

1 DIVISION —MILITARY CONSTRUCTION AND
2 VETERANS AFFAIRS AND RELATED AGEN-
3 CIES APPROPRIATIONS ACT, 2010

4 TITLE I
5 DEPARTMENT OF DEFENSE
6 MILITARY CONSTRUCTION, ARMY

7 For acquisition, construction, installation, and equip-
8 ment of temporary or permanent public works, military
9 installations, facilities, and real property for the Army as
10 currently authorized by law, including personnel in the
11 Army Corps of Engineers and other personal services nec-
12 essary for the purposes of this appropriation, and for con-
13 struction and operation of facilities in support of the func-
14 tions of the Commander in Chief, \$3,719,419,000, to re-
15 main available until September 30, 2014, of which
16 \$350,000,000 shall be for trainee troop housing facilities:
17 *Provided*, That of this amount, not to exceed
18 \$200,519,000 shall be available for study, planning, de-
19 sign, architect and engineer services, and host nation sup-
20 port, as authorized by law, unless the Secretary of the
21 Army determines that additional obligations are necessary
22 for such purposes and notifies the Committees on Appro-
23 priations of both Houses of Congress of the determination
24 and the reasons therefor: *Provided further*, That, not later

1 than 30 days after the date of the enactment of this Act,
2 the Secretary of the Army shall submit to the Committees
3 on Appropriations of both Houses of Congress an expendi-
4 ture plan for the funds provided for trainee troop housing
5 facilities: *Provided further*, That the amount appropriated
6 in this paragraph shall be for the projects and activities,
7 and in the amounts, specified under the heading "Military
8 Construction, Army" and under the headings "Army" in
9 the table entitled "Military Construction" in the explana-
10 tory statement of managers to accompany this Act.

11 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

12 For acquisition, construction, installation, and equip-
13 ment of temporary or permanent public works, naval in-
14 stallations, facilities, and real property for the Navy and
15 Marine Corps as currently authorized by law, including
16 personnel in the Naval Facilities Engineering Command
17 and other personal services necessary for the purposes of
18 this appropriation, \$3,769,003,000, to remain available
19 until September 30, 2014: *Provided*, That of this amount,
20 not to exceed \$179,652,000 shall be available for study,
21 planning, design, and architect and engineer services, as
22 authorized by law, unless the Secretary of the Navy deter-
23 mines that additional obligations are necessary for such
24 purposes and notifies the Committees on Appropriations
25 of both Houses of Congress of the determination and the

1 reasons therefor: *Provided further*, That the amount ap-
2 propriated in this paragraph shall be for the projects and
3 activities, and in the amounts, specified under the heading
4 “Military Construction, Navy and Marine Corps” and
5 under the headings “Navy” in the table entitled “Military
6 Construction” in the explanatory statement of managers
7 to accompany this Act.

8 MILITARY CONSTRUCTION, AIR FORCE
9 (INCLUDING RESCISSION OF FUNDS)

10 For acquisition, construction, installation, and equip-
11 ment of temporary or permanent public works, military
12 installations, facilities, and real property for the Air Force
13 as currently authorized by law, \$1,450,426,000, to remain
14 available until September 30, 2014: *Provided*, That of this
15 amount, not to exceed \$103,562,000 shall be available for
16 study, planning, design, and architect and engineer serv-
17 ices, as authorized by law, unless the Secretary of the Air
18 Force determines that additional obligations are necessary
19 for such purposes and notifies the Committees on Appro-
20 priations of both Houses of Congress of the determination
21 and the reasons therefor: *Provided further*, That the
22 amount appropriated in this paragraph shall be for the
23 projects and activities, and in the amounts, specified
24 under the heading “Military Construction, Air Force” and
25 under the headings “Air Force” in the table entitled “Mili-

1 tary Construction” in the explanatory statement of man-
2 agers to accompany this Act: *Provided further*, That of the
3 funds appropriated for “Military Construction, Air Force”
4 under Public Law 110–329, \$37,500,000 are hereby re-
5 scinded.

6 MILITARY CONSTRUCTION, DEFENSE-WIDE

7 (INCLUDING TRANSFER AND RESCISSION OF FUNDS)

8 For acquisition, construction, installation, and equip-
9 ment of temporary or permanent public works, installa-
10 tions, facilities, and real property for activities and agen-
11 cies of the Department of Defense (other than the military
12 departments), as currently authorized by law,
13 \$3,093,679,000, to remain available until September 30,
14 2014: *Provided*, That such amounts of this appropriation
15 as may be determined by the Secretary of Defense may
16 be transferred to such appropriations of the Department
17 of Defense available for military construction or family
18 housing as the Secretary may designate, to be merged with
19 and to be available for the same purposes, and for the
20 same time period, as the appropriation or fund to which
21 transferred: *Provided further*, That of the amount appro-
22 priated, not to exceed \$131,942,000 shall be available for
23 study, planning, design, and architect and engineer serv-
24 ices, as authorized by law, unless the Secretary of Defense
25 determines that additional obligations are necessary for

1 such purposes and notifies the Committees on Appropria-
2 tions of both Houses of Congress of the determination and
3 the reasons therefor: *Provided further*, That of the amount
4 appropriated, notwithstanding any other provision of law,
5 not to exceed \$41,400,000 shall be available for payments
6 to the North Atlantic Treaty Organization for the plan-
7 ning, design, and construction of a new North Atlantic
8 Treaty Organization headquarters: *Provided further*, That
9 the amount appropriated in this paragraph shall be for
10 the projects and activities, and in the amounts, specified
11 under the heading “Military Construction, Defense-Wide”
12 and under the headings “Defense-Wide” in the table enti-
13 tled “Military Construction” in the explanatory statement
14 of managers to accompany this Act: *Provided further*, That
15 of the funds appropriated for “Military Construction, De-
16 fense-Wide” under Public Law 110–329, \$151,160,000
17 are hereby rescinded.

18 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

19 For construction, acquisition, expansion, rehabilita-
20 tion, and conversion of facilities for the training and ad-
21 ministration of the Army National Guard, and contribu-
22 tions therefor, as authorized by chapter 1803 of title 10,
23 United States Code, and Military Construction Authoriza-
24 tion Acts, \$582,056,000, to remain available until Sep-
25 tember 30, 2014, of which \$30,000,000 shall be for crit-

1 ical unfunded requirements: *Provided*, That of the amount
2 appropriated, not to exceed \$47,429,000 shall be available
3 for study, planning, design, and architect and engineer
4 services, as authorized by law, unless the Director of the
5 Army National Guard determines that additional obliga-
6 tions are necessary for such purposes and notifies the
7 Committees on Appropriations of both Houses of Congress
8 of the determination and the reasons therefor: *Provided*
9 *further*, That, not later than 30 days after the date of the
10 enactment of this Act, the Director of the Army National
11 Guard shall submit to the Committees on Appropriations
12 of both Houses of Congress an expenditure plan for the
13 funds provided for critical unfunded requirements: *Pro-*
14 *vided further*, That the amount appropriated in this para-
15 graph shall be for the projects and activities, and in the
16 amounts, specified under the heading "Military Construc-
17 tion, Army National Guard" and under the headings
18 "Army National Guard" in the table entitled "Military
19 Construction" in the explanatory statement of managers
20 to accompany this Act.

21 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

22 For construction, acquisition, expansion, rehabilita-
23 tion, and conversion of facilities for the training and ad-
24 ministration of the Air National Guard, and contributions
25 therefor, as authorized by chapter 1803 of title 10, United

1 States Code, and Military Construction Authorization
2 Acts, \$371,226,000, to remain available until September
3 30, 2014, of which \$30,000,000 shall be for critical un-
4 funded requirements: *Provided*, That of the amount appro-
5 priated, not to exceed \$20,021,000 shall be available for
6 study, planning, design, and architect and engineer serv-
7 ices, as authorized by law, unless the Director of the Air
8 National Guard determines that additional obligations are
9 necessary for such purposes and notifies the Committees
10 on Appropriations of both Houses of Congress of the de-
11 termination and the reasons therefor: *Provided further*,
12 That, not later than 30 days after the date of the enact-
13 ment of this Act, the Director of the Air National Guard
14 shall submit to the Committees on Appropriations of both
15 Houses of Congress an expenditure plan for the funds pro-
16 vided for critical unfunded requirements: *Provided further*,
17 That the amount appropriated in this paragraph shall be
18 for the projects and activities, and in the amounts, speci-
19 fied under the heading "Military Construction, Air Na-
20 tional Guard" and under the headings "Air National
21 Guard" in the table entitled "Military Construction" in
22 the explanatory statement of managers to accompany this
23 Act.

1 MILITARY CONSTRUCTION, ARMY RESERVE

2 For construction, acquisition, expansion, rehabilita-
3 tion, and conversion of facilities for the training and ad-
4 ministration of the Army Reserve as authorized by chapter
5 1803 of title 10, United States Code, and Military Con-
6 struction Authorization Acts, \$431,566,000, to remain
7 available until September 30, 2014, of which \$30,000,000
8 shall be for critical unfunded requirements: *Provided*,
9 That of the amount appropriated, not to exceed
10 \$22,716,000 shall be available for study, planning, design,
11 and architect and engineer services, as authorized by law,
12 unless the Secretary of the Army determines that addi-
13 tional obligations are necessary for such purposes and no-
14 tifies the Committees on Appropriations of both Houses
15 of Congress of the determination and the reasons therefor:
16 *Provided further*, That, not later than 30 days after the
17 date of the enactment of this Act, the Chief of Army Re-
18 serve shall submit to the Committees on Appropriations
19 of both Houses of Congress an expenditure plan for the
20 funds provided for critical unfunded requirements: *Pro-*
21 *vided further*, That the amount appropriated in this para-
22 graph shall be for the projects and activities, and in the
23 amounts, specified under the heading "Military Construc-
24 tion, Army Reserve" and under the headings "Army Re-

1 serve” in the table entitled “Military Construction” in the
2 explanatory statement of managers to accompany this Act.

3 MILITARY CONSTRUCTION, NAVY RESERVE

4 For construction, acquisition, expansion, rehabilita-
5 tion, and conversion of facilities for the training and ad-
6 ministration of the reserve components of the Navy and
7 Marine Corps as authorized by chapter 1803 of title 10,
8 United States Code, and Military Construction Authoriza-
9 tion Acts, \$125,874,000, to remain available until Sep-
10 tember 30, 2014, of which \$20,000,000 shall be for crit-
11 ical unfunded requirements of the Navy Reserve and
12 \$35,000,000 shall be for critical unfunded requirements
13 of the Marine Forces Reserve: *Provided*, That of the
14 amount appropriated, not to exceed \$2,951,000 shall be
15 available for study, planning, design, and architect and en-
16 gineer services, as authorized by law, unless the Secretary
17 of the Navy determines that additional obligations are nec-
18 essary for such purposes and notifies the Committees on
19 Appropriations of both Houses of Congress of the deter-
20 mination and the reasons therefor: *Provided further*, That,
21 not later than 30 days after the date of the enactment
22 of this Act, the Chief of Navy Reserve and the Com-
23 mander, Marine Forces Reserve shall submit to the Com-
24 mittees on Appropriations of both Houses of Congress an
25 expenditure plan for the funds provided for critical un-

1 funded requirements: *Provided further*, That the amount
2 appropriated in this paragraph shall be for the projects
3 and activities, and in the amounts, specified under the
4 heading “Military Construction, Navy Reserve” and under
5 the headings “Navy Reserve” in the table entitled “Mili-
6 tary Construction” in the explanatory statement of man-
7 agers to accompany this Act.

8 MILITARY CONSTRUCTION, AIR FORCE RESERVE

9 For construction, acquisition, expansion, rehabilita-
10 tion, and conversion of facilities for the training and ad-
11 ministration of the Air Force Reserve as authorized by
12 chapter 1803 of title 10, United States Code, and Military
13 Construction Authorization Acts, \$112,269,000, to remain
14 available until September 30, 2014, of which \$55,000,000
15 shall be for critical unfunded requirements: *Provided*,
16 That of the amount appropriated, not to exceed
17 \$3,869,000 shall be available for study, planning, design,
18 and architect and engineer services, as authorized by law,
19 unless the Secretary of the Air Force determines that ad-
20 ditional obligations are necessary for such purposes and
21 notifies the Committees on Appropriations of both Houses
22 of Congress of the determination and the reasons therefor:
23 *Provided further*, That, not later than 30 days after the
24 date of the enactment of this Act, the Chief of Air Force
25 Reserve shall submit to the Committees on Appropriations

1 of both Houses of Congress an expenditure plan for the
2 funds provided for critical unfunded requirements: *Pro-*
3 *vided further*, That the amount appropriated in this para-
4 graph shall be for the projects and activities, and in the
5 amounts, specified under the heading “Military Construc-
6 tion, Air Force Reserve” and under the headings “Air
7 Force Reserve” in the table entitled “Military Construc-
8 tion” in the explanatory statement of managers to accom-
9 pany this Act.

10 NORTH ATLANTIC TREATY ORGANIZATION

11 SECURITY INVESTMENT PROGRAM

12 For the United States share of the cost of the North
13 Atlantic Treaty Organization Security Investment Pro-
14 gram for the acquisition and construction of military fa-
15 cilities and installations (including international military
16 headquarters) and for related expenses for the collective
17 defense of the North Atlantic Treaty Area as authorized
18 by section 2806 of title 10, United States Code, and Mili-
19 tary Construction Authorization Acts, \$197,414,000, to
20 remain available until expended.

21 FAMILY HOUSING CONSTRUCTION, ARMY

22 For expenses of family housing for the Army for con-
23 struction, including acquisition, replacement, addition, ex-
24 pansion, extension, and alteration, as authorized by law,
25 \$273,236,000, to remain available until September 30,

1 2014: *Provided*, That the amount appropriated in this
2 paragraph shall be for the projects and activities, and in
3 the amounts, specified under the heading “Family Hous-
4 ing Construction, Army” in the table entitled “Military
5 Construction” in the explanatory statement of managers
6 to accompany this Act.

7 FAMILY HOUSING OPERATION AND MAINTENANCE,

8 ARMY

9 For expenses of family housing for the Army for op-
10 eration 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
18 authorized by law, \$146,569,000, to remain available until
19 September 30, 2014: *Provided*, That the amount appro-
20 priated in this paragraph shall be for the projects and ac-
21 tivities, and in the amounts, specified under the heading
22 “Family Housing Construction, Navy and Marine Corps”
23 in the table entitled “Military Construction” in the explan-
24 atory statement of managers to accompany this Act.

1 FAMILY HOUSING OPERATION AND MAINTENANCE,
2 NAVY 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
7 law, \$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,
13 2014: *Provided*, That the amount appropriated in this
14 paragraph shall be for the projects and activities, and in
15 the amounts, specified under the heading "Family Hous-
16 ing Construction, Air Force" in the table entitled "Mili-
17 tary Construction" in the explanatory statement of man-
18 agers to accompany 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 ant to section 2883 of title 10, United States Code, pro-
2 viding alternative means of acquiring and improving mili-
3 tary family housing and supporting facilities.

4 HOMEOWNERS ASSISTANCE FUND

5 For the Homeowners Assistance Fund established by
6 section 1013 of the Demonstration Cities and Metropoli-
7 tan Development Act of 1966 (42 U.S.C. 3374), as
8 amended by section 1001 of division A of the American
9 Recovery and Reinvestment Act of 2009 (Public Law 111-
10 5; 123 Stat. 194), \$323,225,000, to remain available until
11 expended.

12 CHEMICAL DEMILITARIZATION CONSTRUCTION,

13 DEFENSE-WIDE

14 For expenses of construction, not otherwise provided
15 for, necessary for the destruction of the United States
16 stockpile of lethal chemical agents and munitions in ac-
17 cordance with section 1412 of the Department of Defense
18 Authorization Act, 1986 (50 U.S.C. 1521), and for the
19 destruction of other chemical warfare materials that are
20 not in the chemical weapon stockpile, as currently author-
21 ized by law, \$151,541,000, to remain available until Sep-
22 tember 30, 2014, which shall be only for the Assembled
23 Chemical Weapons Alternatives program: *Provided*, That
24 the amount appropriated in this paragraph shall be for
25 the projects and activities, and in the amounts, specified

1 under the headings “Chemical Demilitarization Construc-
2 tion, Defense-Wide” in the table entitled “Military Con-
3 struction” in the explanatory statement of managers to
4 accompany this Act.

5 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

6 1990

7 For deposit into the Department of Defense Base
8 Closure Account 1990, established by section 2906(a)(1)
9 of the Defense Base Closure and Realignment Act of 1990
10 (10 U.S.C. 2687 note), \$496,768,000, to remain available
11 until expended.

12 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

13 2005

14 For deposit into the Department of Defense Base
15 Closure Account 2005, established by section 2906A(a)(1)
16 of the Defense Base Closure and Realignment Act of 1990
17 (10 U.S.C. 2687 note), \$7,455,498,000, to remain avail-
18 able until expended: *Provided*, That the Department of
19 Defense shall notify the Committees on Appropriations of
20 both Houses of Congress 14 days prior to obligating an
21 amount for a construction project that exceeds or reduces
22 the amount identified for that project in the most recently
23 submitted budget request for this account by 20 percent
24 or \$2,000,000, whichever is less: *Provided further*, That
25 the previous proviso shall not apply to projects costing less

1 than \$5,000,000, except for those projects not previously
2 identified in any budget submission for this account and
3 exceeding the minor construction threshold under section
4 2805 of title 10, United States Code.

5 ADMINISTRATIVE PROVISIONS

6 SEC. 101. None of the funds made available in this
7 title shall be expended for payments under a cost-plus-a-
8 fixed-fee contract for construction, where cost estimates
9 exceed \$25,000, to be performed within the United States,
10 except Alaska, without the specific approval in writing of
11 the Secretary of Defense setting forth the reasons there-
12 for.

13 SEC. 102. Funds made available in this title for con-
14 struction shall be available for hire of passenger motor ve-
15 hicles.

16 SEC. 103. Funds made available in this title for con-
17 struction may be used for advances to the Federal High-
18 way Administration, Department of Transportation, for
19 the construction of access roads as authorized by section
20 210 of title 23, United States Code, when projects author-
21 ized therein are certified as important to the national de-
22 fense by the Secretary of Defense.

23 SEC. 104. None of the funds made available in this
24 title may be used to begin construction of new bases in

1 the United States for which specific appropriations have
2 not been made.

3 SEC. 105. None of the funds made available in this
4 title shall be used for purchase of land or land easements
5 in excess of 100 percent of the value as determined by
6 the Army Corps of Engineers or the Naval Facilities Engi-
7 neering Command, except: (1) where there is a determina-
8 tion of value by a Federal court; (2) purchases negotiated
9 by the Attorney General or the designee of the Attorney
10 General; (3) where the estimated value is less than
11 \$25,000; or (4) as otherwise determined by the Secretary
12 of Defense to be in the public interest.

13 SEC. 106. None of the funds made available in this
14 title shall be used to: (1) acquire land; (2) provide for site
15 preparation; or (3) install utilities for any family housing,
16 except housing for which funds have been made available
17 in annual Acts making appropriations for military con-
18 struction.

19 SEC. 107. None of the funds made available in this
20 title for minor construction may be used to transfer or
21 relocate any activity from one base or installation to an-
22 other, without prior notification to the Committees on Ap-
23 propriations of both Houses of Congress.

24 SEC. 108. None of the funds made available in this
25 title may be used for the procurement of steel for any con-

1 construction project or activity for which American steel pro-
2 ducers, fabricators, and manufacturers have been denied
3 the opportunity to compete for such steel procurement.

4 SEC. 109. None of the funds available to the Depart-
5 ment of Defense for military construction or family hous-
6 ing during the current fiscal year may be used to pay real
7 property taxes in any foreign nation.

8 SEC. 110. None of the funds made available in this
9 title may be used to initiate a new installation overseas
10 without prior notification to the Committees on Appro-
11 priations of both Houses of Congress.

12 SEC. 111. None of the funds made available in this
13 title may be obligated for architect and engineer contracts
14 estimated by the Government to exceed \$500,000 for
15 projects to be accomplished in Japan, in any North Atlan-
16 tic Treaty Organization member country, or in countries
17 bordering the Arabian Sea, unless such contracts are
18 awarded to United States firms or United States firms
19 in joint venture with host nation firms.

20 SEC. 112. None of the funds made available in this
21 title for military construction in the United States terri-
22 tories and possessions in the Pacific and on Kwajalein
23 Atoll, or in countries bordering the Arabian Sea, may be
24 used to award any contract estimated by the Government
25 to exceed \$1,000,000 to a foreign contractor: *Provided,*

1 That this section shall not be applicable to contract
2 awards for which the lowest responsive and responsible bid
3 of a United States contractor exceeds the lowest respon-
4 sive and responsible bid of a foreign contractor by greater
5 than 20 percent: *Provided further*, That this section shall
6 not apply to contract awards for military construction on
7 Kwajalein Atoll for which the lowest responsive and re-
8 sponsible bid is submitted by a Marshallese contractor.

9 SEC. 113. The Secretary of Defense is to inform the
10 appropriate committees of both Houses of Congress, in-
11 cluding the Committees on Appropriations, of the plans
12 and scope of any proposed military exercise involving
13 United States personnel 30 days prior to its occurring,
14 if amounts expended for construction, either temporary or
15 permanent, are anticipated to exceed \$100,000.

16 SEC. 114. Not more than 20 percent of the funds
17 made available in this title which are limited for obligation
18 during the current fiscal year shall be obligated during
19 the last two months of the fiscal year.

20 SEC. 115. Funds appropriated to the Department of
21 Defense for construction in prior years shall be available
22 for construction authorized for each such military depart-
23 ment by the authorizations enacted into law during the
24 current session of Congress.

1 SEC. 116. For military construction or family housing
2 projects that are being completed with funds otherwise ex-
3 pired or lapsed for obligation, expired or lapsed funds may
4 be used to pay the cost of associated supervision, inspec-
5 tion, overhead, engineering and design on those projects
6 and on subsequent claims, if any.

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

19 SEC. 118. (a) The Secretary of Defense, in consulta-
20 tion with the Secretary of State, shall submit to the Com-
21 mittees on Appropriations of both Houses of Congress, by
22 February 15 of each year, an annual report in unclassified
23 and, if necessary, classified form, on actions taken by the
24 Department of Defense and the Department of State dur-
25 ing the previous fiscal year to encourage host countries

1 to assume a greater share of the common defense burden
2 of such countries and the United States.

3 (b) The report under subsection (a) shall include a
4 description of—

5 (1) attempts to secure cash and in-kind con-
6 tributions from host countries for military construc-
7 tion projects;

8 (2) attempts to achieve economic incentives of-
9 fered by host countries to encourage private invest-
10 ment for the benefit of the United States Armed
11 Forces;

12 (3) attempts to recover funds due to be paid to
13 the United States by host countries for assets deed-
14 ed or otherwise imparted to host countries upon the
15 cessation of United States operations at military in-
16 stallations;

17 (4) the amount spent by host countries on de-
18 fense, in dollars and in terms of the percent of gross
19 domestic product (GDP) of the host country; and

20 (5) for host countries that are members of the
21 North Atlantic Treaty Organization (NATO), the
22 amount contributed to NATO by host countries, in
23 dollars and in terms of the percent of the total
24 NATO budget.

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

4 (INCLUDING TRANSFER OF FUNDS)

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

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 120. Subject to 30 days prior notification, or
18 14 days for a notification provided in an electronic me-
19 dium pursuant to sections 480 and 2883, of title 10,
20 United States Code, to the Committees on Appropriations
21 of both Houses of Congress, such additional amounts as
22 may be determined by the Secretary of Defense may be
23 transferred to: (1) the Department of Defense Family
24 Housing Improvement Fund from amounts appropriated
25 for construction in “Family Housing” accounts, to be

1 merged with and to be available for the same purposes
2 and for the same period of time as amounts appropriated
3 directly to the Fund; or (2) the Department of Defense
4 Military Unaccompanied Housing Improvement Fund
5 from amounts appropriated for construction of military
6 unaccompanied housing in "Military Construction" ac-
7 counts, to be merged with and to be available for the same
8 purposes and for the same period of time as amounts ap-
9 propriated directly to the Fund: *Provided*, That appropria-
10 tions made available to the Funds shall be available to
11 cover the costs, as defined in section 502(5) of the Con-
12 gressional Budget Act of 1974, of direct loans or loan
13 guarantees issued by the Department of Defense pursuant
14 to the provisions of subchapter IV of chapter 169 of title
15 10, United States Code, pertaining to alternative means
16 of acquiring and improving military family housing, mili-
17 tary unaccompanied housing, and supporting facilities.

18 SEC. 121. (a) Not later than 60 days before issuing
19 any solicitation for a contract with the private sector for
20 military family housing the Secretary of the military de-
21 partment concerned shall submit to the Committees on
22 Appropriations of both Houses of Congress the notice de-
23 scribed in subsection (b).

24 (b)(1) A notice referred to in subsection (a) is a no-
25 tice of any guarantee (including the making of mortgage

1 or rental payments) proposed to be made by the Secretary
2 to the private party under the contract involved in the
3 event of—

4 (A) the closure or realignment of the installa-
5 tion for which housing is provided under the con-
6 tract;

7 (B) a reduction in force of units stationed at
8 such installation; or

9 (C) the extended deployment overseas of units
10 stationed at such installation.

11 (2) Each notice under this subsection shall specify
12 the nature of the guarantee involved and assess the extent
13 and likelihood, if any, of the liability of the Federal Gov-
14 ernment with respect to the guarantee.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 122. In addition to any other transfer authority
17 available to the Department of Defense, amounts may be
18 transferred from the accounts established by sections
19 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure
20 and Realignment Act of 1990 (10 U.S.C. 2687 note), to
21 the fund established by section 1013(d) of the Demonstra-
22 tion Cities and Metropolitan Development Act of 1966 (42
23 U.S.C. 3374) to pay for expenses associated with the
24 Homeowners Assistance Program incurred under 42
25 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be

1 merged with and be available for the same purposes and
2 for the same time period as the fund to which transferred.

3 SEC. 123. Notwithstanding any other provision of
4 law, funds made available in this title for operation and
5 maintenance of family housing shall be the exclusive
6 source of funds for repair and maintenance of all family
7 housing units, including general or flag officer quarters:
8 *Provided*, That not more than \$35,000 per unit may be
9 spent annually for the maintenance and repair of any gen-
10 eral or flag officer quarters without 30 days prior notifica-
11 tion, or 14 days for a notification provided in an electronic
12 medium pursuant to sections 480 and 2883 of title 10,
13 United States Code, to the Committees on Appropriations
14 of both Houses of Congress, except that an after-the-fact
15 notification shall be submitted if the limitation is exceeded
16 solely due to costs associated with environmental remedi-
17 ation that could not be reasonably anticipated at the time
18 of the budget submission: *Provided further*, That the
19 Under Secretary of Defense (Comptroller) is to report an-
20 nually to the Committees on Appropriations of both
21 Houses of Congress all operation and maintenance ex-
22 penditures for each individual general or flag officer quar-
23 ters for the prior fiscal year.

24 SEC. 124. Amounts contained in the Ford Island Im-
25 provement Account established by subsection (h) of sec-

1 tion 2814 of title 10, United States Code, are appro-
2 priated and shall be available until expended for the pur-
3 poses specified in subsection (i)(1) of such section or until
4 transferred pursuant to subsection (i)(3) of such section.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 125. None of the funds made available in this
7 title, or in any Act making appropriations for military con-
8 struction which remain available for obligation, may be ob-
9 ligated or expended to carry out a military construction,
10 land acquisition, or family housing project at or for a mili-
11 tary installation approved for closure, or at a military in-
12 stallation for the purposes of supporting a function that
13 has been approved for realignment to another installation,
14 in 2005 under the Defense Base Closure and Realignment
15 Act of 1990 (part A of title XXIX of Public Law 101-
16 510; 10 U.S.C. 2687 note), unless such a project at a mili-
17 tary installation approved for realignment will support a
18 continuing mission or function at that installation or a
19 new mission or function that is planned for that installa-
20 tion, or unless the Secretary of Defense certifies that the
21 cost to the United States of carrying out such project
22 would be less than the cost to the United States of cancel-
23 ling such project, or if the project is at an active compo-
24 nent base that shall be established as an enclave or in the
25 case of projects having multi-agency use, that another

1 Government agency has indicated it will assume ownership
2 of the completed project. The Secretary of Defense may
3 not transfer funds made available as a result of this limi-
4 tation from any military construction project, land acquisi-
5 tion, or family housing project to another account or use
6 such funds for another purpose or project without the
7 prior approval of the Committees on Appropriations of
8 both Houses of Congress. This section shall not apply to
9 military construction projects, land acquisition, or family
10 housing projects for which the project is vital to the na-
11 tional security or the protection of health, safety, or envi-
12 ronmental quality: *Provided*, That the Secretary of De-
13 fense shall notify the congressional defense committees
14 within seven days of a decision to carry out such a military
15 construction project.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 126. During the 5-year period after appropria-
18 tions available in this Act to the Department of Defense
19 for military construction and family housing operation and
20 maintenance and construction have expired for obligation,
21 upon a determination that such appropriations will not be
22 necessary for the liquidation of obligations or for making
23 authorized adjustments to such appropriations for obliga-
24 tions incurred during the period of availability of such ap-
25 propriations, unobligated balances of such appropriations

1 may be transferred into the appropriation “Foreign Cur-
2 rency Fluctuations, Construction, Defense”, to be merged
3 with and to be available for the same time period and for
4 the same purposes as the appropriation to which trans-
5 ferred.

6 SEC. 127. None of the funds appropriated or other-
7 wise made available in this title may be used for any action
8 that is related to or promotes the expansion of the bound-
9 aries or size of the Pinon Canyon Maneuver Site, Colo-
10 rado.

11 SEC. 128. Amounts appropriated or otherwise made
12 available in an account funded under the headings in this
13 title may be transferred among projects and activities
14 within the account in accordance with the reprogramming
15 guidelines for military construction and family housing
16 construction contained in the explanatory statement of
17 managers to accompany this Act and in the guidance for
18 military construction reprogrammings and notifications
19 contained in Department of Defense Financial Manage-
20 ment Regulation 7000.14-R, Volume 3, Chapter 7; of De-
21 cember 1996, as in effect on the date of enactment of this
22 Act.

23 SEC. 129. Of the funds made available in this title,
24 the following accounts are hereby reduced in the following
25 amounts to reflect adjusted inflation and bid savings pro-

1 jections: "Military Construction, Army", \$230,000,000;
2 "Military Construction, Navy and Marine Corps",
3 \$235,000,000; and "Military Construction, Air Force",
4 \$64,091,000.

5 SEC. 130. Of the funds made available under the fol-
6 lowing headings in Public Law 110-329, the following
7 amounts associated with unobligated balances are hereby
8 rescinded: "Military Construction, Army", \$33,000,000;
9 "Military Construction, Navy and Marine Corps",
10 \$51,468,000; "Military Construction, Defense-Wide",
11 \$93,268,000; "Military Construction, Army National
12 Guard", \$33,000,000; and "Military Construction, Air
13 National Guard", \$7,000,000.

1 TITLE II
2 DEPARTMENT OF VETERANS AFFAIRS
3 VETERANS BENEFITS ADMINISTRATION
4 COMPENSATION AND PENSIONS
5 (INCLUDING TRANSFER OF FUNDS)

6 For the payment of compensation benefits to or on
7 behalf of veterans and a pilot program for disability ex-
8 aminations as authorized by section 107 and chapters 11,
9 13, 18, 51, 53, 55, and 61 of title 38, United States Code;
10 pension benefits to or on behalf of veterans as authorized
11 by chapters 15, 51, 53, 55, and 61 of title 38, United
12 States Code; and burial benefits, the Reinstated Entitle-
13 ment Program for Survivors, emergency and other offi-
14 cers' retirement pay, adjusted-service credits and certifi-
15 cates, payment of premiums due on commercial life insur-
16 ance policies guaranteed under the provisions of title IV
17 of the Servicemembers Civil Relief Act (50 U.S.C. App.
18 541 et seq.) and for other benefits as authorized by sec-
19 tions 107, 1312, 1977, and 2106, and chapters 23, 51,
20 53, 55, and 61 of title 38, United States Code,
21 \$47,396,106,000, to remain available until expended: *Pro-*
22 *vided*, That not to exceed \$29,283,000 of the amount ap-
23 propriated under this heading shall be reimbursed to
24 "General operating expenses", "Medical support and com-
25 pliance", and "Information technology systems" for nec-

1 essary expenses in implementing the provisions of chapters
2 51, 53, and 55 of title 38, United States Code, the funding
3 source for which is specifically provided as the “Com-
4 pensation and pensions” appropriation: *Provided further*,
5 That such sums as may be earned on an actual qualifying
6 patient basis, shall be reimbursed to “Medical care collec-
7 tions fund” to augment the funding of individual medical
8 facilities for nursing home care provided to pensioners as
9 authorized.

10

READJUSTMENT BENEFITS

11 For the payment of readjustment and rehabilitation
12 benefits to or on behalf of veterans as authorized by chap-
13 ters 21, 30, 31, 33, 34, 35, 36, 39, 51, 53, 55, and 61
14 of title 38, United States Code, \$9,232,369,000, to remain
15 available until expended: *Provided*, That expenses for re-
16 habilitation program services and assistance which the
17 Secretary is authorized to provide under subsection (a) of
18 section 3104 of title 38, United States Code, other than
19 under paragraphs (1), (2), (5), and (11) of that sub-
20 section, shall be charged to this account.

21

VETERANS INSURANCE AND INDEMNITIES

22 For military and naval insurance, national service life
23 insurance, servicemen’s indemnities, service-disabled vet-
24 erans insurance, and veterans mortgage life insurance as

1 authorized by title 38, United States Code, chapters 19
2 and 21, \$49,288,000, to remain available until expended.

3 VETERANS HOUSING BENEFIT PROGRAM FUND

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

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

16 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

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

1 under the jurisdiction of the Department, and including
2 medical supplies and equipment, food services, and sala-
3 ries and expenses of health care employees hired under
4 title 38, United States Code, and aid to State homes as
5 authorized by section 1741 of title 38, United States Code;
6 \$71,843,500,000, plus reimbursements, of which
7 \$37,136,000,000 shall become available on October 1,
8 2010, and shall remain available until September 30,
9 2011: *Provided*, That, of the amount made available under
10 this heading for fiscal year 2010, not to exceed
11 \$1,015,000,000 shall remain available until September 30,
12 2011: *Provided further*, That, notwithstanding any other
13 provision of law, the Secretary of Veterans Affairs shall
14 establish a priority for the provision of medical treatment
15 for veterans who have service-connected disabilities, lower
16 income, or have special needs: *Provided further*, That, not-
17 withstanding any other provision of law, the Secretary of
18 Veterans Affairs shall give priority funding for the provi-
19 sion of basic medical benefits to veterans in enrollment
20 priority groups 1 through 6: *Provided further*, That, not-
21 withstanding any other provision of law, the Secretary of
22 Veterans Affairs may authorize the dispensing of prescrip-
23 tion drugs from Veterans Health Administration facilities
24 to enrolled veterans with privately written prescriptions
25 based on requirements established by the Secretary: *Pro-*

1 *vided further*, That the implementation of the program de-
2 scribed in the previous proviso shall incur no additional
3 cost to the Department of Veterans Affairs: *Provided fur-*
4 *ther*, That for the Department of Defense/Department of
5 Veterans Affairs Health Care Sharing Incentive Fund, as
6 authorized by section 8111(d) of title 38, United States
7 Code, a minimum of \$15,000,000 shall remain available
8 until expended for any purpose authorized by section 8111
9 of title 38, United States Code.

10 MEDICAL SUPPORT AND COMPLIANCE

11 For necessary expenses in the administration of the
12 medical, hospital, nursing home, domiciliary, construction,
13 supply, and research activities, as authorized by law; ad-
14 ministrative expenses in support of capital policy activi-
15 ties; and administrative and legal expenses of the Depart-
16 ment for collecting and recovering amounts owed the De-
17 partment as authorized under chapter 17 of title 38,
18 United States Code, and the Federal Medical Care Recov-
19 ery Act (42 U.S.C. 2651 et seq.); \$10,237,000,000, plus
20 reimbursements, of which \$5,307,000,000 shall become
21 available on October 1, 2010, and shall remain available
22 until September 30, 2011: *Provided*, That, of the amount
23 made available under this heading for fiscal year 2010,
24 not to exceed \$145,000,000 shall remain available until
25 September 30, 2011.

1 MEDICAL FACILITIES

2 For necessary expenses for the maintenance and op-
3 eration of hospitals, nursing homes, and domiciliary facili-
4 ties and other necessary facilities of the Veterans Health
5 Administration; for administrative expenses in support of
6 planning, design, project management, real property ac-
7 quisition and disposition, construction, and renovation of
8 any facility under the jurisdiction or for the use of the
9 Department; for oversight, engineering, and architectural
10 activities not charged to project costs; for repairing, alter-
11 ing, improving, or providing facilities in the several hos-
12 pitals and homes under the jurisdiction of the Depart-
13 ment, not otherwise provided for, either by contract or by
14 the hire of temporary employees and purchase of mate-
15 rials; for leases of facilities; and for laundry services,
16 \$10,599,000,000, plus reimbursements, of which
17 \$5,740,000,000 shall become available on October 1,
18 2010, and shall remain available until September 30,
19 2011: *Provided*, That, of the amount made available under
20 this heading for fiscal year 2010, not to exceed
21 \$145,000,000 shall remain available until September 30,
22 2011: *Provided further*, That, of the amount available for
23 fiscal year 2010, \$130,000,000 for non-recurring mainte-
24 nance shall be allocated in a manner not subject to the
25 Veterans Equitable Resource Allocation.

1 MEDICAL AND PROSTHETIC RESEARCH

2 For necessary expenses in carrying out programs of
3 medical and prosthetic research and development as au-
4 thorized by chapter 73 of title 38, United States Code,
5 \$581,000,000, plus reimbursements, shall remain avail-
6 able until September 30, 2011.

7 NATIONAL CEMETERY ADMINISTRATION

8 For necessary expenses of the National Cemetery Ad-
9 ministration for operations and maintenance, not other-
10 wise provided for, including uniforms or allowances there-
11 for; cemeterial expenses as authorized by law; purchase
12 of one passenger motor vehicle for use in cemeterial oper-
13 ations; hire of passenger motor vehicles; and repair, alter-
14 ation or improvement of facilities under the jurisdiction
15 of the National Cemetery Administration, \$250,000,000,
16 of which not to exceed \$24,200,000 shall remain available
17 until September 30, 2011.

18 DEPARTMENTAL ADMINISTRATION

19 GENERAL OPERATING EXPENSES

20 For necessary operating expenses of the Department
21 of Veterans Affairs, not otherwise provided for, including
22 administrative expenses in support of Department-Wide
23 capital planning, management and policy activities, uni-
24 forms, or allowances therefor; not to exceed \$25,000 for
25 official reception and representation expenses; hire of pas-

1 senger motor vehicles; and reimbursement of the General
2 Services Administration for security guard services, and
3 the Department of Defense for the cost of overseas em-
4 ployee mail, \$2,086,707,000: *Provided*, That expenses for
5 services and assistance authorized under paragraphs (1),
6 (2), (5), and (11) of section 3104(a) of title 38, United
7 States Code, that the Secretary of Veterans Affairs deter-
8 mines are necessary to enable entitled veterans: (1) to the
9 maximum extent feasible, to become employable and to ob-
10 tain and maintain suitable employment; or (2) to achieve
11 maximum independence in daily living, shall be charged
12 to this account: *Provided further*, That the Veterans Bene-
13 fits Administration shall be funded at not less than
14 \$1,689,207,000: *Provided further*, That of the funds made
15 available under this heading, not to exceed \$111,000,000
16 shall remain available until September 30, 2011: *Provided*
17 *further*, That from the funds made available under this
18 heading, the Veterans Benefits Administration may pur-
19 chase (on a one-for-one replacement basis only) up to two
20 passenger motor vehicles for use in operations of that Ad-
21 ministration in Manila, Philippines.

22 INFORMATION TECHNOLOGY SYSTEMS

23 For necessary expenses for information technology
24 systems and telecommunications support, including devel-
25 opmental information systems and operational information

1 systems; for pay and associated costs; and for the capital
2 asset acquisition of information technology systems, in-
3 cluding management and related contractual costs of said
4 acquisitions, including contractual costs associated with
5 operations authorized by section 3109 of title 5, United
6 States Code, \$3,307,000,000, plus reimbursements, shall
7 remain available until September 30, 2011: *Provided,*
8 That none of the funds made available under this heading
9 may be obligated until the Department of Veterans Affairs
10 submits to the Committees on Appropriations of both
11 Houses of Congress, and such Committees approve, a plan
12 for expenditure that: (1) meets the capital planning and
13 investment control review requirements established by the
14 Office of Management and Budget; (2) complies with the
15 Department of Veterans Affairs enterprise architecture;
16 (3) conforms with an established enterprise life cycle
17 methodology; and (4) complies with the acquisition rules,
18 requirements, guidelines, and systems acquisition manage-
19 ment practices of the Federal Government: *Provided fur-*
20 *ther,* That not later than 30 days after the date of the
21 enactment of this Act, the Secretary of Veterans Affairs
22 shall submit to the Committees on Appropriations of both
23 Houses of Congress a reprogramming base letter which
24 sets forth, by project, the ~~O~~perations and ~~M~~aintenance
25 costs, with salary expenses separately designated, and de-

(l.c.)

1 velopment costs to be carried out utilizing amounts made
2 available under this heading: *Provided further*, That of the
3 amounts made available under this heading, \$800,485,000
4 may not be obligated or expended until the Secretary of
5 Veterans Affairs or the Chief Information Officer of the
6 Department of Veterans Affairs submits to the Commit-
7 tees on Appropriations of both Houses of Congress a cer-
8 tification of the amounts, in parts or in full, to be obli-
9 gated and expended for each development project.

10 OFFICE OF INSPECTOR GENERAL

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

16 CONSTRUCTION, MAJOR PROJECTS

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

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

1 fiscal year 2010, for each approved project shall be obli-
2 gated: (1) by the awarding of a construction documents
3 contract by September 30, 2010; and (2) by the awarding
4 of a construction contract by September 30, 2011: *Pro-*
5 *vided 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
9 incurred within the time limitations established above:
10 *Provided further*, That of the funds made available under
11 this heading, \$933,030,000 shall be for the projects and
12 activities, and in the amounts, specified under this heading
13 in the explanatory statement of managers to accompany
14 this Act.

15 CONSTRUCTION, MINOR PROJECTS

16 For constructing, altering, extending, and improving
17 any of the facilities, including parking projects, under the
18 jurisdiction or for the use of the Department of Veterans
19 Affairs, including planning and assessments of needs
20 which may lead to capital investments, architectural and
21 engineering services, maintenance or guarantee period
22 services costs associated with equipment guarantees pro-
23 vided under the project, services of claims analysts, offsite
24 utility and storm drainage system construction costs, and
25 site acquisition, or for any of the purposes set forth in

1 sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109,
2 8110, 8122, and 8162 of title 38, United States Code,
3 where the estimated cost of a project is equal to or less
4 than the amount set forth in section 8104(a)(3)(A) of title
5 38, United States Code, \$703,000,000, to remain avail-
6 able until expended, along with unobligated balances of
7 previous "Construction, minor projects" appropriations
8 which are hereby made available for any project where the
9 estimated cost is equal to or less than the amount set forth
10 in such section: *Provided*, That funds made available
11 under this heading shall be for: (1) repairs to any of the
12 nonmedical facilities under the jurisdiction or for the use
13 of the Department which are necessary because of loss or
14 damage caused by any natural disaster or catastrophe;
15 and (2) temporary measures necessary to prevent or to
16 minimize further loss by such causes.

17 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
18 FACILITIES

19 For grants to assist States to acquire or construct
20 State nursing home and domiciliary facilities and to re-
21 model, modify, or alter existing hospital, nursing home,
22 and domiciliary facilities in State homes, for furnishing
23 care to veterans as authorized by sections 8131 through
24 8137 of title 38, United States Code, \$100,000,000, to
25 remain available until expended.

1 “Medical support and compliance” accounts of 1 percent
2 or less of the total amount appropriated to the account
3 in this or any other Act may take place subject to notifica-
4 tion from the Secretary of Veterans Affairs to the Com-
5 mittees on Appropriations of both Houses of Congress of
6 the amount and purpose of the transfer: *Provided further*,
7 That any transfers between the “Medical services” and
8 “Medical support and compliance” accounts in excess of
9 1 percent, or exceeding the cumulative 1 percent for the
10 fiscal year, may take place only after the Secretary re-
11 quests from the Committees on Appropriations of both
12 Houses of Congress the authority to make the transfer
13 and an approval is issued: *Provided further*, That any
14 transfers to or from the “Medical facilities” account may
15 take place only after the Secretary requests from the Com-
16 mittees on Appropriations of both Houses of Congress the
17 authority to make the transfer and an approval is issued.

18 SEC. 203. Appropriations available in this title for
19 salaries and expenses shall be available for services au-
20 thorized by section 3109 of title 5, United States Code,
21 hire of passenger motor vehicles; lease of a facility or land
22 or both; and uniforms or allowances therefore, as author-
23 ized by sections 5901 through 5902 of title 5, United
24 States Code.

1 SEC. 204. No appropriations in this title (except the
2 appropriations for “Construction, major projects”, and
3 “Construction, minor projects”) shall be available for the
4 purchase of any site for or toward the construction of any
5 new hospital or home.

6 SEC. 205. No appropriations in this title shall be
7 available for hospitalization or examination of any persons
8 (except beneficiaries entitled to such hospitalization or ex-
9 amination under the laws providing such benefits to vet-
10 erans, and persons receiving such treatment under sec-
11 tions 7901 through 7904 of title 5, United States Code,
12 or the Robert T. Stafford Disaster Relief and Emergency
13 Assistance Act (42 U.S.C. 5121 et seq.)), unless reim-
14 bursement of the cost of such hospitalization or examina-
15 tion is made to the “Medical services” account at such
16 rates as may be fixed by the Secretary of Veterans Affairs.

17 SEC. 206. Appropriations available in this title for
18 “Compensation and pensions”, “Readjustment benefits”,
19 and “Veterans insurance and indemnities” shall be avail-
20 able for payment of prior year accrued obligations re-
21 quired to be recorded by law against the corresponding
22 prior year accounts within the last quarter of fiscal year
23 2009.

24 SEC. 207. Appropriations available in this title shall
25 be available to pay prior year obligations of corresponding

1 prior year appropriations accounts resulting from sections
2 3328(a), 3334, and 3712(a) of title 31, United States
3 Code, except that if such obligations are from trust fund
4 accounts they shall be payable only from "Compensation
5 and pensions".

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 208. Notwithstanding any other provision of
8 law, during fiscal year 2010, the Secretary of Veterans
9 Affairs shall, from the National Service Life Insurance
10 Fund under section 1920 of title 38, United States Code,
11 the Veterans' Special Life Insurance Fund under section
12 1923 of title 38, United States Code, and the United
13 States Government Life Insurance Fund under section
14 1955 of title 38, United States Code, reimburse the "Gen-
15 eral operating expenses" and "Information technology sys-
16 tems" accounts for the cost of administration of the insur-
17 ance programs financed through those accounts: *Provided*,
18 That reimbursement shall be made only from the surplus
19 earnings accumulated in such an insurance program dur-
20 ing fiscal year 2010 that are available for dividends in that
21 program after claims have been paid and actuarially deter-
22 mined reserves have been set aside: *Provided further*, That
23 if the cost of administration of such an insurance program
24 exceeds the amount of surplus earnings accumulated in
25 that program, reimbursement shall be made only to the

1 extent of such surplus earnings: *Provided further*, That the
2 Secretary shall determine the cost of administration for
3 fiscal year 2010 which is properly allocable to the provi-
4 sion of each such insurance program and to the provision
5 of any total disability income insurance included in that
6 insurance program.

7 SEC. 209. Amounts deducted from enhanced-use
8 lease proceeds to reimburse an account for expenses in-
9 curred by that account during a prior fiscal year for pro-
10 viding enhanced-use lease services, may be obligated dur-
11 ing the fiscal year in which the proceeds are received.

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 210. Funds available in this title or funds for
14 salaries and other administrative expenses shall also be
15 available to reimburse the Office of Resolution Manage-
16 ment of the Department of Veterans Affairs and the Of-
17 fice of Employment Discrimination Complaint Adjudica-
18 tion under section 319 of title 38, United States Code,
19 for all services provided at rates which will recover actual
20 costs but not exceed \$35,257,000 for the Office of Resolu-
21 tion Management and \$3,287,000 for the Office of Em-
22 ployment and Discrimination Complaint Adjudication:
23 *Provided*, That payments may be made in advance for
24 services to be furnished based on estimated costs: *Provided*
25 *further*, That amounts received shall be credited to the

1 “General operating expenses” and “Information tech-
2 nology systems” accounts for use by the office that pro-
3 vided the service.

4 SEC. 211. No appropriations in this title shall be
5 available to enter into any new lease of real property if
6 the estimated annual rental cost is more than \$1,000,000,
7 unless the Secretary submits a report which the Commit-
8 tees on Appropriations of both Houses of Congress ap-
9 prove within 30 days following the date on which the re-
10 port is received.

11 SEC. 212. No funds of the Department of Veterans
12 Affairs shall be available for hospital care, nursing home
13 care, or medical services provided to any person under
14 chapter 17 of title 38, United States Code, for a non-serv-
15 ice-connected disability described in section 1729(a)(2) of
16 such title, unless that person has disclosed to the Sec-
17 retary of Veterans Affairs, in such form as the Secretary
18 may require, current, accurate third-party reimbursement
19 information for purposes of section 1729 of such title: *Pro-*
20 *vided*, That the Secretary may recover, in the same man-
21 ner as any other debt due the United States, the reason-
22 able charges for such care or services from any person who
23 does not make such disclosure as required: *Provided fur-*
24 *ther*, That any amounts so recovered for care or services
25 provided in a prior fiscal year may be obligated by the

1 Secretary during the fiscal year in which amounts are re-
2 ceived.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 213. Notwithstanding any other provision of
5 law, proceeds or revenues derived from enhanced-use leas-
6 ing activities (including disposal) may be deposited into
7 the “Construction, major projects” and “Construction,
8 minor projects” accounts and be used for construction (in-
9 cluding site acquisition and disposition), alterations, and
10 improvements of any medical facility under the jurisdic-
11 tion or for the use of the Department of Veterans Affairs.
12 Such sums as realized are in addition to the amount pro-
13 vided for in “Construction, major projects” and “Con-
14 struction, minor projects”.

15 SEC. 214. Amounts made available under “Medical
16 services” are available—

17 (1) for furnishing recreational facilities, sup-
18 plies, and equipment; and

19 (2) for funeral expenses, burial expenses, and
20 other expenses incidental to funerals and burials for
21 beneficiaries receiving care in the Department.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 215. Such sums as may be deposited to the
24 Medical Care Collections Fund pursuant to section 1729A
25 of title 38, United States Code, may be transferred to

1 “Medical services”, to remain available until expended for
2 the purposes of that account.

3 SEC. 216. The Secretary of Veterans Affairs may
4 enter into agreements with Indian tribes and tribal organi-
5 zations which are party to the Alaska Native Health Com-
6 pact with the Indian Health Service, and Indian tribes and
7 tribal organizations serving rural Alaska which have en-
8 tered into contracts with the Indian Health Service under
9 the Indian Self Determination and Educational Assistance
10 Act, to provide healthcare, including behavioral health and
11 dental care. The Secretary shall require participating vet-
12 erans and facilities to comply with all appropriate rules
13 and regulations, as established by the Secretary. The term
14 “rural Alaska” shall mean those lands sited within the ex-
15 ternal boundaries of the Alaska Native regions specified
16 in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native
17 Claims Settlement Act, as amended (43 U.S.C. 1606), and
18 those lands within the Alaska Native regions specified in
19 sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims
20 Settlement Act, as amended (43 U.S.C. 1606), which are
21 not within the boundaries of the Municipality of Anchor-
22 age, the Fairbanks North Star Borough, the Kenai Penin-
23 sula Borough or the Matanuska Susitna Borough.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 217. Such sums as may be deposited to the De-
3 partment of Veterans Affairs Capital Asset Fund pursu-
4 ant to section 8118 of title 38, United States Code, may
5 be transferred to the "Construction, major projects" and
6 "Construction, minor projects" accounts, to remain avail-
7 able until expended for the purposes of these accounts.

8 SEC. 218. None of the funds made available in this
9 title may be used to implement any policy prohibiting the
10 Directors of the Veterans Integrated Services Networks
11 from conducting outreach or marketing to enroll new vet-
12 erans within their respective Networks.

13 SEC. 219. The Secretary of Veterans Affairs shall
14 submit to the Committees on Appropriations of both
15 Houses of Congress a quarterly report on the financial
16 status of the Veterans Health Administration.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 220. Amounts made available under the "Med-
19 ical services", "Medical support and compliance", "Med-
20 ical facilities", "General operating expenses", and "Na-
21 tional Cemetery Administration" accounts for fiscal year
22 2010, may be transferred to or from the "Information
23 technology systems" account: *Provided*, That before a
24 transfer may take place, the Secretary of Veterans Affairs
25 shall request from the Committees on Appropriations of

1 both Houses of Congress the authority to make the trans-
2 fer and an approval is issued.

3 SEC. 221. Amounts made available for the "Informa-
4 tion technology systems" account may be transferred be-
5 tween projects: *Provided*, That no project may be in-
6 creased or decreased by more than \$1,000,000 of cost
7 prior to submitting a request to the Committees on Appro-
8 priations of both Houses of Congress to make the transfer
9 and an approval is issued, or absent a response, a period
10 of 30 days has elapsed.

11 SEC. 222. (a) Upon a determination by the Secretary
12 of Veterans Affairs that such action is in the national in-
13 terest, and will have a direct benefit for veterans through
14 increased access to treatment, the Secretary of Veterans
15 Affairs may transfer not more than \$5,000,000 to the Sec-
16 retary of Health and Human Services for the Graduate
17 Psychology Education Program, which includes treatment
18 of veterans, to support increased training of psychologists
19 skilled in the treatment of post-traumatic stress disorder,
20 traumatic brain injury, and related disorders.

21 (b) The Secretary of Health and Human Services
22 may only use funds transferred under this section for the
23 purposes described in subsection (a).

24 (c) The Secretary of Veterans Affairs shall notify
25 Congress of any such transfer of funds under this section.

1 SEC. 223. None of the funds appropriated or other-
2 wise made available by this Act or any other Act for the
3 Department of Veterans Affairs may be used in a manner
4 that is inconsistent with—

5 (1) section 842 of the Transportation, Treas-
6 ury, Housing and Urban Development, the Judici-
7 ary, the District of Columbia, and Independent
8 Agencies Appropriations Act, 2006 (Public Law
9 109–115; 119 Stat. 2506); or

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

12 SEC. 224. Of the amounts made available to the De-
13 partment of Veterans Affairs for fiscal year 2010, in this
14 Act or any other Act, under the “Medical facilities” ac-
15 count for non-recurring maintenance, not more than 20
16 percent of the funds made available shall be obligated dur-
17 ing the last 2 months of that fiscal year: *Provided*, That
18 the Secretary may waive this requirement after providing
19 written notice to the Committees on Appropriations of
20 both Houses of Congress.

21 SEC. 225. Section 1925(d)(3) of title 38, United
22 States Code, is amended by striking “appropriation ‘Gen-
23 eral Operating Expenses, Department of Veterans Af-
24 fairs’” and inserting “appropriations for ‘General Oper-

1 ating Expenses and Information Technology Systems, De-
2 partment of Veterans Affairs’”.

3 SEC. 226. Section 1922(a) of title 38, United States
4 Code, is amended by striking “administrative costs to the
5 Government for the costs of” and inserting “administra-
6 tive support financed by the appropriations for ‘General
7 Operating Expenses, Department of Veterans Affairs’ and
8 ‘Information Technology Systems, Department of Vet-
9 erans Affairs’ for”.

10 SEC. 227. (a) Effective October 1, 2010, the North
11 Chicago Veterans Affairs Medical Center located in Lake
12 County, Illinois, shall be known and designated as the
13 “Captain James A. Lovell Federal Health Care Center”.

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

19 SEC. 228. Section 315(b) of title 38, United States
20 Code, is amended by striking “December 31, 2009” and
21 inserting “December 31, 2010”.

22 SEC. 229. Section 1714(e) of title 38, United States
23 Code is amended—

24 (1) in paragraph (1), by striking “and” at the
25 end;

1 (2) in paragraph (2), by striking the period and
2 inserting “; and”; and

3 (3) by adding at the end the following new
4 paragraph:

5 “(3) service dogs trained for the aid of persons
6 with mental illnesses, including post-traumatic stress
7 disorder, to veterans with such illnesses who are en-
8 rolled under section 1705 of this title.”.

9 SEC. 230. (a) The Department of Veterans Affairs
10 Medical Center in Louisville, Kentucky, and any successor
11 to such medical center, shall after the date of the enact-
12 ment of this Act be known and designated as the “Robley
13 Rex Department of Veterans Affairs Medical Center”.

14 (b) Any reference in any law, regulation, map, docu-
15 ment, record, or other paper of the United States to the
16 medical center referred to in subsection (a) shall be con-
17 sidered to be a reference to the Robley Rex Department
18 of Veterans Affairs Medical Center.

19 SEC. 231. (a) Section 2703(b) of the Emergency Sup-
20 plemental Appropriations Act for Defense, the Global War
21 on Terror, and Hurricane Recovery, 2006 (Public Law
22 109–234; 120 Stat. 469), as amended by section 231 of
23 the Military Construction and Veterans Affairs and Re-
24 lated Agencies Appropriations Act, 2009 (division E of
25 Public Law 110–329; 122 Stat. 3713), is further amended

1 by inserting after “the City of Gulfport” the following: “,
2 or its urban renewal agency,”.

3 (b) The Secretary of Veterans Affairs shall take ap-
4 propriate actions to modify the quitclaim deeds executed
5 to effectuate the conveyance authorized by section 2703
6 of the Emergency Supplemental Appropriations Act for
7 Defense, the Global War on Terror, and Hurricane Recov-
8 ery, 2006, in order to accurately reflect and memorialize
9 the amendment made by subsection (a).

10 SEC. 232. Of the amounts appropriated or otherwise
11 made available by this title, the Secretary may execute
12 \$5,000,000 for cooperative agreements with State and
13 local government entities or their designees with a dem-
14 onstrated record of serving veterans to conduct outreach
15 to ensure that veterans in underserved areas receive the
16 care and benefits for which they are eligible.

1

TITLE III

2

RELATED AGENCIES

3

AMERICAN BATTLE MONUMENTS COMMISSION

4

SALARIES AND EXPENSES

5

For necessary expenses, not otherwise provided for,

6

of the American Battle Monuments Commission, including

7

the acquisition of land or interest in land in foreign coun-

8

tries; purchases and repair of uniforms for caretakers of

9

national cemeteries and monuments outside of the United

10

States and its territories and possessions; rent of office

11

and garage space in foreign countries; purchase (one-for-

12

one replacement basis only) and hire of passenger motor

13

vehicles; not to exceed \$7,500 for official reception and

14

representation expenses; and insurance of official motor

15

vehicles in foreign countries, when required by law of such

16

countries, \$62,675,000, to remain available until ex-

17

pendent.

18

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

19

For necessary expenses, not otherwise provided for,

20

of the American Battle Monuments Commission, such

21

sums as may be necessary, to remain available until ex-

22

pendent, for purposes authorized by section 2109 of title

23

36, United States Code.

1 UNITED STATES COURT OF APPEALS FOR VETERANS

2 CLAIMS

3 SALARIES AND EXPENSES

4 For necessary expenses for the operation of the
5 United States Court of Appeals for Veterans Claims as
6 authorized by sections 7251 through 7298 of title 38,
7 United States Code, \$27,115,000, of which \$1,820,000
8 shall be available for the purpose of providing financial
9 assistance as described, and in accordance with the proc-
10 ess and reporting procedures set forth, under this heading
11 in Public Law 102-229.

12 DEPARTMENT OF DEFENSE—CIVIL

13 CEMETERIAL EXPENSES, ARMY

14 SALARIES AND EXPENSES

15 For necessary expenses, as authorized by law, for
16 maintenance, operation, and improvement of Arlington
17 National Cemetery and Soldiers' and Airmen's Home Na-
18 tional Cemetery, including the purchase of two passenger
19 motor vehicles for replacement only, and not to exceed
20 \$1,000 for official reception and representation expenses,
21 \$39,850,000, to remain available until expended: *Pro-*
22 *vided*, That none of the funds available under this heading
23 shall be for construction of a perimeter wall at Arlington
24 National Cemetery. In addition, such sums as may be nec-
25 essary for parking maintenance, repairs and replacement,

1 to be derived from the Lease of Department of Defense
2 Real Property for Defense Agencies account.

3 Funds appropriated under this Act may be provided
4 to Arlington County, Virginia, for the relocation of the
5 federally-owned water main at Arlington National Ceme-
6 tery making additional land available for ground burials.

7 ARMED FORCES RETIREMENT HOME

8 TRUST FUND

9 For expenses necessary for the Armed Forces Retire-
10 ment Home to operate and maintain the Armed Forces
11 Retirement Home—Washington, District of Columbia,
12 and the Armed Forces Retirement Home—Gulfport, Mis-
13 sissippi, to be paid from funds available in the Armed
14 Forces Retirement Home Trust Fund, \$134,000,000, of
15 which \$72,000,000 shall remain available until expended
16 for construction and renovation of the physical plants at
17 the Armed Forces Retirement Home—Washington, Dis-
18 trict of Columbia, and the Armed Forces Retirement
19 Home—Gulfport, Mississippi.

1 TITLE IV
2 OVERSEAS CONTINGENCY OPERATIONS
3 DEPARTMENT OF DEFENSE
4 MILITARY CONSTRUCTION, ARMY

5 For an additional amount for "Military Construction,
6 Army", \$924,484,000, to remain available until Sep-
7 tember 30, 2012: *Provided*, That the amount appropriated
8 in this paragraph shall be for the projects and activities,
9 and in the amounts, specified under the heading "Army"
10 in the table entitled "Overseas Contingency Operations"
11 in the explanatory statement of managers to accompany
12 this Act.

13 MILITARY CONSTRUCTION, AIR FORCE

14 For an additional amount for "Military Construction,
15 Air Force", \$474,500,000, to remain available until Sep-
16 tember 30, 2012: *Provided*, That the amount appropriated
17 in this paragraph shall be for the projects and activities,
18 and in the amounts, specified under the heading "Air
19 Force" in the table entitled "Overseas Contingency Oper-
20 ations" in the explanatory statement of managers to ac-
21 company this Act.

22 ADMINISTRATIVE PROVISION

23 SEC. 401. Amounts appropriated or otherwise made
24 available by this title are designated as being for overseas
25 deployments and other activities pursuant to sections

1 401(c)(4) and 423(a)(1) of S. Con. Res. 13 (111th Con-
2 gress), the concurrent resolution on the budget for fiscal
3 year 2010.

1

TITLE V

2

GENERAL PROVISIONS

3

SEC. 501. No part of any appropriation contained in
4 this Act shall remain available for obligation beyond the
5 current fiscal year unless expressly so provided herein.

6

SEC. 502. Such sums as may be necessary for fiscal
7 year 2010 for pay raises for programs funded by this Act
8 shall be absorbed within the levels appropriated in this
9 Act.

10

SEC. 503. None of the funds made available in this
11 Act may be used for any program, project, or activity,
12 when it is made known to the Federal entity or official
13 to which the funds are made available that the program,
14 project, or activity is not in compliance with any Federal
15 law relating to risk assessment, the protection of private
16 property rights, or unfunded mandates.

17

SEC. 504. No part of any funds appropriated in this
18 Act shall be used by an agency of the executive branch,
19 other than for normal and recognized executive-legislative
20 relationships, for publicity or propaganda purposes, and
21 for the preparation, distribution, or use of any kit, pam-
22 phlet, booklet, publication, radio, television, or film presen-
23 tation designed to support or defeat legislation pending
24 before Congress, except in presentation to Congress itself.

1 SEC. 505. All departments and agencies funded under
2 this Act are encouraged, within the limits of the existing
3 statutory authorities and funding, to expand their use of
4 “E-Commerce” technologies and procedures in the con-
5 duct of their business practices and public service activi-
6 ties.

7 SEC. 506. None of the funds made available in this
8 Act may be transferred to any department, agency, or in-
9 strumentality of the United States Government except
10 pursuant to a transfer made by, or transfer authority pro-
11 vided in, this or any other appropriations Act.

12 SEC. 507. Unless stated otherwise, all reports and no-
13 tifications required by this Act shall be submitted to the
14 Subcommittee on Military Construction and Veterans Af-
15 fairs, and Related Agencies of the Committee on Appro-
16 priations of the House of Representatives and the Sub-
17 committee on Military Construction and Veterans Affairs,
18 and Related Agencies of the Committee on Appropriations
19 of the Senate.

20 SEC. 508. None of the funds made available in this
21 Act may be used for a project or program named for an
22 individual serving as a Member, Delegate, or Resident
23 Commissioner of the United States House of Representa-
24 tives.

1 SEC. 509. None of the funds made available in this
2 Act may be used for the processing of new enhanced use
3 leases at the National Homes for Disabled Volunteer Sol-
4 diers located in Milwaukee, Wisconsin.

5 SEC. 510. (a) Any agency receiving funds made avail-
6 able in this Act, shall, subject to subsections (b) and (c),
7 post on the public website of that agency any report re-
8 quired to be submitted by the Congress in this or any
9 other Act, upon the determination by the head of the agen-
10 cy that it shall serve the national interest.

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

12 (1) the public posting of the report com-
13 promises national security; or

14 (2) the report contains confidential or propri-
15 etary information.

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

20 SEC. 511. None of the funds made available in this
21 division or any other division in this Act may be distrib-
22 uted to the Association of Community Organizations for
23 Reform Now (ACORN) or its subsidiaries.

1 This division may be cited as the “Military Construc-
2 tion and Veterans Affairs and Related Agencies Appro-
3 priations Act, 2010”.