Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 24, 2015

Mr. DENT, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $663,245,000, to remain available until September 30, 2020: Provided, That of this amount, not to exceed $109,245,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and no-
tifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $1,349,678,000, to remain available until September 30, 2020: Provided, That of this amount, not to exceed $91,649,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $1,237,055,000, to remain available until September 30, 2020: Provided, That of this amount, not to exceed $89,164,000 shall be available for
study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $1,931,456,000, to remain available until September 30, 2020: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed $160,404,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense
determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That none of the funds made available by this title may be used to construct any fiscal year 2016 special operations command military construction projects until the Commander of the Special Operations Command has certified in writing and submits to the Committees on Appropriations of both Houses of Congress a report that includes the following:

(1) A definition of “Special Operations Force-peculiar” as it applies to the use of United States Special Operations Command (USSOCOM) funding to meet military construction requirements for facilities that provide healthcare services or support fitness activities.

(2) A description of the decision-making process used to determine whether a military construction project that provides healthcare facilities or supports fitness activities should be funded by the USSOCOM or the military departments.

(3) Provides a schematic of the human performance centers by installation, a listing of the planned equipment related to training and resiliency and a description of the mission-critical benefit of each
item, an explanation of why the unique physical and psychological health services incorporated could not be provided by the Defense Health Agency or military services, and a planned staffing breakdown.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $167,437,000, to remain available until September 30, 2020: Provided, That of the amount appropriated, not to exceed $20,337,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $20,337,000, to remain available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.
Acts, $138,738,000, to remain available until September 30, 2020: Provided, That of the amount appropriated, not to exceed $5,104,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $104,295,000, to remain available until September 30, 2020: Provided, That of the amount appropriated, not to exceed $9,318,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.
MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $36,078,000, to remain available until September 30, 2020: Provided, That of the amount appropriated, not to exceed $2,208,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $65,021,000, to remain available until September 30, 2020: Provided, That of the amount appropriated, not to exceed $13,400,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of
the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**NORTH ATLANTIC TREATY ORGANIZATION
SECURITY INVESTMENT PROGRAM**

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, $150,000,000, to remain available until expended.

**FAMILY HOUSING CONSTRUCTION, ARMY**

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $99,695,000, to remain available until September 30, 2020.

**FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY**

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing,
minor construction, principal and interest charges, and insurance premiums, as authorized by law, $393,511,000.

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

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $16,541,000, to remain available until September 30, 2020.

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

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $353,036,000.

**FAMILY HOUSING CONSTRUCTION, AIR FORCE**

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $160,498,000, to remain available until September 30, 2020.
Family Housing Operation and Maintenance, Air Force

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $331,232,000.

Family Housing Operation and Maintenance, Defense-Wide

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $58,668,000.

Department of Defense Base Closure Account

For deposit into the Department of Defense Base Closure Account, established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $251,334,000, to remain available until expended.

Administrative Provisions

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

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

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

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

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

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

Sec. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

Sec. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

Sec. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

Sec. 110. None of the funds made available in this title may be used to initiate a new installation overseas.
without prior notification to the Committees on Appropriations of both Houses of Congress.

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

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.
SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 114. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 115. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 116. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made
available, if the funds obligated for such project: (1) are
obligated from funds available for military construction
projects; and (2) do not exceed the amount appropriated
for such project, plus any amount by which the cost of
such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

Sec. 117. Subject to 30 days prior notification, or
14 days for a notification provided in an electronic me-
dium pursuant to sections 480 and 2883 of title 10,
United States Code, to the Committees on Appropriations
of both Houses of Congress, such additional amounts as
may be determined by the Secretary of Defense may be
transferred to: (1) the Department of Defense Family
Housing Improvement Fund from amounts appropriated
for construction in “Family Housing” accounts, to be
merged with and to be available for the same purposes
and for the same period of time as amounts appropriated
directly to the Fund; or (2) the Department of Defense
Military Unaccompanied Housing Improvement Fund
from amounts appropriated for construction of military
unaccompanied housing in “Military Construction” ac-
counts, to be merged with and to be available for the same
purposes and for the same period of time as amounts ap-
propriated directly to the Fund: Provided, That appropria-
tions made available to the Funds shall be available to
cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities: Provided further, That the transfer authority in this provision shall also be applicable to amounts appropriated for construction in “Family Housing” accounts in section 2002 of Public Law 112–10. (INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the Department of Defense Base Closure Account to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 119. Notwithstanding any other provision of law, funds made available in this title for operation and
maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than $15,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission.

Sec. 120. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

Sec. 121. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation,
upon a determination that such appropriations will not be
necessary for the liquidation of obligations or for making
authorized adjustments to such appropriations for obliga-
tions incurred during the period of availability of such ap-
propriations, unobligated balances of such appropriations
may be transferred into the appropriation “Foreign Curr-
ency Fluctuations, Construction, Defense”, to be merged
with and to be available for the same time period and for
the same purposes as the appropriation to which trans-
ferred.

Sec. 122. (a) Except as provided in subsection (b),
none of the funds made available in this Act may be used
by the Secretary of the Army to relocate a unit in the
Army that—

(1) performs a testing mission or function that
is not performed by any other unit in the Army and
is specifically stipulated in title 10, United States
Code; and

(2) is located at a military installation at which
the total number of civilian employees of the Depart-
ment of the Army and Army contractor personnel
employed exceeds 10 percent of the total number of
members of the regular and reserve components of
the Army assigned to the installation.
(b) EXCEPTION.—Subsection (a) shall not apply if the Secretary of the Army certifies to the congressional defense committees that in proposing the relocation of the unit of the Army, the Secretary complied with Army Regulation 5–10 relating to the policy, procedures, and responsibilities for Army stationing actions.

SEC. 123. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14–R, Volume 3, Chapter 7, of February 2009, as in effect on the date of enactment of this Act.

SEC. 124. None of the funds made available in this title may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

(RESCISSION OF FUNDS)

SEC. 125. Of the unobligated balances available for “Military Construction, Army”, from prior appropriation Acts (other than appropriations designated by law as being for contingency operations directly related to the
global war on terrorism or as an emergency requirement), $96,000,000 are hereby rescinded.

(RESCISSION OF FUNDS)

SEC. 126. Of the unobligated balances available for “Military Construction, Air Force”, from prior appropriation Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $52,600,000 are hereby rescinded.

(RESCISSION OF FUNDS)

SEC. 127. Of the unobligated balances available for “Military Construction, Defense-Wide”, from prior appropriation Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $134,000,000 are hereby rescinded.

(RESCISSION OF FUNDS)

SEC. 128. Of the unobligated balances made available in prior appropriation Acts for the fund established in section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $103,918,000 are hereby rescinded.
SEC. 129. For the purposes of this Act, the term “congressional defense committees” means the Committees on Armed Services of the House of Representatives and the Senate, the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the Senate, and the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the House of Representatives.

SEC. 130. None of the funds made available by this title may be used to carry out the closure or realignment of Lajes Air Force Base, Azores, and, unless and until the Secretary of Defense certifies in writing to the congressional defense committees that, based on operational requirements, Lajes Air Force Base is not an optimal location for the Joint Intelligence Analysis Complex, none of the funds made available by this title may be used to construct phase two of the Joint Intelligence Analysis Complex Consolidation at Royal Air Force Croughton, United Kingdom.

SEC. 131. Notwithstanding section 124, for an additional amount for “Military Construction, Army” in this title, $30,000,000 is provided for advances to the Federal Highway Administration, Department of Transportation, for construction of access roads as authorized by section 210 of title 23, United States Code.
TITLE II

DEPARTMENT OF VETERANS AFFAIRS

Veterans Benefits Administration

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers’ retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, $166,271,436,000, to remain available until expended, of which $87,146,761,000 shall become available on October 1, 2016: Provided, That not to exceed $15,562,000 of the amount made available for fiscal year 2016 and $16,021,000 of the amount made available for fiscal year
2017 under this heading shall be reimbursed to “General Operating Expenses, Veterans Benefits Administration”, and “Information Technology Systems” for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the “Compensation and Pensions” appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to “Medical Care Collections Fund” to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, $32,088,826,000, to remain available until expended, of which $16,743,904,000 shall become available on October 1, 2016: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.
VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen’s indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, $169,080,000, to remain available until expended, of which $91,920,000 shall become available on October 1, 2016.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That during fiscal year 2016, within the resources available, not to exceed $500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $164,558,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $31,000, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such
loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $2,952,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $367,000, which may be paid to the appropriation for “General Operating Expenses, Veterans Benefits Administration”.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM

ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, $1,134,000.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bioengineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, aid to
State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note), and hospital care and medical services authorized by section 1787 of title 38, United States Code; $969,554,000, which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2015; and, in addition, $51,673,000,000, plus reimbursements, shall become available on October 1, 2016, and shall remain available until September 30, 2017: Provided, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: Provided further, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administra-
tion facilities to enrolled veterans with privately written
prescriptions based on requirements established by the
Secretary: Provided further, That the implementation of
the program described in the previous proviso shall incur
no additional cost to the Department of Veterans Affairs.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the
medical, hospital, nursing home, domiciliary, construction,
supply, and research activities, as authorized by law; ad-
ministrative expenses in support of capital policy activi-
ties; and administrative and legal expenses of the Depart-
ment for collecting and recovering amounts owed the De-
partment as authorized under chapter 17 of title 38,
United States Code, and the Federal Medical Care Recov-
ery Act (42 U.S.C. 2651 et seq.), $6,524,000,000, plus
reimbursements, shall become available on October 1,
2016, and shall remain available until September 30,
2017.

MEDICAL FACILITIES

For necessary expenses for the maintenance and op-
eration of hospitals, nursing homes, domiciliary facilities,
and other necessary facilities of the Veterans Health Ad-
ministration; for administrative expenses in support of
planning, design, project management, real property ac-
quision and disposition, construction, and renovation of
any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, $5,074,000,000, plus reimbursements, shall become available on October 1, 2016, and shall remain available until September 30, 2017.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, $621,813,000, plus reimbursements, shall remain available until September 30, 2017.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction
of the National Cemetery Administration, $266,220,000, of which not to exceed $26,600,000 shall remain available until September 30, 2017.

**DEPARTMENTAL ADMINISTRATION**

**GENERAL ADMINISTRATION**

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, $336,659,000, of which not to exceed $10,100,000 shall remain available until September 30, 2017: *Provided,* that funds provided under this heading may be transferred to “General Operating Expenses, Veterans Benefits Administration”.

**BOARD OF VETERANS APPEALS**

For necessary operating expenses of the Board of Veterans Appeals, $107,884,000, of which not to exceed $10,788,000 shall remain available until September 30, 2017.
GENERAL OPERATING EXPENSES, VETERANS BENEFITS
ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, $2,697,734,000: Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That of the funds made available under this heading, not to exceed $134,800,000 shall remain available until September 30, 2017.

INFORMATION TECHNOLOGY SYSTEMS
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital
asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, $4,038,363,000, plus reimbursements: Provided, That $1,115,757,000 shall be for pay and associated costs, of which not to exceed $34,800,000 shall remain available until September 30, 2017: Provided further, That $2,417,863,000 shall be for operations and maintenance, of which not to exceed $167,900,000 shall remain available until September 30, 2017: Provided further, That $504,743,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2017: Provided further, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: Provided further, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and
enhancement may be transferred among the three sub-
accounts after the Secretary of Veterans Affairs requests
from the Committees on Appropriations of both Houses
of Congress the authority to make the transfer and an
approval is issued: Provided further, That amounts made
available for the “Information Technology Systems” ac-
count for development, modernization, and enhancement
may be transferred among projects or to newly defined
projects: Provided further, That no project may be in-
creased or decreased by more than $1,000,000 of cost
prior to submitting a request to the Committees on Approp-
riations of both Houses of Congress to make the transfer
and an approval is issued, or absent a response, a period
of 30 days has elapsed: Provided further, That funds under
this heading may be used by the Interagency Program Of-
Fice through the Department of Veterans Affairs to define
data standards, code sets, and value sets used to enable
interoperability: Provided further, That of the funds made
available for information technology systems development,
modernization, and enhancement for VistA Evolution, not
more than 25 percent may be obligated or expended until
the Secretary of Veterans Affairs submits to the Commit-
tees on Appropriations of both Houses of Congress, and
such Committees approve, a report that describes: (1) the
status of and changes to the VistA Evolution program
plan dated March 24, 2014 (hereinafter referred to as the “Plan”), the VistA 4 product roadmap dated February 26, 2015 (“Roadmap”), and the VistA 4 Incremental Life Cycle Cost Estimate, dated October 26, 2014; (2) any changes to the scope or functionality of projects within the VistA Evolution program as established in the Plan; (3) actual program costs incurred to date; (4) progress in meeting the schedule milestones that have been established in the Plan; (5) a Project Management Accountability System (PMAS) Dashboard Progress report that identifies each VistA Evolution project being tracked through PMAS, what functionality it is intended to provide, and what evaluation scores it has received throughout development; (6) the definition being used for interoperability between the electronic health record systems of the Department of Defense and the Department of Veterans Affairs, the metrics to measure the extent of interoperability, the milestones and timeline associated with achieving interoperability, and the baseline measurements associated with interoperability; (7) progress toward developing and implementing all components and levels of interoperability, including semantic interoperability; (8) the change management tools in place to facilitate the implementation of VistA Evolution and interoperability; and (9) any changes to the governance structure for the VistA
Evolution program and its chain of decisionmaking authority: Provided further, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects, and in the amounts, specified under this heading in the report accompanying this Act.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $131,766,000, of which not to exceed $12,600,000 shall remain available until September 30, 2017.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site ac-
quisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, $561,800,000, of which $527,800,000 shall remain available until September 30, 2020, and of which $34,000,000 shall remain available until expended: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account, and funds provided for the purchase of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: Provided further, That funds made available under this heading for fiscal year 2016, for each approved project shall be obligated: (1) by the awarding of a con-
struction documents contract by September 30, 2016; and
(2) by the awarding of a construction contract by Sept-
ember 30, 2017: Provided further, That the Secretary of
Veterans Affairs shall promptly submit to the Committees
on Appropriations of both Houses of Congress a written
report on any approved major construction project for
which obligations are not incurred within the time limita-
tions established above.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving
any of the facilities, including parking projects, under the
jurisdiction or for the use of the Department of Veterans
Affairs, including planning and assessments of needs
which may lead to capital investments, architectural and
engineering services, maintenance or guarantee period
services costs associated with equipment guarantees pro-
vided under the project, services of claims analysts, offsite
utility and storm drainage system construction costs, and
site acquisition, or for any of the purposes set forth in
sections 316, 2404, 2406, and chapter 81 of title 38,
United States Code, not otherwise provided for, where the
estimated cost of a project is equal to or less than the
amount set forth in section 8104(a)(3)(A) of title 38,
United States Code, $406,200,000, to remain available
until September 30, 2020, along with unobligated balances
of previous “Construction, Minor Projects” appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: Provided, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, $80,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal organizations in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, $45,000,000, to remain available until expended.
ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2016 for “Compensation and Pensions”, “Readjustment Benefits”, and “Veterans Insurance and Indemnities” may be transferred as necessary to any other of the mentioned appropriations: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2016, in this or any other Act, under the “Medical Services”, “Medical Support and Compliance”, and “Medical Facilities” accounts may be transferred among the accounts: Provided, That any transfers between the “Medical Services” and “Medical Support and Compliance” accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: Provided further,
That any transfers between the “Medical Services” and “Medical Support and Compliance” accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That any transfers to or from the “Medical Facilities” account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for “Construction, Major Projects”, and “Construction, Minor Projects”) shall be available for the purchase of any site for or toward the construction of any new hospital or home.

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

Sec. 206. Appropriations available in this title for “Compensation and Pensions”, “Readjustment Benefits”, and “Veterans Insurance and Indemnities” shall be avail-
able for payment of prior year accrued obligations re-
quired to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2015.

Sec. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from “Compensation and Pensions”.

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(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2016, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans’ Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the “General Operating Expenses, Veterans Benefits Administration” and “Information Technology Systems” accounts for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2016 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2016 which is properly allocable to the provision of each such insurance program and to the provision of any total
disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not to exceed $43,700,000 for the Office of Resolution Management and $3,400,000 for the Office of Employment Discrimination Complaint Adjudication: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to the “General Administration” and “Information Technology Systems” accounts for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if
the estimated annual rental cost is more than $1,000,000,

unless the Secretary of Veterans Affairs submits a request
to enter into such lease to the Committees on Appropriations of both Houses of Congress and (1) the Committees
approve the request; or (2) the Committees have not re-
jected the request before the date that is 15 days after
the date on which the request is received.

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

SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the “Construction, Major Projects” and “Construction, Minor Projects” accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in “Construction, Major Projects” and “Construction, Minor Projects”.

SEC. 214. Amounts made available under “Medical Services” are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to “Medical Services”, to remain available until expended for the purposes of that account.
SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, and Indian tribes and tribal organizations serving rural Alaska which have entered into contracts with the Indian Health Service under the Indian Self Determination and Educational Assistance Act, to provide healthcare, including behavioral health and dental care. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term “rural Alaska” shall mean those lands sited within the external boundaries of the Alaska Native regions specified in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), and those lands within the Alaska Native regions specified in sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), which are not within the boundaries of the municipality of Anchorage, the Fairbanks North Star Borough, the Kenai Peninsula Borough or the Matanuska Susitna Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may
be transferred to the “Construction, Major Projects” and
“Construction, Minor Projects” accounts, to remain avail-
able until expended for the purposes of these accounts.

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

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the “Med-
ical Services”, “Medical Support and Compliance”, “Med-
ical Facilities”, “General Operating Expenses, Veterans
Benefits Administration”, “General Administration”, and
“National Cemetery Administration” accounts for fiscal
year 2016 may be transferred to or from the “Information
Technology Systems” account: Provided, That such trans-
sfers may not result in a more than 10 percent aggregate
increase in the total amount made available by this Act
for the “Information Technology Systems” account: Pro-
vided further, That before a transfer may take place, the
Secretary of Veterans Affairs shall request from the Com-
mittees on Appropriations of both Houses of Congress the
d authority to make the transfer and an approval is issued.

Sec. 221. Of the amounts made available to the De-
partment of Veterans Affairs for fiscal year 2016, in this
or any other Act, under the “Medical Facilities” account
for nonrecurring maintenance, not more than 20 percent
of the funds made available shall be obligated during the
last 2 months of that fiscal year: Provided, That the Sec-
retary may waive this requirement after providing written
notice to the Committees on Appropriations of both
Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

Sec. 222. Of the amounts appropriated to the De-
partment of Veterans Affairs for fiscal year 2016 for
“Medical Services”, “Medical Support and Compliance”,
“Medical Facilities”, “Construction, Minor Projects”, and
“Information Technology Systems”, up to $266,303,000,
plus reimbursements, may be transferred to the Joint De-
partment of Defense-Department of Veterans Affairs
Medical Facility Demonstration Fund, established by sec-
tion 1704 of the National Defense Authorization Act for
Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571)
and may be used for operation of the facilities designated
as combined Federal medical facilities as described by sec-
tion 706 of the Duncan Hunter National Defense Author-
ization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress: *Provided further*, That section 223 of Title II of Division I of Public Law 113-235 is repealed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 223. Of the amounts appropriated to the Department of Veterans Affairs which become available on October 1, 2016, for “Medical Services”, “Medical Support and Compliance”, and “Medical Facilities”, up to $265,675,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this
section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 225. Of the amounts available in this title for “Medical Services”, “Medical Support and Compliance”,

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and “Medical Facilities”, a minimum of $15,000,000 shall be transferred to the DOD–VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 226. (a) Of the funds appropriated in title II of division I of Public Law 113–235, the following amounts which became available on October 1, 2015, are hereby rescinded from the following accounts in the amounts specified:

(1) “Department of Veterans Affairs, Medical Services”, $1,400,000,000.

(2) “Department of Veterans Affairs, Medical Support and Compliance”, $100,000,000.

(3) “Department of Veterans Affairs, Medical Facilities”, $250,000,000.

(b) In addition to amounts provided elsewhere in this Act, an additional amount is appropriated to the following accounts in the amounts specified to remain available until September 30, 2017:

(1) “Department of Veterans Affairs, Medical Services”, $1,400,000,000.
(2) “Department of Veterans Affairs, Medical Support and Compliance”, $100,000,000.

(3) “Department of Veterans Affairs, Medical Facilities”, $250,000,000.

SEC. 227. The Secretary of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings for a major construction project within 15 days of being identified that total at least $5,000,000, or 5 percent of the programmed amount of the project, whichever is less.

SEC. 228. None of the funds made available for “Construction, Major Projects” may be used for a project in excess of the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations unless the Secretary of Veterans Affairs receives approval from the Committees on Appropriations of both Houses of Congress.

SEC. 229. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report that contains the following information from each Veterans Benefits Administration Regional Office: (1) the average time to complete a disability compensation claim; (2) the number of claims pending more than 125 days; (3) error rates; (4) the number of claims personnel; (5) any corrective action taken
within the quarter to address poor performance; (6) training programs undertaken; and (7) the number and results of Quality Review Team audits: Provided, That each quarterly report shall be submitted no later than 30 days after the end of the respective quarter.

Sec. 230. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a reprogramming request if at any point during fiscal year 2016 the funding allocated for a medical care program that is not estimated through the Enrollee Health Care Projection Model is adjusted by more than $25,000,000 from the allocation shown in the corresponding congressional budget justification. Amounts may only be reprogrammed as requested under this section if (1) the Committees on Appropriations of both Houses of Congress approve the request; or (2) the Committees have not rejected the request before the date that is 15 days after the date on which the request is received.

Sec. 231. Of the funds provided to the Department of Veterans Affairs for fiscal year 2016 for “Medical Services” and “Medical Support and Compliance”, a maximum of $5,000,000 may be obligated from the “Medical Services” account and a maximum of $154,596,000 may be obligated from the “Medical Support and Compliance” account for the VistA Evolution and electronic health record
interoperability projects: Provided, That funds in addition to these amounts may be obligated for the VistA Evolution and electronic health record interoperability projects upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

SEC. 232. The Secretary of Veterans Affairs shall provide written notification to the Committees on Appropriations of both Houses of Congress 15 days prior to organizational changes which result in the transfer of 25 or more full-time equivalents from one organizational unit of the Department of Veterans Affairs to another.

(RESCISSION OF FUNDS)

SEC. 233. (a) There is hereby rescinded an aggregate amount of $101,000,000 from the total budget authority provided for fiscal year 2016 for discretionary accounts of the Department of Veterans Affairs in—

(1) this Act; or

(2) any advance appropriation for fiscal year 2016 in prior appropriation Acts.

(b) The Secretary shall submit to the Committees on Appropriations of both Houses of Congress a report specifying the account and amount of each rescission not later than 20 days following enactment of this Act.
Sec. 234. The Secretary of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed $2,000,000.

Sec. 235. None of the funds available to the Department of Veterans Affairs, in this or any other Act, may be used to replace the current system by which the Veterans Integrated Service Networks select and contract for diabetes monitoring supplies and equipment.

(INCLUDING TRANSFER OF FUNDS)

Sec. 236. The Secretary of Veterans Affairs, upon determination that such action is necessary to address needs of the Veterans Health Administration, may transfer to the “Medical Services” account any discretionary appropriations made available for fiscal year 2016 in this title (except appropriations made to the “General Operating Expenses, Veterans Benefits Administration” account) or any discretionary unobligated balances within the Department of Veterans Affairs, including those appropriated for fiscal year 2016, that were provided in advance by appropriations Acts: Provided, That transfers shall be made only with the approval of the Office of Management and Budget: Provided further, That the transfer authority provided in this section is in addition to any...
other transfer authority provided by law: Provided further,
That no amounts may be transferred from amounts that
were designated by Congress as an emergency requirement
pursuant to a concurrent resolution on the budget or the
Balanced Budget and Emergency Deficit Control Act of
1985: Provided further, That such authority to transfer
may not be used unless for higher priority items, based
on emergent healthcare requirements, than those for
which originally appropriated and in no case where the
item for which funds are requested has been denied by
Congress: Provided further, That, upon determination that
all or part of the funds transferred from an appropriation
are not necessary, such amounts may be transferred back
to that appropriation and shall be available for the same
purposes as originally appropriated: Provided further,
That before a transfer may take place, the Secretary of
Veterans Affairs shall request from the Committees on
Appropriations of both Houses of Congress the authority
to make the transfer and receive approval of that request.

(INCLUDING TRANSFER OF FUNDS)

Sec. 237. Amounts made available for the Depart-
ment of Veterans Affairs for fiscal year 2016, under the
“Board of Veterans Appeals” and the “General Operating
Expenses, Veterans Benefits Administration” accounts
may be transferred between such accounts: Provided, That
before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval from such Committees for such request.

(RESCISSION OF FUNDS)

Sec. 238. Of the unobligated balances available within the “DOD–VA Health Care Sharing Incentive Fund”, $15,000,000 are hereby rescinded.

Sec. 239. The Secretary of Veterans Affairs may not reprogram funds among major construction projects or programs if such instance of reprogramming will exceed $5,000,000, unless such reprogramming is approved by the Committees on Appropriations of both Houses of Congress.

(RESCISSIONS OF FUNDS)

Sec. 240. Of the discretionary funds made available in Public Law 113-235 for the Department of Veterans Affairs for fiscal year 2016, $197,923,000 are rescinded from “Medical Services”, $42,272,000 are rescinded from “Medical Support and Compliance”, and $15,353,000 are rescinded from “Medical Facilities”.

Sec. 241. The amounts otherwise made available by this Act for the following accounts of the Department of
Veterans Affairs are hereby reduced by the following amounts:

2. “Veterans Benefits Administration—Vocational Rehabilitation Loans Program Account”, $10,000.
3. “Veterans Benefits Administration—Native American Veteran Housing Loan Program Account”, $25,000.
4. “Veterans Health Administration—Medical and Prosthetic Research”, $3,109,000.
5. “National Cemetery Administration”, $1,654,000.
7. “Departmental Administration—Board of Veterans Appeals”, $786,000.
TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed $7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $75,100,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.
For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7299 of title 38, United States Code, $32,141,000: Provided, That $2,500,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

Department of Defense—Civil

Cemeterial Expenses, Army

Salaries and Expenses

For necessary expenses for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers’ and Airmen’s Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed $1,000 for official reception and representation expenses, $70,800,000, of which not to exceed $5,000,000 shall remain available until September 30, 2017. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the “Lease
of Department of Defense Real Property for Defense Agencies’ account.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $64,300,000, of which $1,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi.

ADMINISTRATIVE PROVISIONS

Sec. 301. Funds appropriated in this Act under the heading “Department of Defense—Civil, Cemeterial Expenses, Army”, may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery, making additional land available for ground burials.

Sec. 302. Amounts deposited during the current fiscal year into the special account established under 10 U.S.C. 4727 are appropriated and shall be available until
expended to support activities at the Army National Military Cemeteries.

TITLE IV

OVERSEAS CONTINGENCY OPERATIONS

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for “Military Construction, Navy and Marine Corps”, $244,004,000 to remain available until September 30, 2020, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for “Military Construction, Air Force” $75,000,000 to remain available until September 30, 2020, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 215(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, DEFENSE-WIDE

For an additional amount for “Military Construction, Defense-Wide”, $212,996,000 to remain available until
September 30, 2020, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE V

GENERAL PROVISIONS

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

Sec. 502. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

Sec. 503. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of “E-Commerce” technologies and procedures in the conduct of their business practices and public service activities.
Sec. 504. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

Sec. 505. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

Sec. 506. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Member, Delegate, or Resident Commissioner of the United States House of Representatives.

Sec. 507. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—
(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

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

SEC. 508. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 509. None of the funds made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 510. None of the funds made available in this Act may be used to execute a contract for goods or services, including construction services, where the contractor has not complied with Executive Order No. 12989.
SEC. 511. None of the funds made available by this Act may be used by the Department of Defense or the Department of Veterans Affairs to lease or purchase new light duty vehicles for any executive fleet, or for an agency’s fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

SEC. 512. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantánamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—
(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

SPENDING REDUCTION ACCOUNT

SEC. 513. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

This Act may be cited as the “Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2016”. 
A BILL

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

APRIL 24, 2015

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed.

VerDate Sep 11 2014 21:54 Apr 24, 2015 Jkt 049200 PO 00000 Frm 00068 Fmt 6651 Sfmt 6651 E:\BILLS\H2029.RH H2029mstockstill on DSK4VPTVN1PROD with BILLS