

In the Senate of the United States,

September 22, 2005.

Resolved, That the bill from the House of Representatives (H.R. 2528) entitled “An Act making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.”, do pass with the following

AMENDMENTS:

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 mili-*
- 3 *tary quality of life functions of the Department of Defense,*
- 4 *military construction, the Department of Veterans Affairs,*
- 5 *and related agencies for the fiscal year ending September*
- 6 *30, 2006, and for other purposes, namely:*

1 *TITLE I—MILITARY CONSTRUCTION*2 *MILITARY CONSTRUCTION, ARMY*

3 *For acquisition, construction, installation, and equip-*
4 *ment of temporary or permanent public works, military in-*
5 *stallations, facilities, and real property for the Army as*
6 *currently authorized by law, including personnel in the*
7 *Army Corps of Engineers and other personal services nec-*
8 *essary for the purposes of this appropriation, and for con-*
9 *struction and operation of facilities in support of the func-*
10 *tions of the Commander in Chief, \$1,640,641,000, to remain*
11 *available until September 30, 2010: Provided, That of this*
12 *amount, not to exceed \$179,343,000 shall be available for*
13 *study, planning, design, architect and engineer services,*
14 *and host nation support, as authorized by law, unless the*
15 *Secretary of Defense determines that additional obligations*
16 *are necessary for such purposes and notifies the Committees*
17 *on Appropriations of both Houses of Congress of the deter-*
18 *mination and the reasons therefor: Provided further, That*
19 *of the amount provided for Military Construction, Army,*
20 *\$8,900,000 shall be available for Phase 1a of a Permanent*
21 *Party Barracks at Fort Leonard Wood, Missouri, and*
22 *\$3,150,000 shall be available for an Airfield Fire Station*
23 *at Fort Sill, Oklahoma.*

1 *MILITARY CONSTRUCTION, NAVY AND MARINE CORPS*2 *(INCLUDING RESCISSION OF FUNDS)*

3 *For acquisition, construction, installation, and equip-*
4 *ment of temporary or permanent public works, naval in-*
5 *stallations, facilities, and real property for the Navy and*
6 *Marine Corps as currently authorized by law, including*
7 *personnel in the Naval Facilities Engineering Command*
8 *and other personal services necessary for the purposes of this*
9 *appropriation, \$1,045,882,000, to remain available until*
10 *September 30, 2010: Provided, That of this amount, not to*
11 *exceed \$32,524,000 shall be available for study, planning,*
12 *design, and architect and engineer services, as authorized*
13 *by law, unless the Secretary of Defense determines that ad-*
14 *ditional obligations are necessary for such purposes and no-*
15 *tifies the Committees on Appropriations of both Houses of*
16 *Congress of the determination and the reasons therefor: Pro-*
17 *vided further, That of the funds appropriated for “Military*
18 *Construction, Navy” under Public Law 108–324,*
19 *\$92,354,000 are hereby rescinded.*

20 *MILITARY CONSTRUCTION, AIR FORCE*

21 *For acquisition, construction, installation, and equip-*
22 *ment of temporary or permanent public works, military in-*
23 *stallations, facilities, and real property for the Air Force*
24 *as currently authorized by law, \$1,209,128,000, to remain*
25 *available until September 30, 2010: Provided, That of this*

1 amount, not to exceed \$83,626,000 shall be available for
2 study, planning, design, and architect and engineer serv-
3 ices, as authorized by law, unless the Secretary of Defense
4 determines that additional obligations are necessary for
5 such purposes and notifies the Committees on Appropria-
6 tions of both Houses of Congress of the determination and
7 the reasons therefor: Provided further, That of the amount
8 provided for Military Construction, Air Force, \$5,721,000
9 shall be available for a B-2 Conventional Munitions Stor-
10 age Facility at Whiteman Air Force Base, Missouri, and
11 \$14,000,000 for Phase 1 of Force Protection Enhancement
12 at Vance Air Force Base, Oklahoma.

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 *\$1,072,165,000, to remain available until September 30,*
21 *2010: 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 \$133,120,000 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.*

10 *MILITARY CONSTRUCTION, ARMY NATIONAL GUARD*

11 *For construction, acquisition, expansion, rehabilita-*
12 *tion, and conversion of facilities for the training and ad-*
13 *ministration of the Army National Guard, and contribu-*
14 *tions therefor, as authorized by chapter 1803 of title 10,*
15 *United States Code, and Military Construction Authoriza-*
16 *tion Acts, \$467,146,000, to remain available until Sep-*
17 *tember 30, 2010.*

18 *MILITARY CONSTRUCTION, AIR NATIONAL GUARD*

19 *For construction, acquisition, expansion, rehabilita-*
20 *tion, and conversion of facilities for the training and ad-*
21 *ministration of the Air National Guard, and contributions*
22 *therefor, as authorized by chapter 1803 of title 10, United*
23 *States Code, and Military Construction Authorization Acts,*
24 *\$279,156,000, to remain available until September 30,*
25 *2010.*

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, \$136,077,000, to remain*
7 *available until September 30, 2010.*

8 *MILITARY CONSTRUCTION, NAVAL RESERVE*

9 *For construction, acquisition, expansion, rehabilita-*
10 *tion, and conversion of facilities for the training and ad-*
11 *ministration of the reserve components of the Navy and Ma-*
12 *rine Corps as authorized by chapter 1803 of title 10, United*
13 *States Code, and Military Construction Authorization Acts,*
14 *\$46,676,000, to remain available until September 30, 2010.*

15 *MILITARY CONSTRUCTION, AIR FORCE RESERVE*

16 *For construction, acquisition, expansion, rehabilita-*
17 *tion, and conversion of facilities for the training and ad-*
18 *ministration of the Air Force Reserve as authorized by*
19 *chapter 1803 of title 10, United States Code, and Military*
20 *Construction Authorization Acts, \$89,260,000, to remain*
21 *available until September 30, 2010.*

22 *NORTH ATLANTIC TREATY ORGANIZATION*

23 *SECURITY INVESTMENT PROGRAM*

24 *For the United States share of the cost of the North*
25 *Atlantic Treaty Organization Security Investment Pro-*

1 *gram for the acquisition and construction of military facili-*
2 *ties and installations (including international military*
3 *headquarters) and for related expenses for the collective de-*
4 *fense of the North Atlantic Treaty Area as authorized by*
5 *section 2806 of title 10, United States Code, and Military*
6 *Construction Authorization Acts, \$206,858,000, to remain*
7 *available until expended.*

8 *FAMILY HOUSING CONSTRUCTION, ARMY*

9 *For expenses of family housing for the Army for con-*
10 *struction, including acquisition, replacement, addition, ex-*
11 *pansion, extension, and alteration, as authorized by law,*
12 *\$549,636,000, to remain available until September 30,*
13 *2010.*

14 *FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY*

15 *For expenses of family housing for the Army for oper-*
16 *ation and maintenance, including debt payment, leasing,*
17 *minor construction, principal and interest charges, and in-*
18 *surance premiums, as authorized by law, \$812,993,000.*

19 *FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE*

20 *CORPS*

21 *For expenses of family housing for the Navy and Ma-*
22 *rine Corps for construction, including acquisition, replace-*
23 *ment, addition, expansion, extension, and alteration, as au-*
24 *thorized by law, \$218,942,000, to remain available until*
25 *September 30, 2010.*

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 *\$593,660,000.*

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 *\$1,142,622,000, to remain available until September 30,*
13 *2010.*

14 *FAMILY HOUSING OPERATION AND MAINTENANCE, AIR*
15 *FORCE*

16 *For expenses of family housing for the Air Force for*
17 *operation and maintenance, including debt payment, leas-*
18 *ing, minor construction, principal and interest charges,*
19 *and insurance premiums, as authorized by law,*
20 *\$766,939,000.*

21 *FAMILY HOUSING OPERATION AND MAINTENANCE,*
22 *DEFENSE-WIDE*

23 *For expenses of family housing for the activities and*
24 *agencies of the Department of Defense (other than the mili-*

1 tary departments) for operation and maintenance, leasing,
2 and minor construction, as authorized by law, \$46,391,000.

3 *DEPARTMENT OF DEFENSE FAMILY HOUSING*

4 *IMPROVEMENT FUND*

5 *For the Department of Defense Family Housing Im-*
6 *provement Fund, \$2,500,000, to remain available until ex-*
7 *pendent, for family housing initiatives undertaken pursuant*
8 *to section 2883 of title 10, United States Code, providing*
9 *alternative means of acquiring and improving military*
10 *family housing and supporting facilities.*

11 *DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990*

12 *For deposit into the Department of Defense Base Clo-*
13 *sure Account 1990, established by section 2906(a)(1) of the*
14 *Defense Base Closure and Realignment Act of 1990 (10*
15 *U.S.C. section 2687 note), \$377,827,000, to remain avail-*
16 *able until expended.*

17 *DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005*

18 *For deposit into the Department of Defense Base Clo-*
19 *sure Account 2005, established by section 2906A(a)(1) of the*
20 *Defense Base Closure and Realignment Act of 1990 (10*
21 *U.S.C. section 2687 note), \$1,504,466,000, to remain avail-*
22 *able until expended: Provided, That these funds may not*
23 *be obligated or expended until the Secretary of Defense sub-*
24 *mits to the congressional defense committees and receives*
25 *approval of a report describing the specific programs,*

1 *projects, and activities for which such funds are to be obli-*
2 *gated.*

3 *GENERAL PROVISIONS*

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

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

12 *SEC. 103. Funds made available in this title may be*
13 *used for advances to the Federal Highway Administration,*
14 *Department of Transportation, for the construction of ac-*
15 *cess roads as authorized by section 210 of title 23, United*
16 *States Code, when projects authorized therein are certified*
17 *as important to the national defense by the Secretary of*
18 *Defense.*

19 *SEC. 104. None of the funds made available in this*
20 *title may be used to begin construction of new bases in the*
21 *United States for which specific appropriations have not*
22 *been made.*

23 *SEC. 105. None of the funds made available in this*
24 *title shall be used for purchase of land or land easements*
25 *in excess of 100 percent of the value as determined by the*

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

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

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 made available in this*
24 *title may be used to pay real property taxes in any foreign*
25 *nation.*

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

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

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

1 *for which the lowest responsive and responsible bid is sub-*
2 *mitted by a Marshallese contractor.*

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

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

14 *(TRANSFER OF FUNDS)*

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

20 *SEC. 116. For military construction or family housing*
21 *projects that are being completed with funds otherwise ex-*
22 *pired or lapsed for obligation, expired or lapsed funds may*
23 *be used to pay the cost of associated supervision, inspection,*
24 *overhead, engineering and design on those projects and on*
25 *subsequent claims, if any.*

1 *Amendments and Base Closure and Realignment Act (Pub-*
2 *lic Law 100–526) pursuant to section 207(a)(2)(C) of such*
3 *Act, may be transferred to the account established by section*
4 *2906(a)(1) of the Defense Base Closure and Realignment*
5 *Act of 1990 (10 U.S.C. section 2687 note), to be merged*
6 *with, and to be available for the same purposes and the*
7 *same time period as that account.*

8 *(TRANSFER OF FUNDS)*

9 *SEC. 120. Subject to 30 days prior notification to the*
10 *Committees on Appropriations of both Houses of Congress,*
11 *such additional amounts as may be determined by the Sec-*
12 *retary of Defense may be transferred to: (1) the Department*
13 *of Defense Family Housing Improvement Fund from*
14 *amounts appropriated for construction in “Family Hous-*
15 *ing” accounts, to be merged with and to be available for*
16 *the same purposes and for the same period of time as*
17 *amounts appropriated directly to the Fund; or (2) the De-*
18 *partment of Defense Military Unaccompanied Housing Im-*
19 *provement Fund from amounts appropriated for construc-*
20 *tion of military unaccompanied housing in “Military Con-*
21 *struction” accounts, to be merged with and to be available*
22 *for the same purposes and for the same period of time as*
23 *amounts appropriated directly to the Fund: Provided, That*
24 *appropriations made available to the Funds shall be avail-*
25 *able to cover the costs, as defined in section 502(5) of the*
26 *Congressional Budget Act of 1974, of direct loans or loan*

1 *guarantees issued by the Department of Defense pursuant*
2 *to the provisions of subchapter IV of chapter 169, title 10,*
3 *United States Code, pertaining to alternative means of ac-*
4 *quiring and improving military family housing, military*
5 *unaccompanied housing, and supporting facilities.*

6 *SEC. 121. None of the funds made available in this*
7 *title may be obligated for Partnership for Peace Programs*
8 *in the New Independent States of the former Soviet Union.*

9 *SEC. 122. (a) Not later than 60 days before issuing*
10 *any solicitation for a contract with the private sector for*
11 *military family housing the Secretary of the military de-*
12 *partment concerned shall submit to the Committees on Ap-*
13 *propriations of both Houses of Congress the notice described*
14 *in subsection (b).*

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

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

22 *(B) a reduction in force of units stationed at*
23 *such installation; or*

24 *(C) the extended deployment overseas of units*
25 *stationed at such installation.*

1 *if the limitation is exceeded solely due to costs associated*
2 *with environmental remediation that could not be reason-*
3 *ably anticipated at the time of the budget submission: Pro-*
4 *vided further, That the Under Secretary of Defense (Comp-*
5 *troller) is to report annually to the Committees on Appro-*
6 *priations of both Houses of Congress all operation and*
7 *maintenance expenditures for each individual general or*
8 *flag officer quarters for the prior fiscal year.*

9 *SEC. 125. None of the funds made available in this*
10 *title may be transferred to any department, agency, or in-*
11 *strumentality of the United States Government, except pur-*
12 *suant to a transfer made by, or transfer authority provided*
13 *in this Act, or any other appropriations Act.*

14 *SEC. 126. None of the funds made available in this*
15 *title under the heading “North Atlantic Treaty Organiza-*
16 *tion Security Investment Program”, and no funds appro-*
17 *priated for any fiscal year before fiscal year 2006 for that*
18 *program that remain available for obligation, may be obli-*
19 *gated or expended for the conduct of studies of missile de-*
20 *fense.*

21 *SEC. 127. Amounts contained in the Ford Island Im-*
22 *provement Account established by subsection (h) of section*
23 *2814 of title 10, United States Code, are appropriated and*
24 *shall be available until expended for the purposes specified*

1 *in subsection (i)(1) of such section or until transferred pur-*
2 *suant to subsection (i)(3) of such section.*

3 *SEC. 128. None of the funds made available in this*
4 *title, or in any Act making appropriations for military*
5 *construction which remain available for obligation, may be*
6 *obligated or expended to carry out a military construction,*
7 *land acquisition, or family housing project at or for a mili-*
8 *tary installation approved for closure, or at a military in-*
9 *stallation for the purposes of supporting a function that has*
10 *been approved for realignment to another installation, in*
11 *2005 under the Defense Base Closure and Realignment Act*
12 *of 1990 (part A of title XXIX of Public Law 101–510; 10*
13 *U.S.C. section 2687 note), unless the Secretary of Defense*
14 *certifies that the cost to the United States of carrying out*
15 *such project would be less than the cost to the United States*
16 *of cancelling such project, or in the case of projects having*
17 *multi-agency use, that another Government agency has in-*
18 *dicated it will assume ownership of the completed project,*
19 *and the Secretary of Defense may not transfer funds made*
20 *available for such a military construction project, land ac-*
21 *quisition, or family housing project to another account or*
22 *use such funds for another purpose or project without the*
23 *prior approval of the Committees on Appropriations of both*
24 *Houses of Congress.*

1 *SEC. 129. Unless stated otherwise, all reports and noti-*
2 *fications required by this title shall be submitted to the Sub-*
3 *committee on Military Quality of Life and Veterans Affairs,*
4 *and Related Agencies of the Committee on Appropriations*
5 *of the House of Representatives and the Subcommittee on*
6 *Military Construction and Veterans Affairs, and Related*
7 *Agencies of the Committee on Appropriations of the Senate.*

8 *SEC. 130. Of the amount appropriated by this title*
9 *under the heading “MILITARY CONSTRUCTION, AIR NA-*
10 *TIONAL GUARD” and available for planning and design,*
11 *\$1,440,000 shall be available for planning and design for*
12 *a replacement C-130 maintenance hangar at Air National*
13 *Guard New Castle County Airport, Delaware.*

14 *SEC. 131. (a) Of the amount appropriated by this title*
15 *under the heading “MILITARY CONSTRUCTION, ARMY”,*
16 *\$4,550,000 shall be made available for the construction of*
17 *a military police complex at Fort Gordon, Georgia.*

18 *(b) The amount appropriated by this title under the*
19 *heading “MILITARY CONSTRUCTION, ARMY” and available*
20 *for Fort Gillem, Georgia, is hereby decreased by \$4,550,000.*

21 *SEC. 132. (a) The amount appropriated by this title*
22 *under the heading “DEPARTMENT OF DEFENSE BASE CLO-*
23 *SURE ACCOUNT 1990” is hereby increased by \$25,000,000.*

1 (b) *The amount appropriated by this title under the*
2 *heading “DEPARTMENT OF DEFENSE BASE CLOSURE AC-*
3 *COUNT 2005” is hereby decreased by \$25,000,000.*

4 *TITLE II—DEPARTMENT OF VETERANS AFFAIRS*

5 *VETERANS BENEFITS ADMINISTRATION*

6 *COMPENSATION AND PENSIONS*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For the payment of compensation benefits to or on be-*
9 *half of veterans and a pilot program for disability examina-*
10 *tions as authorized by law (38 U.S.C. 107, chapters 11, 13,*
11 *18, 51, 53, 55, and 61); pension benefits to or on behalf*
12 *of veterans as authorized by law (38 U.S.C. chapters 15,*
13 *51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, the*
14 *Reinstated Entitlement Program for Survivors, emergency*
15 *and other officers’ retirement pay, adjusted-service credits*
16 *and certificates, payment of premiums due on commercial*
17 *life insurance policies guaranteed under the provisions of*
18 *article IV of the Soldiers’ and Sailors’ Civil Relief Act of*
19 *1940 (50 U.S.C. App. 540 et seq.) and for other benefits*
20 *as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106,*
21 *chapters 23, 51, 53, 55, and 61; 50 U.S.C. App. 540–548;*
22 *43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198),*
23 *\$33,412,879,000, to remain available until expended: Pro-*
24 *vided, That not to exceed \$23,491,000 of the amount appro-*
25 *priated under this heading shall be reimbursed to “General*
26 *operating expenses” and “Medical administration” for nec-*

1 *essary expenses in implementing those provisions author-*
2 *ized in the Omnibus Budget Reconciliation Act of 1990, and*
3 *in the Veterans' Benefits Act of 1992 (38 U.S.C. chapters*
4 *51, 53, and 55), the funding source for which is specifically*
5 *provided as the "Compensation and pensions" appropria-*
6 *tion: Provided further, That such sums as may be earned*
7 *on an actual qualifying patient basis, shall be reimbursed*
8 *to "Medical care collections fund" to augment the funding*
9 *of individual medical facilities for nursing home care pro-*
10 *vided to pensioners as authorized.*

11 *READJUSTMENT BENEFITS*

12 *For the payment of readjustment and rehabilitation*
13 *benefits to or on behalf of veterans as authorized by law*
14 *(38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55,*
15 *and 61), \$3,214,246,000, to remain available until ex-*
16 *pended: Provided, That expenses for rehabilitation program*
17 *services and assistance which the Secretary is authorized*
18 *to provide under section 3104(a) of title 38, United States*
19 *Code, other than under subsection (a)(1), (2), (5), and (11)*
20 *of that 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*
25 *authorized by title 38, United States Code, chapter 19; 70*

1 *Stat. 887; 72 Stat. 487, \$45,907,000, to remain available*
2 *until expended.*

3 *VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM*

4 *ACCOUNT*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For the cost of direct and guaranteed loans, such sums*
7 *as may be necessary to carry out the program, as authorized*
8 *by title 38, United States Code, chapter 37: Provided, That*
9 *such costs, including the cost of modifying such loans, shall*
10 *be as defined in section 502 of the Congressional Budget*
11 *Act of 1974: Provided further, That during fiscal year 2006,*
12 *within the resources available, not to exceed \$500,000 in*
13 *gross obligations for direct loans are authorized for spe-*
14 *cially adapted housing loans.*

15 *For administrative expenses to carry out the direct*
16 *and guaranteed loan programs, \$153,575,000, which may*
17 *be transferred to and merged with the appropriation for*
18 *“General operating expenses”.*

19 *VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For the cost of direct loans, \$53,000, as authorized by*
22 *title 38, United States Code, chapter 31: Provided, That*
23 *such costs, including the cost of modifying such loans, shall*
24 *be as defined in section 502 of the Congressional Budget*
25 *Act of 1974: Provided further, That funds made available*
26 *under this heading are available to subsidize gross obliga-*

1 tions for the principal amount of direct loans not to exceed
2 \$4,242,000.

3 *In addition, for administrative expenses necessary to*
4 *carry out the direct loan program, \$305,000, which may*
5 *be transferred to and merged with the appropriation for*
6 *“General operating expenses”.*

7 *NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM*

8 *ACCOUNT*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *For administrative expenses to carry out the direct*
11 *loan program authorized by title 38, United States Code,*
12 *chapter 37, subchapter V, \$580,000, which may be trans-*
13 *ferred to and merged with the appropriation for “General*
14 *operating expenses”: Provided, That no new loans in excess*
15 *of \$30,000,000 may be made in fiscal year 2006.*

16 *GUARANTEED TRANSITIONAL HOUSING LOANS FOR*

17 *HOMELESS VETERANS PROGRAM ACCOUNT*

18 *For the administrative expenses to carry out the guar-*
19 *anteed transitional housing loan program authorized by*
20 *title 38, United States Code, chapter 37, subchapter VI, not*
21 *to exceed \$750,000 of the amounts appropriated by this Act*
22 *for “General operating expenses” and “Medical administra-*
23 *tion” may be expended.*

1 *VETERANS HEALTH ADMINISTRATION*2 *MEDICAL SERVICES*3 *(INCLUDING TRANSFER OF FUNDS)*

4 *For necessary expenses for furnishing, as authorized*
5 *by law, inpatient and outpatient care and treatment to*
6 *beneficiaries of the Department of Veterans Affairs and vet-*
7 *erans described in paragraphs (1) through (8) of section*
8 *1705(a) of title 38, United States Code, including care and*
9 *treatment in facilities not under the jurisdiction of the De-*
10 *partment of Veterans Affairs and including medical sup-*
11 *plies and equipment and salaries and expenses of healthcare*
12 *employees hired under title 38, United States Code, and aid*
13 *to State homes as authorized by section 1741 of title 38,*
14 *United States Code; \$23,308,011,000, plus reimbursements,*
15 *of which \$1,977,000,000 are designated as an emergency re-*
16 *quirement pursuant to section 402 of House Concurrent*
17 *Resolution 95 (109th Congress), the fiscal year 2006 budget*
18 *resolution: Provided further, That of the emergency funds*
19 *provided under this heading, the Department of Veterans*
20 *Affairs shall submit for approval by the Committees on Ap-*
21 *propriations of both Houses of Congress, a financial plan*
22 *outlining how the emergency funds will be obligated: Pro-*
23 *vided further, That the Department of Veterans Affairs shall*
24 *include these emergency funds in their base request for the*
25 *fiscal year 2007 budget submission: Provided further, That*
26 *of the funds made available under this heading, not to ex-*

1 *ceed \$1,500,000,000 shall be available until September 30,*
2 *2007: Provided further, That notwithstanding any other*
3 *provision of law, the Secretary of Veterans Affairs shall es-*
4 *tablish a priority for treatment for veterans who are service-*
5 *connected disabled, lower income, or have special needs:*
6 *Provided further, That notwithstanding any other provision*
7 *of law, the Secretary of Veterans Affairs shall give priority*
8 *funding for the provision of basic medical benefits to vet-*
9 *erans in enrollment priority groups 1 through 6: Provided*
10 *further, That notwithstanding any other provision of law,*
11 *the Secretary of Veterans Affairs may authorize the dis-*
12 *persing of prescription drugs from Veterans Health Admin-*
13 *istration facilities to enrolled veterans with privately writ-*
14 *ten prescriptions based on requirements established by the*
15 *Secretary: Provided further, That the implementation of the*
16 *program described in the previous proviso shall incur no*
17 *additional cost to the Department of Veterans Affairs: Pro-*
18 *vided further, That for the Department of Defense/Veterans*
19 *Affairs Health Care Sharing Incentive Fund, as authorized*
20 *by section 721 of Public Law 107–314, a minimum of*
21 *\$15,000,000, to remain available until expended, for any*
22 *purpose authorized by title 38, United States Code, section*
23 *8111.*

24 *MEDICAL ADMINISTRATION*

25 *For necessary expenses in the administration of the*
26 *medical, hospital, nursing home, domiciliary, construction,*

1 *supply, and research activities, as authorized by law; ad-*
2 *ministrative expenses in support of capital policy activities;*
3 *uniforms or allowances therefore, as authorized by sections*
4 *5901–5902 of title 5, United States Code; and administra-*
5 *tive and legal expenses of the Department of Veterans Af-*
6 *airs for collecting and recovering amounts owed the depart-*
7 *ment as authorized under chapter 17 of title 38, United*
8 *States Code, and the Federal Medical Care Recovery Act*
9 *(42 U.S.C. 2651 et seq.); \$2,858,442,000, plus reimburse-*
10 *ments, of which \$250,000,000 shall be available until Sep-*
11 *tember 30, 2007.*

12

INFORMATION TECHNOLOGY

13 *For necessary expenses, \$1,456,821,000 shall be avail-*
14 *able for the Department of Veterans Affairs Information*
15 *Technology program: Provided, That within 90 days of en-*
16 *actment of this Act, the Secretary of Veterans Affairs shall*
17 *establish an office for Information Technology (IT) with the*
18 *authority and responsibility for all IT projects: Provided*
19 *further, That this office shall report directly to the Deputy*
20 *Secretary of Veterans Affairs: Provided further, That this*
21 *new organizational structure shall be subject to approval*
22 *of the Committees on Appropriations in both Houses of*
23 *Congress: Provided further, That within this amount, no*
24 *more than \$100,000,000 from all sources shall be available*
25 *for the HealthVet project for fiscal year 2006: Provided fur-*
26 *ther, That none of the funds made available for the*

1 *HealthVet project may be obligated until such time that*
2 *the Department of Veterans Affairs creates a single position*
3 *with the responsibility for and the authority to manage the*
4 *entire project, including budgetary authority: Provided fur-*
5 *ther, That none of the funds made available for the*
6 *HealthVet project may be obligated until the Committees*
7 *on Appropriations in both Houses of Congress approve a*
8 *financial expenditure plan for the entire project.*

9 *MEDICAL FACILITIES*

10 *For necessary expenses for the maintenance and oper-*
11 *ation of hospitals, nursing homes, and domiciliary facilities*
12 *and other necessary facilities for the Veterans Health Ad-*
13 *ministration; for administrative expenses in support of*
14 *planning, design, project management, real property acqui-*
15 *sition and disposition, construction and renovation of any*
16 *facility under the jurisdiction or for the use of the Depart-*
17 *ment of Veterans Affairs; for oversight, engineering and ar-*
18 *chitectural activities not charged to project costs; for repair-*
19 *ing, altering, improving or providing facilities in the sev-*
20 *eral hospitals and homes under the jurisdiction of the De-*
21 *partment of Veterans Affairs, not otherwise provided for,*
22 *either by contract or by the hire of temporary employees*
23 *and purchase of materials; for leases of facilities; and for*
24 *laundry and food services, \$3,297,669,000, plus reimburse-*
25 *ments, of which \$250,000,000 shall be available until Sep-*
26 *tember 30, 2007.*

1 *MEDICAL AND PROSTHETIC RESEARCH*

2 *For necessary expenses in carrying out programs of*
3 *medical and prosthetic research and development as author-*
4 *ized by chapter 73 of title 38, United States Code to remain*
5 *available until September 30, 2007, \$412,000,000, plus re-*
6 *imbursements, of which, not less than \$15,000,000 shall be*
7 *used for Gulf War Illness research.*

8 *DEPARTMENTAL ADMINISTRATION*9 *GENERAL OPERATING EXPENSES*

10 *For necessary operating expenses of the Department of*
11 *Veterans Affairs, not otherwise provided for, including ad-*
12 *ministrative expenses in support of department-wide cap-*
13 *ital planning, management and policy activities, uniforms*
14 *or allowances therefore; not to exceed \$25,000 for official*
15 *reception and representation expenses; hire of passenger*
16 *motor vehicles; and reimbursement of the General Services*
17 *Administration for security guard services, and the Depart-*
18 *ment of Defense for the cost of overseas employee mail,*
19 *\$1,418,827,000: Provided, The Veterans Affairs shall con-*
20 *duct an information campaign in States with an average*
21 *annual disability compensation payment of less than*
22 *\$7,300 (according to the report issued by the Department*
23 *of Veterans Affairs Office of Inspector General on May 19,*
24 *2005), to inform all veterans receiving disability compensa-*
25 *tion, by direct mail, of the history of below average dis-*

1 *ability compensation payments to veterans in such States,*
2 *and to provide all veterans in each such State, through*
3 *broadcast or print advertising, with the aforementioned his-*
4 *torical information and instructions for submitting new*
5 *claims and requesting review of past disability claims and*
6 *ratings: Provided further, That expenses for services and as-*
7 *sistance authorized under title 38, United States Code, sec-*
8 *tions 3104(a)(1), (2), (5), and (11) that the Secretary of*
9 *Veterans Affairs determines are necessary to enable entitled*
10 *veterans: (1) to the maximum extent feasible, to become em-*
11 *ployable and to obtain and maintain suitable employment;*
12 *or (2) to achieve maximum independence in daily living,*
13 *shall be charged to this account: Provided further, That the*
14 *Veterans Benefits Administration shall be funded at not less*
15 *than \$1,093,937,500: Provided further, That of the funds*
16 *made available under this heading, not to exceed*
17 *\$71,000,000 shall be available for obligation until Sep-*
18 *tember 30, 2007.*

19 *NATIONAL CEMETERY ADMINISTRATION*

20 *For necessary expenses of the National Cemetery Ad-*
21 *ministration for operations and maintenance, not otherwise*
22 *provided for, including uniforms or allowances therefore;*
23 *cemeterial expenses as authorized by law; purchase of one*
24 *passenger motor vehicle for use in cemeterial operations;*
25 *and hire of passenger motor vehicles, \$156,447,000: Pro-*
26 *vided, That of the funds made available under this heading,*

1 *not to exceed \$7,800,000 shall be available until September*
2 *30, 2007.*

3 *OFFICE OF INSPECTOR GENERAL*

4 *For necessary expenses of the Office of Inspector Gen-*
5 *eral in carrying out the provisions of the Inspector General*
6 *Act of 1978, \$70,174,000, to remain available until Sep-*
7 *tember 30, 2007.*

8 *CONSTRUCTION, MAJOR PROJECTS*

9 *For constructing, altering, extending and improving*
10 *any of the facilities including parking projects under the*
11 *jurisdiction or for the use of the Department of Veterans*
12 *Affairs, or for any of the purposes set forth in sections 316,*
13 *2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122*
14 *of title 38, United States Code, including planning, archi-*
15 *tectural and engineering services, maintenance or guar-*
16 *antee period services costs associated with equipment guar-*
17 *antees provided under the project, services of claims ana-*
18 *lysts, offsite utility and storm drainage system construction*
19 *costs, and site acquisition, where the estimated cost of a*
20 *project is more than the amount set forth in title 38, United*
21 *States Code, section 8104(a)(3)(A) or where funds for a*
22 *project were made available in a previous major project ap-*
23 *propriation, \$607,100,000, to remain available until ex-*
24 *pended, of which \$539,800,000 shall be for Capital Asset*
25 *Realignment for Enhanced Services (CARES) activities;*
26 *and of which \$2,500,000 shall be to make reimbursements*

1 *as provided in title 41, United States Code, section 612 for*
2 *claims paid for contract disputes: Provided, That except for*
3 *advance planning activities, including needs assessments*
4 *which may or may not lead to capital investments, and*
5 *other capital asset management related activities, such as*
6 *portfolio development and management activities, and in-*
7 *vestment strategy studies funded through the advance plan-*
8 *ning fund and the planning and design activities funded*
9 *through the design fund and CARES funds, including needs*
10 *assessments which may or may not lead to capital invest-*
11 *ments, none of the funds appropriated under this heading*
12 *shall be used for any project which has not been approved*
13 *by the Congress in the budgetary process: Provided further,*
14 *That funds provided in this appropriation for fiscal year*
15 *2006, for each approved project (except those for CARES*
16 *activities referenced above) shall be obligated: (1) by the*
17 *awarding of a construction documents contract by Sep-*
18 *tember 30, 2006; and (2) by the awarding of a construction*
19 *contract by September 30, 2007: Provided further, That the*
20 *Secretary of Veterans Affairs shall promptly report in writ-*
21 *ing to the Committees on Appropriations of both Houses*
22 *of Congress any approved major construction project in*
23 *which obligations are not incurred within the time limita-*
24 *tions established above: Provided further, That none of the*
25 *funds in this or any other Act may be used to modify or*

1 *alter the mission, services or infrastructure of the 18 facili-*
2 *ties on the Capital Asset Realignment for Enhanced Serv-*
3 *ices (CARES) list requiring further study as specified by*
4 *the Secretary of Veterans Affairs.*

5 *CONSTRUCTION, MINOR PROJECTS*

6 *For constructing, altering, extending, and improving*
7 *any of the facilities including parking projects under the*
8 *jurisdiction or for the use of the Department of Veterans*
9 *Affairs, including planning and assessments of needs which*
10 *may lead to capital investments, architectural and engi-*
11 *neering services, maintenance or guarantee period services*
12 *costs associated with equipment guarantees provided under*
13 *the project, services of claims analysts, offsite utility and*
14 *storm drainage system construction costs, and site acquisi-*
15 *tion, or for any of the purposes set forth in sections 316,*
16 *2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and*
17 *8162 of title 38, United States Code, where the estimated*
18 *cost of a project is equal to or less than the amount set*
19 *forth in title 38, United States Code, section 8104(a)(3)(A),*
20 *\$208,937,000, to remain available until expended, along*
21 *with unobligated balances of previous “Construction, minor*
22 *projects” appropriations, of which \$160,000,000 shall be for*
23 *Capital Asset Realignment for Enhanced Services (CARES)*
24 *activities: Provided, That from amounts appropriated*
25 *under this heading, additional amounts may be used for*
26 *CARES activities upon notification of and approval by the*

1 *SEC. 203. The Secretary of Veterans Affairs shall sub-*
2 *mit to the Committees on Appropriations in both Houses*
3 *of Congress a quarterly report on the financial status of*
4 *the Veterans Health Administration. This report shall con-*
5 *tain, at a minimum, both planned and actual expenditure*
6 *rates, unobligated balances, and any potential financial*
7 *shortfalls.*

8 *SEC. 204. No project for which funds have been appro-*
9 *priated in the “Construction, major projects” account may*
10 *be canceled or altered in scope by more than 10 percent*
11 *in cost without submitting a request to the Committees on*
12 *Appropriations of both Houses of Congress and an approval*
13 *is issued, or absent a response, a period of 30 days has*
14 *elapsed.*

15 *SEC. 205. No appropriations in this Act for the De-*
16 *partment of Veterans Affairs shall be available for hos-*
17 *pitalization or examination of any persons (except bene-*
18 *ficiaries entitled under the laws bestowing such benefits to*
19 *veterans, and persons receiving such treatment under 5*
20 *U.S.C., sections 7901–7904 or 42 U.S.C., sections 5141–*
21 *5204), unless reimbursement of cost is made to the “Medical*
22 *services” account at such rates as may be fixed by the Sec-*
23 *retary of Veterans Affairs.*

24 *SEC. 206. Appropriations available to the Department*
25 *of Veterans Affairs for fiscal year 2006 for “Compensation*

1 *and pensions*”, “*Readjustment benefits*”, and “*Veterans in-*
2 *surance and indemnities*” shall be available for payment
3 of prior year accrued obligations required to be recorded
4 by law against the corresponding prior year accounts with-
5 in the last quarter of fiscal year 2005.

6 *SEC. 207. Appropriations accounts available to the De-*
7 *partment of Veterans Affairs for fiscal year 2006 shall be*
8 *available to pay prior year obligations of corresponding*
9 *prior year appropriations accounts resulting from title X*
10 *of the Competitive Equality Banking Act, Public Law 100-*
11 *86, except that if such obligations are from trust fund ac-*
12 *counts they shall be payable from “Compensation and pen-*
13 *sions”.*

14 *SEC. 208. Notwithstanding any other provision of law,*
15 *during fiscal year 2006, the Secretary of Veterans Affairs*
16 *shall, from the National Service Life Insurance Fund (38*
17 *U.S.C. 1920), the Veterans’ Special Life Insurance Fund*
18 *(38 U.S.C. 1923), and the United States Government Life*
19 *Insurance Fund (38 U.S.C. 1955), reimburse the “General*
20 *operating expenses” account for the cost of administration*
21 *of the insurance programs financed through those accounts:*
22 *Provided, That reimbursement shall be made only from the*
23 *surplus earnings accumulated in an insurance program in*
24 *fiscal year 2006 that are available for dividends in that*
25 *program after claims have been paid and actuarially deter-*

1 *mined reserves have been set aside: Provided further, That*
2 *if the cost of administration of an insurance program ex-*
3 *ceeds the amount of surplus earnings accumulated in that*
4 *program, reimbursement shall be made only to the extent*
5 *of such surplus earnings: Provided further, That the Sec-*
6 *retary of Veterans Affairs shall determine the cost of admin-*
7 *istration for fiscal year 2006 which is properly allocable*
8 *to the provision of each insurance program and to the pro-*
9 *vision of any total disability income insurance included in*
10 *such insurance program.*

11 *SEC. 209. Notwithstanding any other provision of law*
12 *and hereafter, the Department of Veterans Affairs shall con-*
13 *tinue the Franchise Fund established by title I of Public*
14 *Law 104-204.*

15 *SEC. 210. Amounts deducted from enhanced-use lease*
16 *proceeds to reimburse an account for expenses incurred by*
17 *that account during a prior fiscal year for providing en-*
18 *hanced-use lease services, may be obligated during the fiscal*
19 *year in which the proceeds are received.*

20 *SEC. 211. Funds available in any Department of Vet-*
21 *erans Affairs appropriation for fiscal year 2006 or funds*
22 *for salaries and other administrative expenses shall also be*
23 *available to reimburse the Office of Resolution Management*
24 *and the Office of Employment Discrimination Complaint*
25 *Adjudication for all services provided at rates which will*

1 *recover actual costs but not exceed \$29,758,000 for the Office*
2 *of Resolution Management and \$3,059,000 for the Office of*
3 *Employment and Discrimination Complaint Adjudication:*
4 *Provided, That payments may be made in advance for serv-*
5 *ices to be furnished based on estimated costs: Provided fur-*
6 *ther, That amounts received shall be credited to “General*
7 *operating expenses” for use by the office that provided the*
8 *service.*

9 *SEC. 212. No appropriations in this Act for the De-*
10 *partment of Veterans Affairs shall be available to enter into*
11 *any new lease of real property if the estimated annual rent-*
12 *al is more than \$300,000 unless the Secretary of Veterans*
13 *Affairs submits a report which the Committees on Appro-*
14 *priations in both Houses of Congress approve within 30*
15 *days following the date on which the report is received.*

16 *SEC. 213. No funds of the Department of Veterans Af-*
17 *fairs shall be available for hospital care, nursing home care,*
18 *or medical services provided to any person under chapter*
19 *17 of title 38, United States Code, for a non-service-con-*
20 *nected disability described in section 1729(a)(2) of such*
21 *title, unless that person has disclosed to the Secretary of*
22 *Veterans Affairs, in such form as the Secretary may require,*
23 *current, accurate third-party reimbursement information*
24 *for purposes of section 1729 of such title: Provided, That*
25 *the Secretary may recover, in the same manner as any other*

1 *debt due the United States, the reasonable charges for such*
2 *care or services from any person who does not make such*
3 *disclosure as required: Provided further, That any amounts*
4 *so recovered for care or services provided in a prior fiscal*
5 *year may be obligated by the Secretary during the fiscal*
6 *year in which amounts are received.*

7 *SEC. 214. Amounts made available under the “Medical*
8 *services” account are available—*

9 *(1) for furnishing recreational facilities, sup-*
10 *plies, and equipment; and*

11 *(2) for funeral expenses, burial expenses, and*
12 *other expenses incidental to funerals and burials for*
13 *beneficiaries receiving care in the department.*

14 *(INCLUDING TRANSFER OF FUNDS)*

15 *SEC. 215. Any appropriation for fiscal year 2006 for*
16 *the Veterans Benefits Administration made available under*
17 *the heading “General operating expenses” may be trans-*
18 *ferred to the “Veterans Housing Benefit Program Fund*
19 *Program Account” for the purpose of providing funds for*
20 *the nationwide property management contract if the ad-*
21 *ministrative costs of such contract exceed \$8,800,000 in the*
22 *fiscal year.*

23 *SEC. 216. Notwithstanding any other provision of law,*
24 *the Secretary of Veterans Affairs shall allow veterans eligi-*
25 *ble under existing Department of Veterans Affairs Medical*
26 *Care requirements and who reside in Alaska to obtain med-*

1 ical care services from medical facilities supported by the
2 Indian Health Services or tribal organizations. The Sec-
3 retary shall: (1) limit the application of this provision to
4 rural Alaskan veterans in areas where an existing Depart-
5 ment of Veterans Affairs facility or Veterans Affairs-con-
6 tracted service is unavailable; (2) require participating vet-
7 erans and facilities to comply with all appropriate rules
8 and regulations, as established by the Secretary; (3) require
9 this provision to be consistent with Capital Asset Realign-
10 ment for Enhanced Services Activities; and (4) result in
11 no additional cost to the Department of Veterans Affairs
12 or the Indian Health Service.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 217. Such sums as may be deposited to the De-
15 partment of Veterans Affairs Capital Asset Fund pursuant
16 to title 38, United States Code, section 8118 may be trans-
17 ferred to the “Construction, major projects” and “Construc-
18 tion, minor projects” accounts, to remain available until
19 expended for the purposes of these accounts.

20 SEC. 218. Notwithstanding any other provision of law,
21 at the discretion of the Secretary of Veterans Affairs, pro-
22 ceeds or revenues derived from enhanced-use leasing activi-
23 ties (including disposal) may be deposited into the “Con-
24 struction, major projects” and “Construction, minor
25 projects” accounts and be used for construction (including
26 site acquisition and disposition), alterations and improve-

1 *ments of any medical facility under the jurisdiction or for*
2 *the use of the Department of Veterans Affairs. Such sums*
3 *as realized are in addition to the amount provided for in*
4 *“Construction, major projects” and “Construction, minor*
5 *projects”.*

6 *SEC. 219. None of the funds made available in this*
7 *Act may be used to implement any policy prohibiting the*
8 *Directors of the Veterans Integrated Service Networks from*
9 *conducting outreach or marketing to enroll new veterans*
10 *within their respective Networks.*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *SEC. 220. That such sums as may be deposited to the*
13 *Medical Care Collections Fund pursuant to section 1729A*
14 *of title 38, United States Code, may be transferred to the*
15 *“Medical services” account, to remain available until ex-*
16 *pended for the purposes of this account.*

17 *SEC. 221. Appropriations available to the Department*
18 *of Veterans Affairs for fiscal year 2006 for salaries and ex-*
19 *penses shall be available for services authorized by title 5,*
20 *United States Code, section 3109; hire of passenger motor*
21 *vehicles; lease of a facility or land or both; and uniforms*
22 *or allowances therefor, as authorized by title 5, United*
23 *States Code, sections 5901–5902.*

24 *SEC. 222. REPORT ON HOUSING ASSISTANCE TO LOW-*
25 *INCOME VETERANS. (a) IN GENERAL.—The Comptroller*

1 *General shall conduct a study on housing assistance to low-*
2 *income veterans, including—*

3 (1) *an estimate of the number of low-income,*
4 *very low-income, and extremely low-income veteran*
5 *households;*

6 (2) *a description of the demographic and socio-*
7 *economic characteristics and health and disability*
8 *status of such households;*

9 (3) *an estimate of the number of such households*
10 *experiencing a high cost burden in, overcrowding in,*
11 *or poor quality of housing, or experiencing homeless-*
12 *ness;*

13 (4) *an assessment of such households, including*
14 *their current barriers to safe, quality, and affordable*
15 *housing and levels of homelessness among such house-*
16 *holds;*

17 (5) *the extent to which Federal housing assist-*
18 *ance programs provide benefits, including supportive*
19 *services, to all veteran households and in particular*
20 *to low-income, very low-income, and extremely-low*
21 *income veteran households;*

22 (6) *the number of units designated for or occu-*
23 *pied by veterans and low-income, very low-income,*
24 *and extremely low-income veterans in Federally sub-*
25 *sidized or insured housing;*

1 (7) a summary description of the manner in
2 which veteran compensation, veteran dependency and
3 indemnity compensation, and veteran pension are
4 considered as income or adjusted income for purposes
5 of determining—

6 (A) eligibility for Federal housing assist-
7 ance programs; and

8 (B) the amount of rent paid by a veteran
9 household for occupancy of a dwelling unit or
10 housing assisted under Federal housing assist-
11 ance programs;

12 (8) a summary description of the special consid-
13 erations made for veterans under—

14 (A) public housing plans submitted under
15 section 5A of the United States Housing Act of
16 1937 (42 U.S.C. 1437c-1); and

17 (B) comprehensive housing affordability
18 strategies submitted under section 105 of the
19 Cranston-Gonzalez National Affordable Housing
20 Act (42 U.S.C. 12705);

21 (9) the extent to which public housing authorities
22 have established preferences for veterans for public
23 housing and housing choice vouchers;

24 (10) the number of homeless veterans provided
25 assistance, cumulatively and currently, under the pro-

1 *gram of housing choice vouchers for homeless veterans*
2 *under section 8(o)(19) of the United States Housing*
3 *Act of 1937 (42. U.S.C. 1437f(o)(19)), and the current*
4 *status of the program, including—*

5 *(A) the number of vouchers the Department*
6 *of Housing and Urban Development currently*
7 *allocates to the Department of Veterans Affairs;*

8 *(B) the monetary value of such vouchers;*
9 *and*

10 *(C) the names and locations of VA medical*
11 *centers receiving such vouchers; and*

12 *(11) a description of activities relating to vet-*
13 *erans of the Department of Housing and Urban De-*
14 *velopment.*

15 *(b) ACQUISITION OF SUPPORTING INFORMATION.—In*
16 *carrying out the study under this section, the Comptroller*
17 *General shall seek to obtain views from the following per-*
18 *sons:*

19 *(1) The Secretary of Housing and Urban Devel-*
20 *opment.*

21 *(2) The Secretary of Veterans Affairs.*

22 *(3) Low-income, very low-income, and extremely*
23 *low-income veterans.*

24 *(4) Representatives of State and local housing*
25 *assistance agencies.*

1 (5) *Representatives of nonprofit low-income*
2 *housing providers and homeless service providers, in-*
3 *cluding homeless veteran service providers.*

4 (6) *National advocacy organizations concerned*
5 *with veterans, homelessness, and low-income housing.*

6 (c) *TIMING OF REPORT.*—*Not later than 6 months*
7 *after the date of enactment of this Act, the Comptroller Gen-*
8 *eral shall submit to Congress a report on the study con-*
9 *ducted under this section.*

10 *SEC. 223. (a) Not later than 60 days after the date*
11 *of enactment of this Act, the Secretary of Veterans Affairs,*
12 *after consultation with the National Association of County*
13 *Veterans Service Officers, other veterans service organiza-*
14 *tions, and State departments of veterans affairs shall sub-*
15 *mit a report to the Committee on Appropriations of the*
16 *Senate that describes a plan (including estimated costs) to*
17 *provide an adequate supply of the 2006 edition of handbook*
18 *entitled, Federal Benefits for Veterans and Dependents, and*
19 *all subsequent editions, to all county veterans service offi-*
20 *cers in the United States.*

21 *SEC. 224. None of the funds made available in this*
22 *Act or any other Act may be used—*

23 (1) *to revoke or reduce a veteran's disability*
24 *compensation for post traumatic stress disorder based*
25 *on a finding that the Department of Veterans Affairs*

1 *failed to collect justifying documentation unless such*
2 *failure was the direct result of fraud by the applicant;*
3 *or*

4 *(2) for the implementation of Recommendation 3*
5 *of VA Inspector General Report No. 05–00765–137 or*
6 *any related review and investigation of post trau-*
7 *matic stress disorder unemployability and 100 sched-*
8 *uler percent ratings cases, until the Department of*
9 *Veterans’ Affairs reports to the Committee on Appro-*
10 *propriations on its plan for implementing this rec-*
11 *ommendation, and outlines the staffing and funding*
12 *requirements.*

13 *SEC. 225. CLINICAL TRAINING AND PROTOCOLS. (a)*
14 *FINDINGS.—Congress finds that—*

15 *(1) the Iraq War Clinician Guide has tremen-*
16 *dous value; and*

17 *(2) the Secretary of Defense and the National*
18 *Center on Post Traumatic Stress Disorder should con-*
19 *tinue to work together to ensure that the mental*
20 *health care needs of servicemembers and veterans are*
21 *met.*

22 *(b) COLLABORATION.—The National Center on Post*
23 *Traumatic Stress Disorder shall collaborate with the Sec-*
24 *retary of Defense—*

1 (1) *to enhance the clinical skills of military cli-*
2 *nicians through training, treatment protocols, web-*
3 *based interventions, and the development of evidence-*
4 *based interventions; and*

5 (2) *to promote pre-deployment resilience and*
6 *post-deployment readjustment among servicemembers*
7 *serving in Operation Iraqi Freedom and Operation*
8 *Enduring Freedom.*

9 (c) *TRAINING.—The National Center on Post Trau-*
10 *matic Stress Disorder shall work with the Secretary of De-*
11 *fense to ensure that clinicians in the Department of Defense*
12 *are provided with the training and protocols developed pur-*
13 *suant to subsection (b)(1).*

14 SEC. 226. (a) *The Secretary of Veterans Affairs shall*
15 *immediately submit to the Committees on Veterans' Affairs*
16 *and Appropriations of the Senate and the House of Rep-*
17 *resentatives a report on any Department of Veterans Affairs*
18 *budget shortfall totaling 2 percent or more of the Depart-*
19 *ment's total discretionary funding budget for a fiscal year.*

20 (b) *The Secretary of Veterans Affairs shall, not later*
21 *than 180 days after the date of the enactment of this Act,*
22 *submit to the Committees on Veterans' Affairs and Appro-*
23 *priations of the Senate and the House of Representatives*
24 *a comprehensive plan to improve long-term budget plan-*

1 *ning and actuarial forecasting at the Department of Vet-*
2 *erans Affairs.*

3 *SEC. 227. (a) In conducting advanced planning activi-*
4 *ties under this Act, the Secretary of Veterans Affairs shall*
5 *reevaluate Veterans Health Administration Handbook*
6 *1006.1 and other guidance and procedures related to plan-*
7 *ning, activating, staffing, and maintaining community-*
8 *based outpatient clinics.*

9 *(b) In conducting such planning, the Secretary shall—*

10 *(1) revise as appropriate existing policies to*
11 *make them less disadvantageous to rural veterans;*
12 *and*

13 *(2) reexamine criteria used in planning, acti-*
14 *vating, staffing, and maintaining such clinics, in-*
15 *cluding geographic access, number of Priority 1–6*
16 *veterans, market penetration, cost effectiveness, and*
17 *distance to parent facilities, to determine whether*
18 *such criteria are weighted in a manner that nega-*
19 *tively affects rural veterans.*

20 *TITLE III—RELATED AGENCIES*

21 *AMERICAN BATTLE MONUMENTS COMMISSION*

22 *SALARIES AND EXPENSES*

23 *For necessary expenses, not otherwise provided for, of*
24 *the American Battle Monuments Commission, including the*
25 *acquisition of land or interest in land in foreign countries;*

1 *purchases and repair of uniforms for caretakers of national*
2 *cemeteries and monuments outside of the United States and*
3 *its territories and possessions; rent of office and garage*
4 *space in foreign countries; purchase (one for replacement*
5 *only) and hire of passenger motor vehicles; not to exceed*
6 *\$7,500 for official reception and representation expenses;*
7 *and insurance of official motor vehicles in foreign countries,*
8 *when required by law of such countries, \$36,250,000, to re-*
9 *main available until expended.*

10 *FOREIGN CURRENCY FLUCTUATIONS*

11 *For necessary expenses, not otherwise provided for, of*
12 *the American Battle Monuments Commission, \$15,250,000,*
13 *to remain available until expended, for purposes authorized*
14 *by title 36, United States Code, section 2109.*

15 *UNITED STATES COURT OF APPEALS FOR*

16 *VETERANS CLAIMS*

17 *SALARIES AND EXPENSES*

18 *For necessary expenses for the operation of the United*
19 *States Court of Appeals for Veterans Claims as authorized*
20 *by title 38, United States Code, sections 7251–7298,*
21 *\$18,795,000, of which \$1,260,000 shall be available for the*
22 *purpose of providing financial assistance as described, and*
23 *in accordance with the process and reporting procedures set*
24 *forth, under this heading in Public Law 102–229.*

1 *DEPARTMENT OF DEFENSE—CIVIL*2 *CEMETERIAL EXPENSES, ARMY*3 *SALARIES AND EXPENSES*

4 *For necessary expenses, as authorized by law, for*
5 *maintenance, operation, and improvement of Arlington Na-*
6 *tional Cemetery and Soldiers' and Airmen's Home Na-*
7 *tional Cemetery, including the purchase of two passenger*
8 *motor vehicles for replacement only, and not to exceed*
9 *\$1,000 for official reception and representation expenses,*
10 *\$28,550,000, to remain available until expended. In addi-*
11 *tion, such sums as may be necessary for parking mainte-*
12 *nance, repairs and replacement, to be derived from the lease*
13 *of Department of Defense Real Property for Defense Agen-*
14 *cies account.*

15 *ARMED FORCES RETIREMENT HOME*16 *ARMED FORCES RETIREMENT HOME*

17 *For expenses necessary for the Armed Forces Retire-*
18 *ment Home to operate and maintain the Armed Forces Re-*
19 *irement Home—Washington, District of Columbia and the*
20 *Armed Forces Retirement Home—Gulfport, Mississippi, to*
21 *be paid from funds available in the Armed Forces Retire-*
22 *ment Home Trust Fund, \$58,281,000, of which \$1,248,000*
23 *shall remain available until expended for construction and*
24 *renovation of the physical plants at the Armed Forces Re-*

1 *irement Home—Washington, District of Columbia and the*
2 *Armed Forces Retirement Home—Gulfport, Mississippi.*

3 **GENERAL PROVISIONS**

4 *SEC. 301. Any limitation, directive, or earmarking*
5 *contained in either the House of Representatives or Senate*
6 *report accompanying H.R. 2528 shall also be included in*
7 *the conference report or joint statement accompanying H.R.*
8 *2528 in order to be considered as having been approved by*
9 *both Houses of Congress.*

10 *This Act may be cited as the “Military Construction*
11 *and Veterans Affairs, and Related Agencies Appropriations*
12 *Act, 2006”.*

Amend the title so as to read: “An Act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.”.

Attest:

Secretary.

109TH CONGRESS
1ST SESSION

H. R. 2528

AMENDMENTS