

AMENDMENTS TO THE  
MILITARY CONSTRUCTION/VETERANS AFFAIRS

APPROPRIATIONS BILL, FY 2012

Full Committee Markup  
House Appropriations Committee  
May 24, 2011

Military Construction, Veterans Affairs and Related Agencies  
FY 2012 Appropriations Act



Manager's Amendment

Offered by Mr. Culberson

**In the bill:**

**Insert the following new administrative provision at the end of title I:**

“Sec. 128. None of the funds made available by this Act may be used for any action that relates to or promotes the expansion of the boundaries or size of the Pinon Canyon Maneuver Site, Colorado.”

And amend the report accordingly.

**Insert the following new administrative provision at the end of title II:**

“Sec. 230. Not more than \$250,000 may be used by the Department of Veterans Affairs to conduct any single national outreach and awareness marketing campaign, including motorsports sponsorship, prior to submitting a request to the Committees on Appropriations of both Houses of Congress and an approval is issued or absent a response, a period of 30 days has elapsed.”

And amend the report accordingly.

**In the report:**

**On page 40, after the paragraph entitled, “*Minority health professions graduate schools*”, insert:**

“*Dialysis facilities.* – The Committee understands that the VA is planning to increase its in-house capacity for dialysis care by leasing off-site facilities and expanding existing medical center dialysis suites. The VA is currently running a pilot demonstration at four sites to measure how VA-provided dialysis compares in cost and quality of care to contract-provided dialysis. The Committee directs the VA not to convert dialysis service from contract-provided care to in-house care until after the completion and evaluation of the four-site pilot demonstration. The Committee requests a report by January 1, 2012 describing the cost metric being

used at each site of the pilot -- whether the cost comparison of VA-provided care is to the Medicare rate or the current negotiated contract price or some other measure. The report should also include projections of the ten-year VA patient caseload requiring dialysis and the share of the population that is expected to be served by in-house VA dialysis versus contract care.”

**On page 49, after the last paragraph under “Office of Inspector General”, insert:**

*“Fraud, waste and abuse.* – The Committee remains concerned by reports by the Office of Inspector General and the General Accountability Office (GAO) that the VA continues to have endemic problems in management and financial controls in areas such as disability claims and fee-based care. In its 2011 listing of 30 high-risk government areas, the GAO includes VA claims processing activities. The VA OIG reported in its testimony to the subcommittee that:

- Of approximately 45,000 benefit claims requiring rating decisions reviewed by the IG, 23 percent were processed incorrectly.
- VA staff did not adequately process total disability evaluations for about 15 percent of approximately 181,000 veterans, resulting in overpayments of \$943 million since 1993. Without further action to adjust the benefits, VBA will overpay these veterans a projected \$1.1 billion over the next 5 years.
- In 2009, VA improperly paid 28 percent of inpatient medical fee claims by not properly authorizing fee care, and not correctly determining payment rates, resulting in \$120 million in overpayments. Without corrective actions, the VA could make \$600 million in improper payments over the next 5 years.

The Committee believes that efforts by the OIG to identify and report financial mismanagement of this scale and severity must be redoubled in order to protect obligations to veterans and to the taxpayers financing their benefits.”

**At the appropriate place in the report, insert the following new paragraph:**

“The Committee directs the Secretary of Veterans Affairs (VA) to include in their Fiscal Year 2013 budget submission a detailed summary of the VA marketing campaign budget. This summary shall include the amounts expended on VA advertising campaigns and a detailed list of outreach methods. In addition the VA should also submit a detailed summary of previous advertising campaigns initiated during the fiscal years 2009 through 2012.”

LaTourette01

Adopted  
24-23

**AMENDMENT TO THE MILITARY CONSTRUCTION-VA  
APPROPRIATIONS BILL, COMMITTEE PRINT**

**OFFERED BY MR. LATOURETTE OF OHIO**

Page 59, strike lines 17 through 22.

Adopted  
by  
voice  
vote

**AMENDMENT TO MILITARY CONSTRUCTION/VA  
APPROPRIATIONS BILL  
OFFERED BY MR. CARTER OF TEXAS**

At the end of title I, add the following new section::

1       SEC. 1\_\_\_\_. None of the funds made available by this  
2 Act may be used by the Secretary of the Army to relocate  
3 a unit of the Army that would impact more than 200 per-  
4 sonnel, calculated as the sum of impacted members of the  
5 regular or reserve components of the Army, civilian em-  
6 ployees of the Department of the Army, and Army con-  
7 tractor personnel, unless the Secretary certifies to the con-  
8 gressional defense committees that the Secretary complied  
9 with Army Regulation 5-10 relating to the policy, proce-  
10 dures, and responsibilities for Army stationing actions.

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Adopted  
by voice  
Vote

**AMENDMENT TO MILITARY CONSTRUCTION/VA  
APPROPRIATIONS BILL  
OFFERED BY MS. MCCOLLUM OF MINNESOTA**

At the end of the bill (before the short title), insert  
the following:

- 1       SEC. \_\_\_\_\_. None of the funds made available by this
- 2 Act may be used to enter into a contract, memorandum
- 3 of understanding, or cooperative agreement with, or to
- 4 make a grant to, any corporation that was convicted of
- 5 a felony criminal violation under any Federal or State law
- 6 within the preceding 24 months.



*Adopted by  
Voice Vote*

**AMENDMENT TO MILITARY CONSTRUCTION  
APPROPRIATIONS BILL  
OFFERED BY MR. FLAKE OF ARIZONA**

At the end of the bill (before the short title), insert  
the following new section:

1       SEC. \_\_\_\_\_. None of the funds made available by this  
2 Act may be used to enforce Executive Order 13502 (41  
3 U.S.C. 251 note), FAR Rule 2009-005, or any agency  
4 memorandum, bulletin, or contracting policy that derives  
5 its authority from Executive Order 13502 or FAR Rule  
6 2009-005.

