
25 *Affairs to the Committees on Appropriations of both Houses*

1 of Congress of the amount and purpose of the transfer: Pro-  
2 vided further, That any transfers between the “Medical serv-  
3 ices” and “Medical support and compliance” accounts in  
4 excess of 1 percent, or exceeding the cumulative 1 percent  
5 for the fiscal year, may take place only after the Secretary  
6 requests from the Committees on Appropriations of both  
7 Houses of Congress the authority to make the transfer and  
8 an approval is issued: Provided further, That any transfer  
9 to or from the “Medical facilities” account may take place  
10 only after the Secretary requests from the Committees on  
11 Appropriations of both Houses of Congress the authority to  
12 make the transfer and an approval is issued.

13       *SEC. 203. Appropriations available in this title for sal-*  
14 *aries and expenses shall be available for services authorized*  
15 *by section 3109 of title 5, United States Code, hire of pas-*  
16 *senger motor vehicles; lease of a facility or land or both;*  
17 *and uniforms or allowances therefore, as authorized by sec-*  
18 *tions 5901 through 5902 of title 5, United States Code.*

19       *SEC. 204. No appropriations in this title (except the*  
20 *appropriations for “Construction, major projects”, and*  
21 *“Construction, minor projects”)* shall be available for the  
22 purchase of any site for or toward the construction of any  
23 new hospital or home.

24       *SEC. 205. No appropriations in this title shall be*  
25 *available for hospitalization or examination of any persons*

1 *(except beneficiaries entitled to such hospitalization or ex-*  
2 *amination under the laws providing such benefits to vet-*  
3 *erans, and persons receiving such treatment under sections*  
4 *7901 through 7904 of title 5, United States Code, or the*  
5 *Robert T. Stafford Disaster Relief and Emergency Assist-*  
6 *ance Act (42 U.S.C. 5121 et seq.)), unless reimbursement*  
7 *of the cost of such hospitalization or examination is made*  
8 *to the “Medical services” account at such rates as may be*  
9 *fixed by the Secretary of Veterans Affairs.*

10       *SEC. 206. Appropriations available in this title for*  
11 *“Compensation and pensions”, “Readjustment benefits”,*  
12 *and “Veterans insurance and indemnities” shall be avail-*  
13 *able for payment of prior year accrued obligations required*  
14 *to be recorded by law against the corresponding prior year*  
15 *accounts within the last quarter of fiscal year 2009.*

16       *SEC. 207. Appropriations available in this title shall*  
17 *be available to pay prior year obligations of corresponding*  
18 *prior year appropriations accounts resulting from sections*  
19 *3328(a), 3334, and 3712(a) of title 31, United States Code,*  
20 *except that if such obligations are from trust fund accounts*  
21 *they shall be payable only from “Compensation and pen-*  
22 *sions”.*

23                               *(INCLUDING TRANSFER OF FUNDS)*

24       *SEC. 208. Notwithstanding any other provision of law,*  
25 *during fiscal year 2010, the Secretary of Veterans Affairs*

1 shall, from the National Service Life Insurance Fund (38  
2 U.S.C. 1920), the Veterans' Special Life Insurance Fund  
3 (38 U.S.C. 1923), and the United States Government Life  
4 Insurance Fund (38 U.S.C. 1955), reimburse the "General  
5 operating expenses" and "Information technology systems"  
6 accounts for the cost of administration of the insurance pro-  
7 grams financed through those accounts: Provided, That re-  
8 imbursement shall be made only from the surplus earnings  
9 accumulated in such an insurance program during fiscal  
10 year 2010 that are available for dividends in that program  
11 after claims have been paid and actuarially determined re-  
12 serves have been set aside: Provided further, That if the cost  
13 of administration of such an insurance program exceeds the  
14 amount of surplus earnings accumulated in that program,  
15 reimbursement shall be made only to the extent of such sur-  
16 plus earnings: Provided further, That the Secretary shall  
17 determine the cost of administration for fiscal year 2010  
18 which is properly allocable to the provision of each such  
19 insurance program and to the provision of any total dis-  
20 ability income insurance included in that insurance pro-  
21 gram.

22       *SEC. 209. Amounts deducted from enhanced-use lease*  
23 *proceeds to reimburse an account for expenses incurred by*  
24 *that account during a prior fiscal year for providing en-*

1 *hanced-use lease services, may be obligated during the fiscal*  
2 *year in which the proceeds are received.*

3 *(INCLUDING TRANSFER OF FUNDS)*

4 *SEC. 210. Funds available in this title or funds for*  
5 *salaries and other administrative expenses shall also be*  
6 *available to reimburse the Office of Resolution Management*  
7 *of the Department of Veterans Affairs and the Office of Em-*  
8 *ployment Discrimination Complaint Adjudication under*  
9 *section 319 of title 38, United States Code, for all services*  
10 *provided at rates which will recover actual costs but not*  
11 *exceed \$34,158,000 for the Office of Resolution Management*  
12 *and \$3,278,000 for the Office of Employment and Discrimi-*  
13 *nation Complaint Adjudication: Provided, That payments*  
14 *may be made in advance for services to be furnished based*  
15 *on estimated costs: Provided further, That amounts received*  
16 *shall be credited to the "General operating expenses" and*  
17 *"Information technology systems" accounts for use by the*  
18 *office that provided the service.*

19 *SEC. 211. No appropriations in this title shall be*  
20 *available to enter into any new lease of real property if*  
21 *the estimated annual rental is more than \$1,000,000 unless*  
22 *the Secretary submits a report which the Committees on*  
23 *Appropriations of both Houses of Congress approve within*  
24 *30 days following the date on which the report is received.*



1       *SEC. 212. No funds of the Department of Veterans Af-*  
2 *fairs shall be available for hospital care, nursing home care,*  
3 *or medical services provided to any person under chapter*  
4 *17 of title 38, United States Code, for a non-service-con-*  
5 *nected disability described in section 1729(a)(2) of such*  
6 *title, unless that person has disclosed to the Secretary of*  
7 *Veterans Affairs, in such form as the Secretary may require,*  
8 *current, accurate third-party reimbursement information*  
9 *for purposes of section 1729 of such title: Provided, That*  
10 *the Secretary may recover, in the same manner as any other*  
11 *debt due the United States, the reasonable charges for such*  
12 *care or services from any person who does not make such*  
13 *disclosure as required: Provided further, That any amounts*  
14 *so recovered for care or services provided in a prior fiscal*  
15 *year may be obligated by the Secretary during the fiscal*  
16 *year in which amounts are received.*

17                                    *(INCLUDING TRANSFER OF FUNDS)*

18       *SEC. 213. Notwithstanding any other provision of law,*  
19 *proceeds or revenues derived from enhanced-use leasing ac-*  
20 *tivities (including disposal) may be deposited into the*  
21 *“Construction, major projects” and “Construction, minor*  
22 *projects” accounts and be used for construction (including*  
23 *site acquisition and disposition), alterations, and improve-*  
24 *ments of any medical facility under the jurisdiction or for*  
25 *the use of the Department of Veterans Affairs. Such sums*

1 *as realized are in addition to the amount provided for in*  
2 *“Construction, major projects” and “Construction, minor*  
3 *projects”.*

4 *SEC. 214. Amounts made available under “Medical*  
5 *services” are available—*

6 *(1) for furnishing recreational facilities, sup-*  
7 *plies, and equipment; and*

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

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *SEC. 215. Such sums as may be deposited to the Med-*  
13 *ical Care Collections Fund pursuant to section 1729A of*  
14 *title 38, United States Code, may be transferred to “Medical*  
15 *services”, to remain available until expended for the pur-*  
16 *poses of that account: Provided, That, for fiscal year 2010,*  
17 *\$200,000,000 deposited in the Department of Veterans Af-*  
18 *airs Medical Care Collections Fund shall be transferred to*  
19 *“Medical Facilities”, to remain available until expended,*  
20 *for non-recurring maintenance at existing Veterans Health*  
21 *Administration medical facilities: Provided further, That*  
22 *the allocation of amounts transferred to “Medical Facili-*  
23 *ties” under the preceding proviso shall not be subject to the*  
24 *Veterans Equitable Resource Allocation formula.*

1        *SEC. 216. The Secretary of Veterans Affairs may enter*  
2 *into agreements with Community Health Centers in rural*  
3 *Alaska, Indian tribes and tribal organizations which are*  
4 *party to the Alaska Native Health Compact with the Indian*  
5 *Health Service, and Indian tribes and tribal organizations*  
6 *serving rural Alaska which have entered into contracts with*  
7 *the Indian Health Service under the Indian Self Deter-*  
8 *mination and Educational Assistance Act, to provide*  
9 *healthcare, including behavioral health and dental care. The*  
10 *Secretary shall require participating veterans and facilities*  
11 *to comply with all appropriate rules and regulations, as*  
12 *established by the Secretary. The term “rural Alaska” shall*  
13 *mean those lands sited within the external boundaries of*  
14 *the Alaska Native regions specified in sections 7(a)(1)–(4)*  
15 *and (7)–(12) of the Alaska Native Claims Settlement Act,*  
16 *as amended (43 U.S.C. 1606), and those lands within the*  
17 *Alaska Native regions specified in sections 7(a)(5) and*  
18 *7(a)(6) of the Alaska Native Claims Settlement Act, as*  
19 *amended (43 U.S.C. 1606), which are not within the bound-*  
20 *aries of the Municipality of Anchorage, the Fairbanks North*  
21 *Star Borough, the Kenai Peninsula Borough or the*  
22 *Matanuska Susitna Borough.*

23                                    *(INCLUDING TRANSFER OF FUNDS)*

24        *SEC. 217. Such sums as may be deposited to the De-*  
25 *partment of Veterans Affairs Capital Asset Fund pursuant*

1 to section 8118 of title 38, United States Code, may be  
2 transferred to the “Construction, major projects” and “Con-  
3 struction, minor projects” accounts, to remain available  
4 until expended for the purposes of these accounts.

5       SEC. 218. None of the funds made available in this  
6 title may be used to implement any policy prohibiting the  
7 Directors of the Veterans Integrated Services Networks from  
8 conducting outreach or marketing to enroll new veterans  
9 within their respective Networks.

10       SEC. 219. The Secretary of Veterans Affairs shall sub-  
11 mit to the Committees on Appropriations of both Houses  
12 of Congress a quarterly report on the financial status of  
13 the Veterans Health Administration.

14                               (INCLUDING TRANSFER OF FUNDS)

15       SEC. 220. Amounts made available under the “Medical  
16 services”, “Medical support and compliance”, “Medical fa-  
17 cilities”, “General operating expenses”, and “National  
18 Cemetery Administration” accounts for fiscal year 2010,  
19 may be transferred to or from the “Information technology  
20 systems” account: Provided, That before a transfer may take  
21 place, the Secretary of Veterans Affairs shall request from  
22 the Committees on Appropriations of both Houses of Con-  
23 gress the authority to make the transfer and an approval  
24 is issued.



1 *creased access to treatment, the Secretary of Veterans Af-*  
2 *fairs may transfer not more than \$5,000,000 to the Sec-*  
3 *retary of Health and Human Services for the Graduate*  
4 *Psychology Education Program, which includes treatment*  
5 *of veterans, to support increased training of psychologists*  
6 *skilled in the treatment of post-traumatic stress disorder,*  
7 *traumatic brain injury, and related disorders.*

8       *(b) The Secretary of Health and Human Services may*  
9 *only use funds transferred under this section for the pur-*  
10 *poses described in subsection (a).*

11       *(c) The Secretary of Veterans Affairs shall notify Con-*  
12 *gress of any such transfer of funds under this section.*

13       *SEC. 225. None of the funds appropriated or otherwise*  
14 *made available by this Act or any other Act for the Depart-*  
15 *ment of Veterans Affairs may be used in a manner that*  
16 *is inconsistent with—*

17               *(1) section 842 of the Transportation, Treasury,*  
18 *Housing and Urban Development, the Judiciary, and*  
19 *Independent Agencies Appropriations Act, 2006 (Pub-*  
20 *lic Law 109–115; 119 Stat. 2506); or*

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

23       *SEC. 226. Of the amounts made available to the De-*  
24 *partment of Veterans Affairs for fiscal year 2010, in this*  
25 *Act or any other Act, under the “Medical Facilities” ac-*

1 *count for non-recurring maintenance, not more than 20*  
2 *percent of the funds made available shall be obligated dur-*  
3 *ing the last 2 months of the fiscal year: Provided, That the*  
4 *Secretary may waive this requirement after providing writ-*  
5 *ten notice to the Committees on Appropriations of both*  
6 *Houses of Congress.*

7 *SEC. 227. Section 1925(d)(3) of title 38, United States*  
8 *Code, is amended by striking “appropriation ‘General Op-*  
9 *erating Expenses, Department of Veterans Affairs’”, and*  
10 *inserting “appropriations for ‘General Operating Expenses*  
11 *and Information Technology Systems, Department of Vet-*  
12 *erans Affairs’”.*

13 *SEC. 228. Section 1922(a) of title 38, United States*  
14 *Code, is amended by striking “(5) administrative costs to*  
15 *the Government for the costs of”, and inserting “(5) admin-*  
16 *istrative support performed by General Operating Expenses*  
17 *and Information Technology Systems, Department of Vet-*  
18 *erans Affairs, for”.*

19 *SEC. 229. (a) ADDITIONAL AMOUNT FOR STATE VET-*  
20 *ERANS CEMETERIES.—The amount appropriated by this*  
21 *title under the heading “GRANTS FOR CONSTRUCTION OF*  
22 *STATE VETERANS CEMETERIES” is hereby increased by*  
23 *\$4,000,000.*

1       **(b) OFFSET.**—*The amount appropriated or otherwise*  
2 *made available by this title under the heading “GENERAL*  
3 *OPERATING EXPENSES” is hereby decreased by \$4,000,000.*

4       **SEC. 230. (a)(1)(A)** *Of the amount made available by*  
5 *this title for the Veterans Health Administration under the*  
6 *heading “MEDICAL SERVICES”, \$1,500,000 shall be available*  
7 *to allow the Secretary of Veterans Affairs to offer incentives*  
8 *to qualified health care providers working in underserved*  
9 *rural areas designated by the Veterans Health Administra-*  
10 *tion, in addition to amounts otherwise available for other*  
11 *pay and incentives.*

12       **(B)** *Health care providers shall be eligible for incen-*  
13 *tives pursuant to this paragraph only for the period of time*  
14 *that they serve in designated areas.*

15       **(2)(A)** *Of the amount made available by this title for*  
16 *the Veterans Health Administration under the heading*  
17 *“MEDICAL SUPPORT AND COMPLIANCE”, \$1,500,000 shall be*  
18 *available to allow the Secretary of Veterans Affairs to offer*  
19 *incentives to qualified health care administrators working*  
20 *in underserved rural areas designated by the Veterans*  
21 *Health Administration, in addition to amounts otherwise*  
22 *available for other pay and incentives.*

23       **(B)** *Health care administrators shall be eligible for in-*  
24 *centives pursuant to this paragraph only for the period of*  
25 *time that they serve in designated areas.*



1       **(b)** *Not later than March 31, 2010, the Secretary of*  
2 *Veterans Affairs shall submit to the Committees on Vet-*  
3 *erans' Affairs and Appropriations of the Senate and the*  
4 *House of Representatives a report detailing the number of*  
5 *new employees receiving incentives under the pilot program*  
6 *established pursuant to this section, describing the potential*  
7 *for retaining those employees, and explaining the structure*  
8 *of the program.*

9       **SEC. 231. (a) NAMING OF HEALTH CARE CENTER.—**  
10 *Effective October 1, 2010, the North Chicago Veterans Af-*  
11 *airs Medical Center located in Lake County, Illinois, shall*  
12 *be known and designated as the “Captain James A. Lovell*  
13 *Federal Health Care Center”.*

14       **(b) REFERENCES.—***Any reference to the medical center*  
15 *referred to in subsection (a) in any law, regulation, map,*  
16 *document, record, or other paper of the United States shall*  
17 *be considered to be a reference to the Captain James A.*  
18 *Lovell Federal Health Care Center.*

19       **SEC. 232.** *Section 315(b) of title 38, United States*  
20 *Code, is amended by striking “December 31, 2009” and in-*  
21 *serting “December 31, 2010”.*

22       **SEC. 233.** *Of the amount appropriated or otherwise*  
23 *made available by this title under the heading “MEDICAL*  
24 *SERVICES”, \$150,000,000 may be available for the grant*

1 *program under section 2011 of title 38, United States Code,*  
2 *and per diem payments under section 2012 of such title.*

3 *SEC. 234. Of the amounts appropriated or otherwise*  
4 *made available by this title for the Department of Veterans*  
5 *Affairs, up to \$5,000,000 may be available for the study*  
6 *required by section 1077 of the National Defense Authoriza-*  
7 *tion Act for Fiscal Year 2010.*

8 *SEC. 235. (a) CAMPUS OUTREACH AND SERVICES FOR*  
9 *MENTAL HEALTH AND NEUROLOGICAL CONDITIONS.—Of*  
10 *the amounts appropriated or otherwise made available by*  
11 *this title, \$5,000,000 may be available to conduct outreach*  
12 *to and provide services at institutions of higher education*  
13 *to ensure that veterans enrolled in programs of education*  
14 *at such institutions have information on and access to care*  
15 *and services for neurological and psychological issues.*

16 *(b) SUPPLEMENT NOT SUPPLANT.—The amount de-*  
17 *scribed in subsection (a) for the purposes described in such*  
18 *subsection is in addition to amounts otherwise appro-*  
19 *priated or made available for readjustment counseling and*  
20 *related mental health services.*

21 *SEC. 236. In administering section 51.210(d) of title*  
22 *38, Code of Federal Regulations, the Secretary of Veterans*  
23 *Affairs may permit a State home to provide services to, in*  
24 *addition to non-veterans described in such section, a non-*  
25 *veteran any of whose children died while serving in the*

1 *Armed Forces, as long as such services are not denied to*  
2 *a qualified veteran seeking such services.*

3       *SEC. 237. (a) DESIGNATION OF ROBLEY REX DEPART-*  
4 *MENT OF VETERANS AFFAIRS MEDICAL CENTER.—The De-*  
5 *partment of Veterans Affairs Medical Center in Louisville,*  
6 *Kentucky, and any successor to such medical center, shall*  
7 *after the date of the enactment of this Act be known and*  
8 *designated as the “Robley Rex Department of Veterans Af-*  
9 *fairs Medical Center”.*

10       *(b) REFERENCES.—Any reference in any law, regula-*  
11 *tion, map, document, record, or other paper of the United*  
12 *States to the medical center referred to in subsection (a)*  
13 *shall be considered to be a reference to the Robley Rex De-*  
14 *partment of Veterans Affairs Medical Center.*

15       *SEC. 238. (a) ADDITIONAL AMOUNT FOR HOMELESS*  
16 *VETERANS COMPREHENSIVE SERVICE PROGRAMS AND*  
17 *HOUSING ASSISTANCE AND SUPPORTIVE SERVICES.—The*  
18 *amount appropriated by this title under the heading “MED-*  
19 *ICAL SERVICES” under the heading “VETERANS HEALTH*  
20 *ADMINISTRATION” is increased by \$750,000, with the*  
21 *amount of the increase to be available for the following:*

22           *(1) The grant program under section 2011 of*  
23 *title 38, United States Code.*

24           *(2) Per diem payments under section 2012 of*  
25 *such title.*

1           (3) *Housing assistance and supportive services*  
2           *under subchapter V of chapter 20 of such title.*

3           (b) *OFFSET.—The amount appropriated or otherwise*  
4           *made available by this title under the heading “GENERAL*  
5           *OPERATING EXPENSES” under the heading “DEPART-*  
6           *MENTAL ADMINISTRATION” is decreased by \$750,000.*

7           *SEC. 239. (a) MODIFICATION ON RESTRICTION OF*  
8           *ALIENATION OF CERTAIN REAL PROPERTY IN GULFPORT,*  
9           *MISSISSIPPI.—Section 2703(b) of the Emergency Supple-*  
10           *mental Appropriations Act for Defense, the Global War on*  
11           *Terror, and Hurricane Recovery, 2006 (Public Law 109–*  
12           *234; 120 Stat. 469), as amended by section 231 of the Mili-*  
13           *tary Construction and Veterans Affairs and Related Agen-*  
14           *cies Appropriations Act, 2009 (division E of Public Law*  
15           *110–329; 122 Stat. 3713), is further amended by inserting*  
16           *after “the City of Gulfport” the following: “, or its urban*  
17           *renewal agency,”.*

18           (b) *MEMORIALIZATION OF MODIFICATION.—The Sec-*  
19           *retary of Veterans Affairs shall take appropriate actions to*  
20           *modify the quitclaim deeds executed to effectuate the convey-*  
21           *ance authorized by section 2703 of the Emergency Supple-*  
22           *mental Appropriations Act for Defense, the Global War on*  
23           *Terror, and Hurricane Recovery, 2006 in order to accu-*  
24           *rately reflect and memorialize the amendment made by sub-*  
25           *section (a).*

1       *SEC. 240. (a)(1) The amount appropriated or other-*  
2 *wise made available by this title under the heading “CON-*  
3 *STRUCTION, MINOR PROJECTS” is hereby increased by*  
4 *\$50,000,000.*

5       *(2) Of the amount appropriated or otherwise made*  
6 *available by this title under the heading “CONSTRUCTION,*  
7 *MINOR PROJECTS”, as increased by paragraph (1),*  
8 *\$50,000,000 shall be available for renovation of Department*  
9 *of Veterans Affairs buildings for the purpose of converting*  
10 *unused structures into housing with supportive services for*  
11 *homeless veterans.*

12       *(b) The amount appropriated or otherwise made avail-*  
13 *able by title I under the heading “HOMEOWNERS ASSIST-*  
14 *ANCE FUND” is hereby reduced by \$50,000,000.*

15       *SEC. 241. Of the amounts appropriated or otherwise*  
16 *made available by this title, the Secretary shall award*  
17 *\$5,000,000 in competitively-awarded grants to State and*  
18 *local government entities or their designees with a dem-*  
19 *onstrated record of serving veterans to conduct outreach to*  
20 *ensure that veterans in under-served areas receive the care*  
21 *and benefits for which they are eligible.*

22       *SEC. 242. (a) STUDY ON CAPACITY OF DEPARTMENT*  
23 *OF VETERANS AFFAIRS TO ADDRESS COMBAT STRESS IN*  
24 *WOMEN VETERANS.—The Inspector General of the Depart-*  
25 *ment of Veterans Affairs shall carry out a study to assess*

1 *the capacity of the Department of Veterans Affairs to ad-*  
2 *dress combat stress in women veterans.*

3 (b) *ELEMENTS.—In carrying out the study required*  
4 *by subsection (a), the Inspector General shall consider the*  
5 *following:*

6 (1) *Whether women veterans are properly evalu-*  
7 *ated by the Department for post-traumatic stress dis-*  
8 *order (PTSD), military-related sexual trauma, trau-*  
9 *matic brain injury (TBI), and other combat-related*  
10 *conditions.*

11 (2) *Whether women veterans with combat stress*  
12 *are being properly adjudicated as service-connected*  
13 *disabled by the Department for purposes of veterans*  
14 *disability benefits for combat stress.*

15 (3) *Whether the Veterans Benefits Administra-*  
16 *tion has developed and disseminated to personnel who*  
17 *adjudicate disability claims reference materials that*  
18 *thoroughly and effectively address the management of*  
19 *claims of women veterans involving military-related*  
20 *sexual trauma.*

21 (4) *The feasibility and advisability of requiring*  
22 *training and testing on military-related sexual trau-*  
23 *ma matters as part of a certification of Veterans Ben-*  
24 *efits Administration personnel who adjudicate dis-*

1 *ability claims involving post-traumatic stress dis-*  
2 *order.*

3 *(5) Such other matters as the Inspector General*  
4 *considers appropriate.*

5 *(c) REPORTS.—*

6 *(1) INTERIM REPORT.—Not later than 180 days*  
7 *after the date of the enactment of this Act, the Inspec-*  
8 *tor General shall submit to the Secretary of Veterans*  
9 *Affairs, and to the appropriate committees of Con-*  
10 *gress, a report setting forth the plan of the Inspector*  
11 *General for the study required by subsection (a), to-*  
12 *gether with such interim findings as the Inspector*  
13 *General has made as of the date of the report as a*  
14 *result of the study.*

15 *(2) FINAL REPORT.—Not later than one year*  
16 *after the date of the enactment of this Act, the Inspec-*  
17 *tor General shall submit to the Secretary, and Con-*  
18 *gress, then the Secretary shall make recommendations*  
19 *for legislative or administrative action.*

20 *(3) APPROPRIATE COMMITTEES OF CONGRESS*  
21 *DEFINED.—In this subsection, the term “appropriate*  
22 *committees of Congress” means—*

23 *(A) the Committees on Appropriations and*  
24 *Veterans’ Affairs of the Senate; and*

1                   (B) *the Committees on Appropriations and*  
2                   *Veterans' Affairs of the House of Representatives.*

3           SEC. 243. (a) *STUDY ON IMPROVEMENTS TO INFORMA-*  
4 *TION TECHNOLOGY INFRASTRUCTURE NEEDED TO FUR-*  
5 *NISH HEALTH CARE SERVICES TO VETERANS USING TELE-*  
6 *HEALTH PLATFORMS.*—*The Secretary of Veterans Affairs*  
7 *shall carry out a study to identify the improvements to the*  
8 *infrastructure of the Department of Veterans Affairs that*  
9 *are required to furnish health care services to veterans using*  
10 *telehealth platforms.*

11           (b) *AVAILABILITY OF FUNDS.*—*The amounts appro-*  
12 *priated or otherwise made available by this title under the*  
13 *headings “DEPARTMENTAL ADMINISTRATION” and “INFOR-*  
14 *MATION TECHNOLOGY SYSTEMS” shall be available to the*  
15 *Secretary of Veterans Affairs to carry out the study required*  
16 *by subsection (a).*

17           SEC. 244. *Of the amounts appropriated or otherwise*  
18 *made available by this title under the headings “VETERANS*  
19 *HEALTH ADMINISTRATION” and “MEDICAL SERVICES”,*  
20 *\$1,000,000 may be available for education debt reduction*  
21 *under subchapter VII of chapter 76 of title 38, United*  
22 *States Code, for mental health care professionals who agree*  
23 *to employment at the Department of Veterans Affairs.*



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

*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, \$63,549,000, 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.*



1        *Funds appropriated under this Act may be provided*  
2 *to Arlington County, Virginia, for the relocation of the fed-*  
3 *erally owned water main at Arlington National Cemetery*  
4 *making additional land available for ground burials.*

5                    *ARMED FORCES RETIREMENT HOME*

6                                *TRUST FUND*

7        *For expenses necessary for the Armed Forces Retire-*  
8 *ment Home to operate and maintain the Armed Forces Re-*  
9 *tirement Home—Washington, District of Columbia, and the*  
10 *Armed Forces Retirement Home—Gulfport, Mississippi, to*  
11 *be paid from funds available in the Armed Forces Retire-*  
12 *ment Home Trust Fund, \$134,000,000, of which*  
13 *\$72,000,000 shall remain available until expended for con-*  
14 *struction and renovation of the physical plants at the*  
15 *Armed Forces Retirement Home—Washington, District of*  
16 *Columbia, and the Armed Forces Retirement Home—Gulf-*  
17 *port, Mississippi.*

18                                *TITLE IV*

19                    *OVERSEAS CONTINGENCIES OPERATIONS*

20                                *MILITARY CONSTRUCTION*

21                                *MILITARY CONSTRUCTION, ARMY*

22        *For an additional amount for “Military Construction,*  
23 *Army”, \$924,484,000, to remain available until September*  
24 *30, 2012: Provided, That notwithstanding any other provi-*  
25 *sion of law, such funds may be obligated and expended to*

1 *carry out planning and design and military construction*  
2 *projects not otherwise authorized by law.*

3 *MILITARY CONSTRUCTION, AIR FORCE*

4 *For an additional amount for “Military Construction,*  
5 *Air Force”, \$474,500,000, to remain available until Sep-*  
6 *tember 30, 2012: Provided, That notwithstanding any other*  
7 *provision of law, such funds may be obligated and expended*  
8 *to carry out planning and design and military construction*  
9 *projects not otherwise authorized by law.*

10 *ADMINISTRATIVE PROVISION*

11 *SEC. 401. (a)(1) The amount appropriated or other-*  
12 *wise made available by this title under the heading “MILI-*  
13 *TARY CONSTRUCTION, ARMY” and available for a dining*  
14 *hall project at Forward Operating Base Dwyer is hereby*  
15 *increased by \$4,400,000.*

16 *(2) The amount appropriated or otherwise made avail-*  
17 *able by this title under the heading “MILITARY CONSTRUC-*  
18 *TION, ARMY” and available for a dining hall project at For-*  
19 *ward Operating Base Maywand is hereby reduced by*  
20 *\$4,400,000.*

21 *(b)(1) The amount appropriated or otherwise made*  
22 *available by this title under the heading “MILITARY CON-*  
23 *STRUCTION, ARMY” and available for a dining hall project*  
24 *at Forward Operating Base Wolverine is hereby increased*  
25 *by \$2,150,000.*



1 *plus reimbursements, which shall become available on Octo-*  
2 *ber 1, 2010, and shall remain available through September*  
3 *30, 2011: Provided, That, notwithstanding any other provi-*  
4 *sion of law, the Secretary of Veterans Affairs shall establish*  
5 *a priority for the provision of medical treatment for vet-*  
6 *erans who have service-connected disabilities, lower income,*  
7 *or have special needs: Provided further, That, notwith-*  
8 *standing any other provision of law, the Secretary of Vet-*  
9 *erans Affairs shall give priority funding for the provision*  
10 *of basic medical benefits to veterans in enrollment priority*  
11 *groups 1 through 6: Provided further, That, notwith-*  
12 *standing any other provision of law, the Secretary of Vet-*  
13 *erans Affairs may authorize the dispensing of prescription*  
14 *drugs from Veterans Health Administration facilities to en-*  
15 *rolled veterans with privately written prescriptions based*  
16 *on requirements established by the Secretary: Provided fur-*  
17 *ther, That the implementation of the program described in*  
18 *the previous proviso shall incur no additional cost to the*  
19 *Department of Veterans Affairs: Provided further, That for*  
20 *the Department of Defense/Department of Veterans Affairs*  
21 *Health Care Sharing Incentive Fund, as authorized by sec-*  
22 *tion 8111(d) of title 38, United States Code, a minimum*  
23 *of \$15,000,000, to remain available until expended, for any*  
24 *purpose authorized by section 8111 of title 38, United*  
25 *States Code.*



1 *employees and purchase of materials; for leases of facilities;*  
2 *and for laundry services, \$5,740,000,000, plus reimburse-*  
3 *ments, which shall become available on October 1, 2010, and*  
4 *shall remain available through September 30, 2011.*

## 5 *TITLE VI*

### 6 *GENERAL PROVISIONS*

7 *SEC. 601. No part of any appropriation contained in*  
8 *this Act shall remain available for obligation beyond the*  
9 *current fiscal year unless expressly so provided herein.*

10 *SEC. 602. Such sums as may be necessary for fiscal*  
11 *year 2010 for pay raises for programs funded by this Act*  
12 *shall be absorbed within the levels appropriated in this Act.*

13 *SEC. 603. None of the funds made available in this*  
14 *Act may be used for any program, project, or activity, when*  
15 *it is made known to the Federal entity or official to which*  
16 *the funds are made available that the program, project, or*  
17 *activity is not in compliance with any Federal law relating*  
18 *to risk assessment, the protection of private property rights,*  
19 *or unfunded mandates.*

20 *SEC. 604. No part of any funds appropriated in this*  
21 *Act shall be used by an agency of the executive branch, other*  
22 *than for normal and recognized executive-legislative rela-*  
23 *tionships, for publicity or propaganda purposes, and for*  
24 *the preparation, distribution, or use of any kit, pamphlet,*  
25 *booklet, publication, radio, television, or film presentation*



1 *designed to support or defeat legislation pending before*  
2 *Congress, except in presentation to Congress itself.*

3       *SEC. 605. All departments and agencies funded under*  
4 *this Act are encouraged, within the limits of the existing*  
5 *statutory authorities and funding, to expand their use of*  
6 *“E-Commerce” technologies and procedures in the conduct*  
7 *of their business practices and public service activities.*

8       *SEC. 606. None of the funds made available in this*  
9 *Act may be transferred to any department, agency, or in-*  
10 *strumentality of the United States Government except pur-*  
11 *suant to a transfer made by, or transfer authority provided*  
12 *in, this or any other appropriations Act.*

13       *SEC. 607. Unless stated otherwise, all reports and noti-*  
14 *fications required by this Act shall be submitted to the Sub-*  
15 *committee on Military Construction, Veterans Affairs, and*  
16 *Related Agencies of the Committee on Appropriations of the*  
17 *House of Representatives and the Subcommittee on Military*  
18 *Construction, Veterans Affairs, and Related Agencies of the*  
19 *Committee on Appropriations of the Senate.*

20       *SEC. 608. (a) Notwithstanding any other provision of*  
21 *this Act and except as provided in subsection (b), any re-*  
22 *port required to be submitted by a Federal agency or de-*  
23 *partment to the Committee on Appropriations of either the*  
24 *Senate or the House of Representatives in this Act shall*

1 *be posted on the public website of that agency upon receipt*  
2 *by the committee.*

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

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

6 *(2) the report contains proprietary information.*

7 *SEC. 609. None of the funds made available under this*  
8 *Act may be distributed to the Association of Community*  
9 *Organizations for Reform Now (ACORN) or its subsidi-*  
10 *aries.*

11 *This Act may be cited as the “Military Construction*  
12 *and Veterans Affairs and Related Agencies Appropriations*  
13 *Act, 2010”.*

Attest:

*Secretary.*

11<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H.R. 3082**

---

---

**AMENDMENT**