

114TH CONGRESS
2^D SESSION

H. R. 4974

AN ACT

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for
3 military construction, the Department of Veterans Affairs,
4 and related agencies for the fiscal year ending September
5 30, 2017, and for other purposes, namely:

6

TITLE I

7

DEPARTMENT OF DEFENSE

8

MILITARY CONSTRUCTION, ARMY

9 For acquisition, construction, installation, and equip-
10 ment of temporary or permanent public works, military
11 installations, facilities, and real property for the Army as
12 currently authorized by law, including personnel in the
13 Army Corps of Engineers and other personal services nec-
14 essary for the purposes of this appropriation, and for con-
15 struction and operation of facilities in support of the func-
16 tions of the Commander in Chief, \$503,459,000, to re-
17 main available until September 30, 2021: *Provided*, That,
18 of this amount, not to exceed \$98,159,000 shall be avail-
19 able for study, planning, design, architect and engineer
20 services, and host nation support, as authorized by law,
21 unless the Secretary of the Army determines that addi-
22 tional obligations are necessary for such purposes and no-
23 tifies the Committees on Appropriations of both Houses
24 of Congress of the determination and the reasons therefor.

1 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

2 For acquisition, construction, installation, and equip-
3 ment of temporary or permanent public works, naval in-
4 stallations, facilities, and real property for the Navy and
5 Marine Corps as currently authorized by law, including
6 personnel in the Naval Facilities Engineering Command
7 and other personal services necessary for the purposes of
8 this appropriation, \$1,021,580,000, to remain available
9 until September 30, 2021: *Provided*, That, of this amount,
10 not to exceed \$88,230,000 shall be available for study,
11 planning, design, and architect and engineer services, as
12 authorized by law, unless the Secretary of the Navy deter-
13 mines that additional obligations are necessary for such
14 purposes and notifies the Committees on Appropriations
15 of both Houses of Congress of the determination and the
16 reasons therefor.

17 MILITARY CONSTRUCTION, AIR FORCE

18 For acquisition, construction, installation, and equip-
19 ment of temporary or permanent public works, military
20 installations, facilities, and real property for the Air Force
21 as currently authorized by law, \$1,398,758,000, to remain
22 available until September 30, 2021: *Provided*, That of this
23 amount, not to exceed \$143,582,000 shall be available for
24 study, planning, design, and architect and engineer serv-
25 ices, as authorized by law, unless the Secretary of the Air

1 Force determines that additional obligations are necessary
2 for such purposes and notifies the Committees on Appro-
3 priations of both Houses of Congress of the determination
4 and the reasons therefor: *Provided further*, That none of
5 the funds made available under this heading shall be for
6 construction of the Joint Intelligence Analysis Complex
7 Consolidation, Phase 3, at Royal Air Force Croughton,
8 United Kingdom, unless authorized in an Act authorizing
9 appropriations for fiscal year 2017 for military construc-
10 tion.

11 MILITARY CONSTRUCTION, DEFENSE-WIDE

12 (INCLUDING TRANSFER OF FUNDS)

13 For acquisition, construction, installation, and equip-
14 ment of temporary or permanent public works, installa-
15 tions, facilities, and real property for activities and agen-
16 cies of the Department of Defense (other than the military
17 departments), as currently authorized by law,
18 \$2,024,643,000 (reduced by \$801,000) (increased by
19 \$801,000), to remain available until September 30, 2021:
20 *Provided*, That such amounts of this appropriation as may
21 be determined by the Secretary of Defense may be trans-
22 ferred to such appropriations of the Department of De-
23 fense available for military construction or family housing
24 as the Secretary may designate, to be merged with and
25 to be available for the same purposes, and for the same

1 time period, as the appropriation or fund to which trans-
2 ferred: *Provided further*, That of the amount appropriated,
3 not to exceed \$201,422,000 shall be available for study,
4 planning, design, and architect and engineer services, as
5 authorized by law, unless the Secretary of Defense deter-
6 mines that additional obligations are necessary for such
7 purposes and notifies the Committees on Appropriations
8 of both Houses of Congress of the determination and the
9 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, \$232,930,000, to remain available until Sep-
17 tember 30, 2021: *Provided*, That, of the amount appro-
18 priated, not to exceed \$8,729,000 shall be available for
19 study, planning, design, and architect and engineer serv-
20 ices, as authorized by law, unless the Director of the Army
21 National Guard determines that additional obligations are
22 necessary for such purposes and notifies the Committees
23 on Appropriations of both Houses of Congress of the de-
24 termination and the reasons therefor.

1 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

2 For construction, acquisition, expansion, rehabilita-
3 tion, and conversion of facilities for the training and ad-
4 ministration of the Air National Guard, and contributions
5 therefor, as authorized by chapter 1803 of title 10, United
6 States Code, and Military Construction Authorization
7 Acts, \$143,957,000, to remain available until September
8 30, 2021: *Provided*, That, of the amount appropriated, not
9 to exceed \$10,462,000 shall be available for study, plan-
10 ning, design, and architect and engineer services, as au-
11 thorized by law, unless the Director of the Air National
12 Guard determines that additional obligations are nec-
13 essary for such purposes and notifies the Committees on
14 Appropriations of both Houses of Congress of the deter-
15 mination and the reasons therefor.

16 MILITARY CONSTRUCTION, ARMY RESERVE

17 For construction, acquisition, expansion, rehabilita-
18 tion, and conversion of facilities for the training and ad-
19 ministration of the Army Reserve as authorized by chapter
20 1803 of title 10, United States Code, and Military Con-
21 struction Authorization Acts, \$68,230,000, to remain
22 available until September 30, 2021: *Provided*, That, of the
23 amount appropriated, not to exceed \$7,500,000 shall be
24 available for study, planning, design, and architect and en-
25 gineer services, as authorized by law, unless the Chief of

1 the Army Reserve determines that additional obligations
2 are necessary for such purposes and notifies the Commit-
3 tees on Appropriations of both Houses of Congress of the
4 determination and the reasons therefor.

5 MILITARY CONSTRUCTION, NAVY RESERVE

6 For construction, acquisition, expansion, rehabilita-
7 tion, and conversion of facilities for the training and ad-
8 ministration of the reserve components of the Navy and
9 Marine Corps as authorized by chapter 1803 of title 10,
10 United States Code, and Military Construction Authoriza-
11 tion Acts, \$38,597,000, to remain available until Sep-
12 tember 30, 2021: *Provided*, That, of the amount appro-
13 priated, not to exceed \$3,783,000 shall be available for
14 study, planning, design, and architect and engineer serv-
15 ices, as authorized by law, unless the Secretary of the
16 Navy determines that additional obligations are necessary
17 for such purposes and notifies the Committees on Appro-
18 priations of both Houses of Congress of the determination
19 and the reasons therefor.

20 MILITARY CONSTRUCTION, AIR FORCE RESERVE

21 For construction, acquisition, expansion, rehabilita-
22 tion, and conversion of facilities for the training and ad-
23 ministration of the Air Force Reserve as authorized by
24 chapter 1803 of title 10, United States Code, and Military
25 Construction Authorization Acts, \$188,950,000, to remain

1 available until September 30, 2021: *Provided*, That, of the
2 amount appropriated, not to exceed \$4,500,000 shall be
3 available for study, planning, design, and architect and en-
4 gineer services, as authorized by law, unless the Chief of
5 the Air Force Reserve determines that additional obliga-
6 tions are necessary for such purposes and notifies the
7 Committees on Appropriations of both Houses of Congress
8 of the determination and the reasons therefor.

9 NORTH ATLANTIC TREATY ORGANIZATION

10 SECURITY INVESTMENT PROGRAM

11 For the United States share of the cost of the North
12 Atlantic Treaty Organization Security Investment Pro-
13 gram for the acquisition and construction of military fa-
14 cilities and installations (including international military
15 headquarters) and for related expenses for the collective
16 defense of the North Atlantic Treaty Area as authorized
17 by section 2806 of title 10, United States Code, and Mili-
18 tary Construction Authorization Acts, \$177,932,000, to
19 remain available until expended.

20 FAMILY HOUSING CONSTRUCTION, ARMY

21 For expenses of family housing for the Army for con-
22 struction, including acquisition, replacement, addition, ex-
23 pansion, extension, and alteration, as authorized by law,
24 \$200,735,000, to remain available until September 30,
25 2021.

1 \$61,352,000, to remain available until September 30,
2 2021.

3 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
4 FORCE

5 For expenses of family housing for the Air Force for
6 operation and maintenance, including debt payment, leas-
7 ing, minor construction, principal and interest charges,
8 and insurance premiums, as authorized by law,
9 \$274,429,000.

10 FAMILY HOUSING OPERATION AND MAINTENANCE,
11 DEFENSE-WIDE

12 For expenses of family housing for the activities and
13 agencies of the Department of Defense (other than the
14 military departments) for operation and maintenance,
15 leasing, and minor construction, as authorized by law,
16 \$59,157,000.

17 DEPARTMENT OF DEFENSE FAMILY HOUSING
18 IMPROVEMENT FUND

19 For the Department of Defense Family Housing Im-
20 provement Fund, \$3,258,000, to remain available until ex-
21 pended, for family housing initiatives undertaken pursu-
22 ant to section 2883 of title 10, United States Code, pro-
23 viding alternative means of acquiring and improving mili-
24 tary family housing and supporting facilities.

1 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

2 For deposit into the Department of Defense Base
3 Closure Account, established by section 2906(a) of the De-
4 fense Base Closure and Realignment Act of 1990 (10
5 U.S.C. 2687 note), \$230,237,000, to remain available
6 until expended.

7 ADMINISTRATIVE PROVISIONS

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

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

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

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

5 SEC. 105. None of the funds made available in this
6 title shall be used for purchase of land or land easements
7 in excess of 100 percent of the value as determined by
8 the Army Corps of Engineers or the Naval Facilities Engi-
9 neering Command, except: (1) where there is a determina-
10 tion of value by a Federal court; (2) purchases negotiated
11 by the Attorney General or the designee of the Attorney
12 General; (3) where the estimated value is less than
13 \$25,000; or (4) as otherwise determined by the Secretary
14 of Defense to be in the public interest.

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

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

1 SEC. 108. None of the funds made available in this
2 title may be used for the procurement of steel for any con-
3 struction project or activity for which American steel pro-
4 ducers, fabricators, and manufacturers have been denied
5 the opportunity to compete for such steel procurement.

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

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

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

22 SEC. 112. None of the funds made available in this
23 title for military construction in the United States terri-
24 tories and possessions in the Pacific and on Kwajalein
25 Atoll, or in countries bordering the Arabian Gulf, may be

1 used to award any contract estimated by the Government
2 to exceed \$1,000,000 to a foreign contractor: *Provided*,
3 That this section shall not be applicable to contract
4 awards for which the lowest responsive and responsible bid
5 of a United States contractor exceeds the lowest respon-
6 sive and responsible bid of a foreign contractor by greater
7 than 20 percent: *Provided further*, That this section shall
8 not apply to contract awards for military construction on
9 Kwajalein Atoll for which the lowest responsive and re-
10 sponsible bid is submitted by a Marshallese contractor.

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

18 SEC. 114. Funds appropriated to the Department of
19 Defense for construction in prior years shall be available
20 for construction authorized for each such military depart-
21 ment by the authorizations enacted into law during the
22 current session of Congress.

23 SEC. 115. For military construction or family housing
24 projects that are being completed with funds otherwise ex-
25 pired or lapsed for obligation, expired or lapsed funds may

1 be used to pay the cost of associated supervision, inspec-
2 tion, overhead, engineering and design on those projects
3 and on subsequent claims, if any.

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

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 117. Subject to 30 days prior notification, or
18 14 days for a notification provided in an electronic me-
19 dium pursuant to sections 480 and 2883 of title 10,
20 United States Code, to the Committees on Appropriations
21 of both Houses of Congress, such additional amounts as
22 may be determined by the Secretary of Defense may be
23 transferred to: (1) the Department of Defense Family
24 Housing Improvement Fund from amounts appropriated
25 for construction in "Family Housing" accounts, to be

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

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 118. In addition to any other transfer authority
20 available to the Department of Defense, amounts may be
21 transferred from the Department of Defense Base Closure
22 Account to the fund established by section 1013(d) of the
23 Demonstration Cities and Metropolitan Development Act
24 of 1966 (42 U.S.C. 3374) to pay for expenses associated
25 with the Homeowners Assistance Program incurred under

1 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall
2 be merged with and be available for the same purposes
3 and for the same time period as the fund to which trans-
4 ferred.

5 SEC. 119. Notwithstanding any other provision of
6 law, funds made available in this title for operation and
7 maintenance of family housing shall be the exclusive
8 source of funds for repair and maintenance of all family
9 housing units, including general or flag officer quarters:
10 *Provided*, That not more than \$35,000 per unit may be
11 spent annually for the maintenance and repair of any gen-
12 eral or flag officer quarters without 30 days prior notifica-
13 tion, or 14 days for a notification provided in an electronic
14 medium pursuant to sections 480 and 2883 of title 10,
15 United States Code, to the Committees on Appropriations
16 of both Houses of Congress, except that an after-the-fact
17 notification shall be submitted if the limitation is exceeded
18 solely due to costs associated with environmental remedi-
19 ation that could not be reasonably anticipated at the time
20 of the budget submission: *Provided further*, That the
21 Under Secretary of Defense (Comptroller) is to report an-
22 nually to the Committees on Appropriations of both
23 Houses of Congress all operation and maintenance ex-
24 penditures for each individual general or flag officer quar-
25 ters for the prior fiscal year.

1 SEC. 120. Amounts contained in the Ford Island Im-
2 provement Account established by subsection (h) of sec-
3 tion 2814 of title 10, United States Code, are appro-
4 priated and shall be available until expended for the pur-
5 poses specified in subsection (i)(1) of such section or until
6 transferred pursuant to subsection (i)(3) of such section.

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 121. During the 5-year period after appropria-
9 tions available in this Act to the Department of Defense
10 for military construction and family housing operation and
11 maintenance and construction have expired for obligation,
12 upon a determination that such appropriations will not be
13 necessary for the liquidation of obligations or for making
14 authorized adjustments to such appropriations for obliga-
15 tions incurred during the period of availability of such ap-
16 propriations, unobligated balances of such appropriations
17 may be transferred into the appropriation “Foreign Cur-
18 rency Fluctuations, Construction, Defense”, to be merged
19 with and to be available for the same time period and for
20 the same purposes as the appropriation to which trans-
21 ferred.

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

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

5 (2) is located at a military installation at which
6 the total number of civilian employees of the Depart-
7 ment of the Army and Army contractor personnel
8 employed exceeds 10 percent of the total number of
9 members of the regular and reserve components of
10 the Army assigned to the installation.

11 (b) EXCEPTION.—Subsection (a) shall not apply if
12 the Secretary of the Army certifies to the congressional
13 defense committees that in proposing the relocation of the
14 unit of the Army, the Secretary complied with Army Regu-
15 lation 5–10 relating to the policy, procedures, and respon-
16 sibilities for Army stationing actions.

17 SEC. 123. Amounts appropriated or otherwise made
18 available in an account funded under the headings in this
19 title may be transferred among projects and activities
20 within the account in accordance with the reprogramming
21 guidelines for military construction and family housing
22 construction contained in Department of Defense Finan-
23 cial Management Regulation 7000.14–R, Volume 3, Chap-
24 ter 7, of March 2011, as in effect on the date of enactment
25 of this Act.

1 SEC. 124. None of the funds made available in this
2 title may be obligated or expended for planning and design
3 and construction of projects at Arlington National Ceme-
4 tery.

5 (RESCISSION OF FUNDS)

6 SEC. 125. Of the unobligated balances available for
7 “Military Construction, Army”, from prior appropriation
8 Acts (other than appropriations designated by law as
9 being for contingency operations directly related to the
10 global war on terrorism or as an emergency requirement),
11 \$25,000,000 are hereby rescinded.

12 (RESCISSION OF FUNDS)

13 SEC. 126. Of the unobligated balances available for
14 “Military Construction, Navy and Marine Corps”, from
15 prior appropriation Acts (other than appropriations des-
16 igned by law as being for contingency operations directly
17 related to the global war on terrorism or as an emergency
18 requirement), \$51,848,000 are hereby rescinded.

19 (RESCISSION OF FUNDS)

20 SEC. 127. Of the unobligated balances available for
21 “Military Construction, Defense-Wide”, from prior appro-
22 priation Acts (other than appropriations designated by law
23 as being for contingency operations directly related to the
24 global war on terrorism or as an emergency requirement),
25 \$37,377,000 are hereby rescinded.

1 SEC. 128. For an additional amount for “Military
2 Construction, Army”, \$40,500,000, to remain available
3 until September 30, 2021: *Provided*, That such funds may
4 only be obligated to carry out construction projects, in pri-
5 ority order, identified in the Department of the Army’s
6 Unfunded Priority List for Fiscal Year 2017 submitted
7 by the Secretary of Defense to Congress: *Provided further*,
8 That such funding is subject to authorization prior to obli-
9 gation and expenditure of funds: *Provided further*, That,
10 not later than 30 days after enactment of this Act, the
11 Secretary of the Army shall submit to the Committees on
12 Appropriations of both Houses of Congress an expenditure
13 plan for funds provided under this section.

14 SEC. 129. For an additional amount for “Military
15 Construction, Navy and Marine Corps”, \$293,600,000, to
16 remain available until September 30, 2021: *Provided*,
17 That such funds may only be obligated to carry out con-
18 struction projects, in priority order, identified in the De-
19 partment of the Navy’s Unfunded Priority List for Fiscal
20 Year 2017 submitted by the Secretary of Defense to Con-
21 gress: *Provided further*, That such funding is subject to
22 authorization prior to obligation and expenditure of funds:
23 *Provided further*, That, not later than 30 days after enact-
24 ment of this Act, the Secretary of the Navy shall submit
25 to the Committees on Appropriations of both Houses of

1 Congress an expenditure plan for funds provided under
2 this section.

3 SEC. 130. For an additional amount for “Military
4 Construction, Army National Guard”, \$67,500,000, to re-
5 main available until September 30, 2021: *Provided*, That
6 such funds may only be obligated to carry out construction
7 projects, in priority order, identified in the Department
8 of the Army’s Unfunded Priority List for Fiscal Year
9 2017 submitted by the Secretary of Defense to Congress:
10 *Provided further*, That such funding is subject to author-
11 ization prior to obligation and expenditure of funds: *Pro-*
12 *vided further*, That, not later than 30 days after enact-
13 ment of this Act, the Secretary of the Army shall submit
14 to the Committees on Appropriations of both Houses of
15 Congress an expenditure plan for funds provided under
16 this section.

17 SEC. 131. For an additional amount for “Military
18 Construction, Army Reserve”, \$86,500,000, to remain
19 available until September 30, 2021: *Provided*, That such
20 funds may only be obligated to carry out construction
21 projects, in priority order, identified in the Department
22 of the Army’s Unfunded Priority List for Fiscal Year
23 2017 submitted by the Secretary of Defense to Congress:
24 *Provided further*, That such funding is subject to author-
25 ization prior to obligation and expenditure of funds: *Pro-*

1 *vided further*, That, not later than 30 days after enact-
2 ment of this Act, the Secretary of the Army shall submit
3 to the Committees on Appropriations of both Houses of
4 Congress an expenditure plan for funds provided under
5 this section.

6 SEC. 132. For an additional amount for “Military
7 Construction, Air Force”, \$26,000,000, to remain avail-
8 able until September 30, 2021: *Provided*, That such funds
9 may only be obligated to carry out construction projects,
10 in priority order, identified in the Department of the Air
11 Force’s Unfunded Priority List for Fiscal Year 2017 sub-
12 mitted by the Secretary of Defense to Congress: *Provided*
13 *further*, That such funding is subject to authorization
14 prior to obligation and expenditure of funds: *Provided fur-*
15 *ther*, That not later than 30 days after enactment of this
16 Act, the Secretary of the Air Force shall submit to the
17 Committees on Appropriations of both Houses of Congress
18 an expenditure plan for funds provided under this section.

19 (RESCISSION OF FUNDS)

20 SEC. 133. Of the unobligated balances made available
21 in prior appropriation Acts for the fund established in sec-
22 tion 1013(d) of the Demonstration Cities and Metropoli-
23 tan Development Act of 1966 (42 U.S.C. 3374) (other
24 than appropriations designated by law as being for contin-
25 gency operations directly related to the global war on ter-

1 rorism or as an emergency requirement), \$25,000,000 are
2 hereby rescinded.

3 SEC. 134. For the purposes of this Act, the term
4 “congressional defense committees” means the Commit-
5 tees on Armed Services of the House of Representatives
6 and the Senate, the Subcommittee on Military Construc-
7 tion and Veterans Affairs of the Committee on Appropria-
8 tions of the Senate, and the Subcommittee on Military
9 Construction and Veterans Affairs of the Committee on
10 Appropriations of the House of Representatives.

11 (RESCISSION OF FUNDS)

12 SEC. 135. Of the unobligated balances available for
13 “NATO Security Investment Program”, from prior appro-
14 priations Acts (other than appropriations designated by
15 law as being for contingency operations directly related to
16 the global war on terrorism or as an emergency require-
17 ment), \$30,000,000 are hereby rescinded.

18 SEC. 136. None of the funds made available by this
19 Act may be used to carry out the closure or realignment
20 of the United States Naval Station, Guantánamo Bay,
21 Cuba.

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

6 For the payment of compensation benefits to or on
7 behalf of veterans and a pilot program for disability ex-
8 aminations as authorized by section 107 and chapters 11,
9 13, 18, 51, 53, 55, and 61 of title 38, United States Code;
10 pension benefits to or on behalf of veterans as authorized
11 by chapters 15, 51, 53, 55, and 61 of title 38, United
12 States Code; and burial benefits, the Reinstated Entitle-
13 ment Program for Survivors, emergency and other offi-
14 cers' retirement pay, adjusted-service credits and certifi-
15 cates, payment of premiums due on commercial life insur-
16 ance policies guaranteed under the provisions of title IV
17 of the Servicemembers Civil Relief Act (50 U.S.C. App.
18 541 et seq.) and for other benefits as authorized by sec-
19 tions 107, 1312, 1977, and 2106, and chapters 23, 51,
20 53, 55, and 61 of title 38, United States Code,
21 \$90,119,449,000, to remain available until expended and
22 to become available on October 1, 2017: *Provided*, That
23 not to exceed \$17,224,000 of the amount made available
24 for fiscal year 2018 under this heading shall be reim-
25 bursed to "General Operating Expenses, Veterans Bene-

1 fits Administration”, and “Information Technology Sys-
2 tems” for necessary expenses in implementing the provi-
3 sions of chapters 51, 53, and 55 of title 38, United States
4 Code, the funding source for which is specifically provided
5 as the “Compensation and Pensions” appropriation: *Pro-*
6 *vided further*, That such sums as may be earned on an
7 actual qualifying patient basis, shall be reimbursed to
8 “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 chap-
14 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and
15 61 of title 38, United States Code, \$13,708,648,000, to
16 remain available until expended and to become available
17 on October 1, 2017: *Provided*, That expenses for rehabili-
18 tation program services and assistance which the Sec-
19 retary is authorized to provide under subsection (a) of sec-
20 tion 3104 of title 38, United States Code, other than
21 under paragraphs (1), (2), (5), and (11) of that sub-
22 section, shall be charged to this account.

23 VETERANS INSURANCE AND INDEMNITIES

24 For military and naval insurance, national service life
25 insurance, servicemen’s indemnities, service-disabled vet-

1 erans insurance, and veterans mortgage life insurance as
2 authorized by chapters 19 and 21, title 38, United States
3 Code, \$124,504,000, to remain available until expended,
4 of which \$107,899,000 shall become available on October
5 1, 2017.

6 VETERANS HOUSING BENEFIT PROGRAM FUND

7 For the cost of direct and guaranteed loans, such
8 sums as may be necessary to carry out the program, as
9 authorized by subchapters I through III of chapter 37 of
10 title 38, United States Code: *Provided*, That such costs,
11 including the cost of modifying such loans, shall be as de-
12 fined in section 502 of the Congressional Budget Act of
13 1974: *Provided further*, That, during fiscal year 2017,
14 within the resources available, not to exceed \$500,000 in
15 gross obligations for direct loans are authorized for spe-
16 cially adapted housing loans.

17 In addition, for administrative expenses to carry out
18 the direct and guaranteed loan programs, \$167,612,000.

19 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

20 For the cost of direct loans, \$36,000, as authorized
21 by chapter 31 of title 38, United States Code: *Provided*,
22 That such costs, including the cost of modifying such
23 loans, shall be as defined in section 502 of the Congres-
24 sional Budget Act of 1974: *Provided further*, That funds
25 made available under this heading are available to sub-

1 sidize gross obligations for the principal amount of direct
2 loans not to exceed \$2,517,000.

3 In addition, for administrative expenses necessary to
4 carry out the direct loan program, \$389,000, which may
5 be paid to the appropriation for “General Operating Ex-
6 penses, Veterans Benefits Administration”.

7 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM

8 ACCOUNT

9 For administrative expenses to carry out the direct
10 loan program authorized by subchapter V of chapter 37
11 of title 38, United States Code, \$1,163,000.

12 VETERANS HEALTH ADMINISTRATION

13 MEDICAL SERVICES

14 For necessary expenses for furnishing, as authorized
15 by law, inpatient and outpatient care and treatment to
16 beneficiaries of the Department of Veterans Affairs and
17 veterans described in section 1705(a) of title 38, United
18 States Code, including care and treatment in facilities not
19 under the jurisdiction of the Department, and including
20 medical supplies and equipment, bioengineering services,
21 food services, and salaries and expenses of healthcare em-
22 ployees hired under title 38, United States Code, aid to
23 State homes as authorized by section 1741 of title 38,
24 United States Code, assistance and support services for
25 caregivers as authorized by section 1720G of title 38,

1 United States Code, loan repayments authorized by sec-
2 tion 604 of the Caregivers and Veterans Omnibus Health
3 Services Act of 2010 (Public Law 111–163; 124 Stat.
4 1174; 38 U.S.C. 7681 note), and hospital care and med-
5 ical services authorized by section 1787 of title 38, United
6 States Code; \$850,000,000 (increased by \$4,000,000) (re-
7 duced by \$10,000,000) (increased by \$10,000,000), which
8 shall be in addition to funds previously appropriated under
9 this heading that became available on October 1, 2016;
10 and, in addition, \$44,886,554,000, plus reimbursements,
11 shall become available on October 1, 2017, and shall re-
12 main available until September 30, 2018: *Provided*, That,
13 of the amount made available on October 1, 2017, under
14 this heading, \$1,400,000,000 shall remain available until
15 September 30, 2019: *Provided further*, That, notwith-
16 standing any other provision of law, the Secretary of Vet-
17 erans Affairs shall establish a priority for the provision
18 of medical treatment for veterans who have service-con-
19 nected disabilities, lower income, or have special needs:
20 *Provided further*, That, notwithstanding any other provi-
21 sion of law, the Secretary of Veterans Affairs shall give
22 priority funding for the provision of basic medical benefits
23 to veterans in enrollment priority groups 1 through 6: *Pro-*
24 *vided further*, That, notwithstanding any other provision
25 of law, the Secretary of Veterans Affairs may authorize

1 the dispensing of prescription drugs from Veterans Health
2 Administration facilities to enrolled veterans with privately
3 written prescriptions based on requirements established by
4 the Secretary: *Provided further*, That the implementation
5 of the program described in the previous proviso shall
6 incur no additional cost to the Department of Veterans
7 Affairs.

8 MEDICAL COMMUNITY CARE

9 For necessary expenses for furnishing health care to
10 individuals pursuant to chapter 17 of title 38, United
11 States Code, at non-Department facilities,
12 \$7,246,181,000, plus reimbursements, to be derived from
13 amounts appropriated in title II of division J of Public
14 Law 114–113 under the headings “Medical Services”,
15 “Medical Support and Compliance”, or “Medical Facili-
16 ties” which became available on October 1, 2016; and, in
17 addition, \$9,409,118,000 shall become available on Octo-
18 ber 1, 2017, and shall remain available until September
19 30, 2018: *Provided*, That, of the amount made available
20 on October 1, 2017, under this heading, \$1,500,000,000
21 shall remain available until September 30, 2019.

22 MEDICAL SUPPORT AND COMPLIANCE

23 For necessary expenses in the administration of the
24 medical, hospital, nursing home, domiciliary, construction,
25 supply, and research activities, as authorized by law; ad-

1 ministrative expenses in support of capital policy activi-
2 ties; and administrative and legal expenses of the Depart-
3 ment for collecting and recovering amounts owed the De-
4 partment as authorized under chapter 17 of title 38,
5 United States Code, and the Federal Medical Care Recov-
6 ery Act (42 U.S.C. 2651 et seq.), \$6,654,480,000, plus
7 reimbursements, shall become available on October 1,
8 2017, and shall remain available until September 30,
9 2018: *Provided*, That, of the amount made available on
10 October 1, 2017, under this heading, \$100,000,000 shall
11 remain available until September 30, 2019.

12 MEDICAL FACILITIES

13 For necessary expenses for the maintenance and op-
14 eration of hospitals, nursing homes, domiciliary facilities,
15 and other necessary facilities of the Veterans Health Ad-
16 ministration; for administrative expenses in support of
17 planning, design, project management, real property ac-
18 quisition and disposition, construction, and renovation of
19 any facility under the jurisdiction or for the use of the
20 Department; for oversight, engineering, and architectural
21 activities not charged to project costs; for repairing, alter-
22 ing, improving, or providing facilities in the several hos-
23 pitals and homes under the jurisdiction of the Depart-
24 ment, not otherwise provided for, either by contract or by
25 the hire of temporary employees and purchase of mate-

1 rials; for leases of facilities; and for laundry services,
2 \$5,434,880,000, plus reimbursements, shall become avail-
3 able on October 1, 2017, and shall remain available until
4 September 30, 2018: *Provided*, That, of the amount made
5 available on October 1, 2017, under this heading,
6 \$250,000,000 shall remain available until September 30,
7 2019.

8 MEDICAL AND PROSTHETIC RESEARCH

9 For necessary expenses in carrying out programs of
10 medical and prosthetic research and development as au-
11 thorized by chapter 73 of title 38, United States Code,
12 \$663,366,000, plus reimbursements, shall remain avail-
13 able until September 30, 2018.

14 NATIONAL CEMETERY ADMINISTRATION

15 For necessary expenses of the National Cemetery Ad-
16 ministration for operations and maintenance, not other-
17 wise provided for, including uniforms or allowances there-
18 for; cemeterial expenses as authorized by law; purchase
19 of one passenger motor vehicle for use in cemeterial oper-
20 ations; hire of passenger motor vehicles; and repair, alter-
21 ation or improvement of facilities under the jurisdiction
22 of the National Cemetery Administration, \$271,220,000,
23 of which not to exceed \$26,600,000 shall remain available
24 until September 30, 2018.

1 DEPARTMENTAL ADMINISTRATION
2 GENERAL ADMINISTRATION
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary operating expenses of the Department
5 of Veterans Affairs, not otherwise provided for, including
6 administrative expenses in support of Department-wide
7 capital planning, management and policy activities, uni-
8 forms, or allowances therefor; not to exceed \$25,000 for
9 official reception and representation expenses; hire of pas-
10 senger motor vehicles; and reimbursement of the General
11 Services Administration for security guard services,
12 \$336,659,000 (reduced by \$5,500,000) (reduced by
13 \$1,500,000) (increased by \$1,500,000) (reduced by
14 \$5,000,000) (reduced by \$1,000,000) (increased by
15 \$1,000,000), of which not to exceed \$10,000,000 shall re-
16 main available until September 30, 2018: *Provided*, That
17 funds provided under this heading may be transferred to
18 “General Operating Expenses, Veterans Benefits Adminis-
19 tration”.

20 BOARD OF VETERANS APPEALS

21 For necessary operating expenses of the Board of
22 Veterans Appeals, \$156,096,000, of which not to exceed
23 \$15,610,000 shall remain available until September 30,
24 2018.

1 GENERAL OPERATING EXPENSES, VETERANS BENEFITS
2 ADMINISTRATION

3 For necessary operating expenses of the Veterans
4 Benefits Administration, not otherwise provided for, in-
5 cluding hire of passenger motor vehicles, reimbursement
6 of the General Services Administration for security guard
7 services, and reimbursement of the Department of De-
8 fense for the cost of overseas employee mail,
9 \$2,826,160,000 (reduced by \$5,000,000) (increased by
10 \$5,000,000): *Provided*, That expenses for services and as-
11 sistance authorized under paragraphs (1), (2), (5), and
12 (11) of section 3104(a) of title 38, United States Code,
13 that the Secretary of Veterans Affairs determines are nec-
14 essary to enable entitled veterans: (1) to the maximum ex-
15 tent feasible, to become employable and to obtain and
16 maintain suitable employment; or (2) to achieve maximum
17 independence in daily living, shall be charged to this ac-
18 count: *Provided further*, That, of the funds made available
19 under this heading, not to exceed \$141,000,000 shall re-
20 main available until September 30, 2018.

21 INFORMATION TECHNOLOGY SYSTEMS
22 (INCLUDING TRANSFER OF FUNDS)

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

1 systems; for pay and associated costs; and for the capital
2 asset acquisition of information technology systems, in-
3 cluding management and related contractual costs of said
4 acquisitions, including contractual costs associated with
5 operations authorized by section 3109 of title 5, United
6 States Code, \$4,220,869,000 (increased by \$5,000,000),
7 plus reimbursements: *Provided*, That \$1,247,548,000
8 shall be for pay and associated costs, of which not to ex-
9 ceed \$36,300,000 shall remain available until September
10 30, 2018: *Provided further*, That \$2,502,052,000 shall be
11 for operations and maintenance, of which not to exceed
12 \$177,900,000 shall remain available until September 30,
13 2018: *Provided further*, That \$471,269,000 (increased by
14 \$5,000,000) shall be for information technology systems
15 development, modernization, and enhancement, and shall
16 remain available until September 30, 2018: *Provided fur-*
17 *ther*, That amounts made available for information tech-
18 nology systems development, modernization, and enhance-
19 ment may not be obligated or expended until the Secretary
20 of Veterans Affairs or the Chief Information Officer of
21 the Department of Veterans Affairs submits to the Com-
22 mittees on Appropriations of both Houses of Congress a
23 certification of the amounts, in parts or in full, to be obli-
24 gated and expended for each development project: *Pro-*
25 *vided further*, That amounts made available for salaries

1 and expenses, operations and maintenance, and informa-
2 tion technology systems development, modernization, and
3 enhancement may be transferred among the three sub-
4 accounts after the Secretary of Veterans Affairs requests
5 from the Committees on Appropriations of both Houses
6 of Congress the authority to make the transfer and an
7 approval is issued: *Provided further*, That amounts made
8 available for the “Information Technology Systems” ac-
9 count for development, modernization, and enhancement
10 may be transferred among projects or to newly defined
11 projects: *Provided further*, That no project may be in-
12 creased or decreased by more than \$1,000,000 of cost
13 prior to submitting a request to the Committees on Appro-
14 priations of both Houses of Congress to make the transfer
15 and an approval is issued, or absent a response, a period
16 of 30 days has elapsed: *Provided further*, That funds under
17 this heading may be used by the Interagency Program Of-
18 fice through the Department of Veterans Affairs to define
19 data standards, code sets, and value sets used to enable
20 interoperability: *Provided further*, That of the amounts
21 made available under this heading for operations and
22 maintenance and information technology systems develop-
23 ment, modernization, and enhancement, not more than a
24 total amount of \$168,113,000 shall be available for VistA
25 Evolution or any successor: *Provided further*, That none

1 of the funds made available by the preceding proviso may
2 be obligated or expended for such program or any suc-
3 cessor until the Secretary of Veterans Affairs: (1) certifies
4 to the Committees on Appropriations of both Houses of
5 Congress that the Department of Veterans Affairs has de-
6 ployed modernized electronic health record software sup-
7 porting clinicians of the Department of Veterans Affairs
8 and the Department of Defense no later than December
9 31, 2016, while ensuring continued support and compat-
10 ibility with the interoperability platform and full stand-
11 ards-based interoperability, as stipulated by the National
12 Defense Authorization Act of Fiscal Year 2014 (Public
13 Law 113–66); (2) submits to the Committees on Appro-
14 priations of both Houses of Congress the VistA Evolution
15 Business Case and supporting documents regarding con-
16 tinuation of VistA Evolution or alternatives to VistA Evo-
17 lution, including an analysis of necessary or desired capa-
18 bilities, technical and security requirements, the plan for
19 modernizing the platform framework, and all associated
20 costs; and (3) submits to the Committees on Appropria-
21 tions of both Houses of Congress, and such Committees
22 approve, the following: a report that describes a strategic
23 plan for VistA Evolution, or any successor, and the associ-
24 ated implementation plan including metrics and timelines;
25 a master schedule and lifecycle cost estimate for VistA

1 Evolution or any successor; and an implementation plan
2 for the transition from the Project Management Account-
3 ability System (PMAS) to the new project delivery frame-
4 work (the Veteran-focused Integration Process (VIP))
5 that includes the methodology by which projects will be
6 tracked, progress measured, and deliverables evaluated:
7 *Provided further*, That the funds made available under this
8 heading for information technology systems development,
9 modernization, and enhancement, shall be for the projects,
10 and in the amounts, specified under this heading in the
11 report accompanying this Act.

12 OFFICE OF INSPECTOR GENERAL

13 For necessary expenses of the Office of Inspector
14 General, to include information technology, in carrying out
15 the provisions of the Inspector General Act of 1978 (5
16 U.S.C. App.), \$160,106,000, of which not to exceed
17 \$14,800,000 shall remain available until September 30,
18 2018.

19 CONSTRUCTION, MAJOR PROJECTS

20 For constructing, altering, extending, and improving
21 any of the facilities, including parking projects, under the
22 jurisdiction or for the use of the Department of Veterans
23 Affairs, or for any of the purposes set forth in sections
24 316, 2404, 2406 and chapter 81 of title 38, United States
25 Code, not otherwise provided for, including planning, ar-

1 chitectural and engineering services, construction manage-
2 ment services, maintenance or guarantee period services
3 costs associated with equipment guarantees provided
4 under the project, services of claims analysts, offsite utility
5 and storm drainage system construction costs, and site ac-
6 quisition, where the estimated cost of a project is more
7 than the amount set forth in section 8104(a)(3)(A) of title
8 38, United States Code, or where funds for a project were
9 made available in a previous major project appropriation,
10 \$528,110,000, of which \$494,310,000 shall remain avail-
11 able until September 30, 2021, and of which \$33,800,000
12 shall remain available until expended: *Provided*, That ex-
13 cept for advance planning activities, including needs as-
14 sessments which may or may not lead to capital invest-
15 ments, and other capital asset management related activi-
16 ties, including portfolio development and management ac-
17 tivities, and investment strategy studies funded through
18 the advance planning fund and the planning and design
19 activities funded through the design fund, including needs
20 assessments which may or may not lead to capital invest-
21 ments, and salaries and associated costs of the resident
22 engineers who oversee those capital investments funded
23 through this account and contracting officers who manage
24 specific major construction projects, and funds provided
25 for the purchase of land, security, and maintenance for

1 the National Cemetery Administration through the land
2 acquisition line item, none of the funds made available
3 under this heading shall be used for any project which has
4 not been approved by the Congress in the budgetary pro-
5 cess: *Provided further*, That funds made available under
6 this heading for fiscal year 2017, for each approved
7 project shall be obligated: (1) by the awarding of a con-
8 struction documents contract by September 30, 2017; and
9 (2) by the awarding of a construction contract by Sep-
10 tember 30, 2018: *Provided further*, That the Secretary of
11 Veterans Affairs shall promptly submit to the Committees
12 on Appropriations of both Houses of Congress a written
13 report on any approved major construction project for
14 which obligations are not incurred within the time limita-
15 tions established above: *Provided further*, That, of the
16 amount made available under this heading, \$222,620,000
17 for Veterans Health Administration major construction
18 projects shall not be available until the Department of
19 Veterans Affairs—

20 (1) enters into an agreement with an appro-
21 priate non-Department of Veterans Affairs Federal
22 entity to serve as the design and/or construction
23 agent for any Veterans Health Administration major
24 construction project with a Total Estimated Cost of
25 \$100,000,000 or above by providing full project

1 management services, including management of the
2 project design, acquisition, construction, and con-
3 tract changes, consistent with section 502 of Public
4 Law 114–58; and

5 (2) certifies in writing that such an agreement
6 is executed and intended to minimize or prevent sub-
7 sequent major construction project cost overruns
8 and provides a copy of the agreement entered into
9 and any required supplementary information to the
10 Committees on Appropriations of both Houses of
11 Congress.

12 CONSTRUCTION, MINOR PROJECTS

13 For constructing, altering, extending, and improving
14 any of the facilities, including parking projects, under the
15 jurisdiction or for the use of the Department of Veterans
16 Affairs, including planning and assessments of needs
17 which may lead to capital investments, architectural and
18 engineering services, maintenance or guarantee period
19 services costs associated with equipment guarantees pro-
20 vided under the project, services of claims analysts, offsite
21 utility and storm drainage system construction costs, and
22 site acquisition, or for any of the purposes set forth in
23 sections 316, 2404, 2406 and chapter 81 of title 38,
24 United States Code, not otherwise provided for, where the
25 estimated cost of a project is equal to or less than the

1 amount set forth in section 8104(a)(3)(A) of title 38,
2 United States Code, \$372,069,000, to remain available
3 until September 30, 2021, along with unobligated balances
4 of previous “Construction, Minor Projects” appropriations
5 which are hereby made available for any project where the
6 estimated cost is equal to or less than the amount set forth
7 in such section: *Provided*, That funds made available
8 under this heading shall be for: (1) repairs to any of the
9 nonmedical facilities under the jurisdiction or for the use
10 of the Department which are necessary because of loss or
11 damage caused by any natural disaster or catastrophe;
12 and (2) temporary measures necessary to prevent or to
13 minimize further loss by such causes.

14 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
15 FACILITIES

16 For grants to assist States to acquire or construct
17 State nursing home and domiciliary facilities and to re-
18 model, modify, or alter existing hospital, nursing home,
19 and domiciliary facilities in State homes, for furnishing
20 care to veterans as authorized by sections 8131 through
21 8137 of title 38, United States Code, \$80,000,000, to re-
22 main available until expended.

23 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

24 For grants to assist States and tribal organizations
25 in establishing, expanding, or improving veterans ceme-

1 teries as authorized by section 2408 of title 38, United
2 States Code, \$45,000,000, to remain available until ex-
3 pended.

4 ADMINISTRATIVE PROVISIONS

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 201. Any appropriation for fiscal year 2017 for
7 “Compensation and Pensions”, “Readjustment Benefits”,
8 and “Veterans Insurance and Indemnities” may be trans-
9 ferred as necessary to any other of the mentioned appro-
10 priations: *Provided*, That, before a transfer may take
11 place, the Secretary of Veterans Affairs shall request from
12 the Committees on Appropriations of both Houses of Con-
13 gress the authority to make the transfer and such Com-
14 mittees issue an approval, or absent a response, a period
15 of 30 days has elapsed.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 202. Amounts made available for the Depart-
18 ment of Veterans Affairs for fiscal year 2017, in this or
19 any other Act, under the “Medical Services”, “Medical
20 Community Care”, “Medical Support and Compliance”,
21 and “Medical Facilities” accounts may be transferred
22 among the accounts: *Provided*, That any transfers among
23 the “Medical Services”, “Medical Community Care”, and
24 “Medical Support and Compliance” accounts of 1 percent
25 or less of the total amount appropriated to the account

1 in this or any other Act may take place subject to notifica-
2 tion from the Secretary of Veterans Affairs to the Com-
3 mittees on Appropriations of both Houses of Congress of
4 the amount and purpose of the transfer: *Provided further*,
5 That any transfers among the “Medical Services”, “Med-
6 ical Community Care”, and “Medical Support and Compli-
7 ance” accounts in excess of 1 percent, or exceeding the
8 cumulative 1 percent for the fiscal year, may take place
9 only after the Secretary requests from the Committees on
10 Appropriations of both Houses of Congress the authority
11 to make the transfer and an approval is issued: *Provided*
12 *further*, That any transfers to or from the “Medical Facili-
13 ties” account may take place only after the Secretary re-
14 quests from the Committees on Appropriations of both
15 Houses of Congress the authority to make the transfer
16 and an approval is issued.

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

24 SEC. 204. No appropriations in this title (except the
25 appropriations for “Construction, Major Projects”, and

1 “Construction, Minor Projects”) shall be available for the
2 purchase of any site for or toward the construction of any
3 new hospital or home.

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

15 SEC. 206. Appropriations available in this title for
16 “Compensation and Pensions”, “Readjustment Benefits”,
17 and “Veterans Insurance and Indemnities” shall be avail-
18 able for payment of prior year accrued obligations re-
19 quired to be recorded by law against the corresponding
20 prior year accounts within the last quarter of fiscal year
21 2016.

22 SEC. 207. Appropriations available in this title shall
23 be available to pay prior year obligations of corresponding
24 prior year appropriations accounts resulting from sections
25 3328(a), 3334, and 3712(a) of title 31, United States

1 Code, except that if such obligations are from trust fund
2 accounts they shall be payable only from “Compensation
3 and Pensions”.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 208. Notwithstanding any other provision of
6 law, during fiscal year 2017, the Secretary of Veterans
7 Affairs shall, from the National Service Life Insurance
8 Fund under section 1920 of title 38, United States Code,
9 the Veterans’ Special Life Insurance Fund under section
10 1923 of title 38, United States Code, and the United
11 States Government Life Insurance Fund under section
12 1955 of title 38, United States Code, reimburse the “Gen-
13 eral Operating Expenses, Veterans Benefits Administra-
14 tion” and “Information Technology Systems” accounts for
15 the cost of administration of the insurance programs fi-
16 nanced through those accounts: *Provided*, That reimburse-
17 ment shall be made only from the surplus earnings accu-
18 mulated in such an insurance program during fiscal year
19 2017 that are available for dividends in that program after
20 claims have been paid and actuarially determined reserves
21 have been set aside: *Provided further*, That if the cost of
22 administration of such an insurance program exceeds the
23 amount of surplus earnings accumulated in that program,
24 reimbursement shall be made only to the extent of such
25 surplus earnings: *Provided further*, That the Secretary

1 shall determine the cost of administration for fiscal year
2 2017 which is properly allocable to the provision of each
3 such insurance program and to the provision of any total
4 disability income insurance included in that insurance pro-
5 gram.

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

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 210. Funds available in this title or funds for
13 salaries and other administrative expenses shall also be
14 available to reimburse the Office of Resolution Manage-
15 ment of the Department of Veterans Affairs and the Of-
16 fice of Employment Discrimination Complaint Adjudica-
17 tion under section 319 of title 38, United States Code,
18 for all services provided at rates which will recover actual
19 costs but not to exceed \$47,668,000 for the Office of Reso-
20 lution Management and \$3,532,000 for the Office of Em-
21 ployment Discrimination Complaint Adjudication: *Pro-*
22 *vided*, That payments may be made in advance for services
23 to be furnished based on estimated costs: *Provided further*,
24 That amounts received shall be credited to the “General

1 Administration” and “Information Technology Systems”
2 accounts for use by the office that provided the service.

3 SEC. 211. No funds of the Department of Veterans
4 Affairs shall be available for hospital care, nursing home
5 care, or medical services provided to any person under
6 chapter 17 of title 38, United States Code, for a non-serv-
7 ice-connected disability described in section 1729(a)(2) of
8 such title, unless that person has disclosed to the Sec-
9 retary of Veterans Affairs, in such form as the Secretary
10 may require, current, accurate third-party reimbursement
11 information for purposes of section 1729 of such title: *Pro-*
12 *vided*, That the Secretary may recover, in the same man-
13 ner as any other debt due the United States, the reason-
14 able charges for such care or services from any person who
15 does not make such disclosure as required: *Provided fur-*
16 *ther*, That any amounts so recovered for care or services
17 provided in a prior fiscal year may be obligated by the
18 Secretary during the fiscal year in which amounts are re-
19 ceived.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 212. Notwithstanding any other provision of
22 law, proceeds or revenues derived from enhanced-use leas-
23 ing activities (including disposal) may be deposited into
24 the “Construction, Major Projects” and “Construction,
25 Minor Projects” accounts and be used for construction

1 (including site acquisition and disposition), alterations,
2 and improvements of any medical facility under the juris-
3 diction or for the use of the Department of Veterans Af-
4 fairs. Such sums as realized are in addition to the amount
5 provided for in “Construction, Major Projects” and “Con-
6 struction, Minor Projects”.

7 SEC. 213. Amounts made available under “Medical
8 Services” 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. 214. Such sums as may be deposited to the
16 Medical Care Collections Fund pursuant to section 1729A
17 of title 38, United States Code, may be transferred to the
18 “Medical Services” and “Medical Community Care” ac-
19 counts to remain available until expended for the purposes
20 of these accounts.

21 SEC. 215. The Secretary of Veterans Affairs may
22 enter into agreements with Indian tribes and tribal organi-
23 zations which are party to the Alaska Native Health Com-
24 pact with the Indian Health Service, and Indian tribes and
25 tribal organizations serving rural Alaska which have en-

1 tered into contracts with the Indian Health Service under
2 the Indian Self Determination and Educational Assistance
3 Act, to provide healthcare, including behavioral health and
4 dental care. The Secretary shall require participating vet-
5 erans and facilities to comply with all appropriate rules
6 and regulations, as established by the Secretary. The term
7 “rural Alaska” shall mean those lands sited within the ex-
8 ternal boundaries of the Alaska Native regions specified
9 in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native
10 Claims Settlement Act, as amended (43 U.S.C. 1606), and
11 those lands within the Alaska Native regions specified in
12 sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims
13 Settlement Act, as amended (43 U.S.C. 1606), which are
14 not within the boundaries of the municipality of Anchor-
15 age, the Fairbanks North Star Borough, the Kenai Penin-
16 sula Borough or the Matanuska Susitna Borough.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 216. Such sums as may be deposited to the De-
19 partment of Veterans Affairs Capital Asset Fund pursu-
20 ant to section 8118 of title 38, United States Code, may
21 be transferred to the “Construction, Major Projects” and
22 “Construction, Minor Projects” accounts, to remain avail-
23 able until expended for the purposes of these accounts.

24 SEC. 217. None of the funds made available in this
25 title may be used to implement any policy prohibiting the

1 Directors of the Veterans Integrated Services Networks
2 from conducting outreach or marketing to enroll new vet-
3 erans within their respective Networks.

4 SEC. 218. Not later than 30 days after the end of
5 each fiscal quarter, the Secretary of Veterans Affairs shall
6 submit to the Committees on Appropriations of both
7 Houses of Congress a report on the financial status of the
8 Department of Veterans Affairs for the preceding quarter:
9 *Provided*, That, at a minimum, the report shall include
10 the direction contained in the explanatory statement de-
11 scribed in section 4 in the matter preceding division A of
12 the Consolidated Appropriations Act, 2016, Public Law
13 114–113 in title II of Division J of the consolidated Act
14 in the paragraph entitled “Quarterly Report”, under the
15 heading “General Administration”.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 219. Amounts made available under the “Med-
18 ical Services”, “Medical Community Care”, “Medical Sup-
19 port and Compliance”, “Medical Facilities”, “General Op-
20 erating Expenses, Veterans Benefits Administration”,
21 “General Administration”, and “National Cemetery Ad-
22 ministration” accounts for fiscal year 2017 may be trans-
23 ferred to or from the “Information Technology Systems”
24 account: *Provided*, That such transfers may not result in
25 a more than 10 percent aggregate increase in the total

1 amount made available by this Act for the “Information
2 Technology Systems” account: *Provided further*, That, be-
3 fore a transfer may take place, the Secretary of Veterans
4 Affairs shall request from the Committees on Appropria-
5 tions of both Houses of Congress the authority to make
6 the transfer and an approval is issued.

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 220. Of the amounts appropriated to the De-
9 partment of Veterans Affairs for fiscal year 2017 for
10 “Medical Services”, “Medical Support and Compliance”,
11 “Medical Facilities”, “Construction, Minor Projects”, and
12 “Information Technology Systems”, up to \$274,731,000,
13 plus reimbursements, may be transferred to the Joint De-
14 partment of Defense-Department of Veterans Affairs
15 Medical Facility Demonstration Fund, established by sec-
16 tion 1704 of the National Defense Authorization Act for
17 Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571)
18 and may be used for operation of the facilities designated
19 as combined Federal medical facilities as described by sec-
20 tion 706 of the Duncan Hunter National Defense Author-
21 ization Act for Fiscal Year 2009 (Public Law 110–417;
22 122 Stat. 4500): *Provided*, That additional funds may be
23 transferred from accounts designated in this section to the
24 Joint Department of Defense-Department of Veterans Af-
25 fairs Medical Facility Demonstration Fund upon written

1 notification by the Secretary of Veterans Affairs to the
2 Committees on Appropriations of both Houses of Con-
3 gress: *Provided further*, That section 223 of title II of Di-
4 vision J of Public Law 114–113 is repealed.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 221. Of the amounts appropriated to the De-
7 partment of Veterans Affairs which become available on
8 October 1, 2017, for “Medical Services”, “Medical Com-
9 munity Care”, “Medical Support and Compliance”, and
10 “Medical Facilities”, up to \$280,802,000, plus reimburse-
11 ments, may be transferred to the Joint Department of De-
12 fense-Department of Veterans Affairs Medical Facility
13 Demonstration Fund, established by section 1704 of the
14 National Defense Authorization Act for Fiscal Year 2010
15 (Public Law 111–84; 123 Stat. 3571) and may be used
16 for operation of the facilities designated as combined Fed-
17 eral medical facilities as described by section 706 of the
18 Duncan Hunter National Defense Authorization Act for
19 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500):
20 *Provided*, That additional funds may be transferred from
21 accounts designated in this section to the Joint Depart-
22 ment of Defense-Department of Veterans Affairs Medical
23 Facility Demonstration Fund upon written notification by
24 the Secretary of Veterans Affairs to the Committees on
25 Appropriations of both Houses of Congress.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 222. Such sums as may be deposited to the
3 Medical Care Collections Fund pursuant to section 1729A
4 of title 38, United States Code, for healthcare provided
5 at facilities designated as combined Federal medical facili-
6 ties as described by section 706 of the Duncan Hunter
7 National Defense Authorization Act for Fiscal Year 2009
8 (Public Law 110–417; 122 Stat. 4500) shall also be avail-
9 able: (1) for transfer to the Joint Department of Defense-
10 Department of Veterans Affairs Medical Facility Dem-
11 onstration Fund, established by section 1704 of the Na-
12 tional Defense Authorization Act for Fiscal Year 2010
13 (Public Law 111–84; 123 Stat. 3571); and (2) for oper-
14 ations of the facilities designated as combined Federal
15 medical facilities as described by section 706 of the Dun-
16 can Hunter National Defense Authorization Act for Fiscal
17 Year 2009 (Public Law 110–417; 122 Stat. 4500).

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 223. Of the amounts available in this title for
20 “Medical Services”, “Medical Community Care”, “Medical
21 Support and Compliance”, and “Medical Facilities”, a
22 minimum of \$15,000,000 shall be transferred to the
23 DOD–VA Health Care Sharing Incentive Fund, as au-
24 thorized by section 8111(d) of title 38, United States

1 Code, to remain available until expended, for any purpose
2 authorized by section 8111 of title 38, United States Code.

3 SEC. 224. The Secretary of Veterans Affairs shall no-
4 tify the Committees on Appropriations of both Houses of
5 Congress of all bid savings in a major construction project
6 that total at least \$5,000,000, or 5 percent of the pro-
7 grammed amount of the project, whichever is less: *Pro-*
8 *vided*, That such notification shall occur within 14 days
9 of a contract identifying the programmed amount: *Pro-*
10 *vided further*, That the Secretary shall notify the Commit-
11 tees on Appropriations of both Houses of Congress 14
12 days prior to the obligation of such bid savings and shall
13 describe the anticipated use of such savings.

14 SEC. 225. None of the funds made available for
15 “Construction, Major Projects” may be used for a project
16 in excess of the scope specified for that project in the origi-
17 nal justification data provided to the Congress as part of
18 the request for appropriations unless the Secretary of Vet-
19 erans Affairs receives approval from the Committees on
20 Appropriations of both Houses of Congress.

21 SEC. 226. Of the funds provided to the Department
22 of Veterans Affairs for fiscal year 2017 for “Medical Sup-
23 port and Compliance”, a maximum of \$40,000,000 may
24 be obligated from the “Medical Support and Compliance”
25 account for the VistA Evolution and electronic health

1 record interoperability projects: *Provided*, That funds in
2 addition to these amounts may be obligated for the VistA
3 Evolution and electronic health record interoperability
4 projects upon written notification by the Secretary of Vet-
5 erans Affairs to the Committees on Appropriations of both
6 Houses of Congress.

7 SEC. 227. The Secretary of Veterans Affairs shall
8 provide written notification to the Committees on Appro-
9 priations of both Houses of Congress 15 days prior to or-
10 ganizational changes which result in the transfer of 25 or
11 more full-time equivalents from one organizational unit of
12 the Department of Veterans Affairs to another.

13 SEC. 228. The Secretary of Veterans Affairs shall
14 provide on a quarterly basis to the Committees on Appro-
15 priations of both Houses of Congress notification of any
16 single national outreach and awareness marketing cam-
17 paign in which obligations exceed \$2,000,000.

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 229. The Secretary of Veterans Affairs, upon
20 determination that such action is necessary to address
21 needs of the Veterans Health Administration, may trans-
22 fer to the “Medical Services” account any discretionary
23 appropriations made available for fiscal year 2017 in this
24 title (except appropriations made to the “General Oper-
25 ating Expenses, Veterans Benefits Administration” ac-

1 count) or any discretionary unobligated balances within
2 the Department of Veterans Affairs, including those ap-
3 propriated for fiscal year 2017, that were provided in ad-
4 vance by appropriations Acts: *Provided*, That transfers
5 shall be made only with the approval of the Office of Man-
6 agement and Budget: *Provided further*, That the transfer
7 authority provided in this section is in addition to any
8 other transfer authority provided by law: *Provided further*,
9 That no amounts may be transferred from amounts that
10 were designated by Congress as an emergency requirement
11 pursuant to a concurrent resolution on the budget or the
12 Balanced Budget and Emergency Deficit Control Act of
13 1985: *Provided further*, That such authority to transfer
14 may not be used unless for higher priority items, based
15 on emergent healthcare requirements, than those for
16 which originally appropriated and in no case where the
17 item for which funds are requested has been denied by
18 Congress: *Provided further*, That, upon determination that
19 all or part of the funds transferred from an appropriation
20 are not necessary, such amounts may be transferred back
21 to that appropriation and shall be available for the same
22 purposes as originally appropriated: *Provided further*,
23 That before a transfer may take place, the Secretary of
24 Veterans Affairs shall request from the Committees on

1 Appropriations of both Houses of Congress the authority
2 to make the transfer and receive approval of that request.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 230. Amounts made available for the Depart-
5 ment of Veterans Affairs for fiscal year 2017, under the
6 “Board of Veterans Appeals” and the “General Operating
7 Expenses, Veterans Benefits Administration” accounts
8 may be transferred between such accounts: *Provided*, That
9 before a transfer may take place, the Secretary of Vet-
10 erans Affairs shall request from the Committees on Appro-
11 priations of both Houses of Congress the authority to
12 make the transfer and receive approval from such Com-
13 mittees for such request.

14 SEC. 231. The Secretary of Veterans Affairs may not
15 reprogram funds among major construction projects or
16 programs if such instance of reprogramming will exceed
17 \$5,000,000, unless such reprogramming is approved by
18 the Committees on Appropriations of both Houses of Con-
19 gress.

20 (RESCISSION OF FUNDS)

21 SEC. 232. Of the unobligated balances available with-
22 in the “DOD–VA Health Care Sharing Incentive Fund”,
23 \$30,000,000 are hereby rescinded.

(RESCISSIONS OF FUNDS)

1
2 SEC. 233. Of the discretionary funds made available
3 in Public Law 114–113 for the Department of Veterans
4 Affairs for fiscal year 2017, \$266,760,000 are rescinded
5 from “Medical Services”, \$52,031,000 are rescinded from
6 “Medical Support and Compliance”, and \$18,591,000 are
7 rescinded from “Medical Facilities”.

8 SEC. 234. The amounts otherwise made available by
9 this Act for the following accounts of the Department of
10 Veterans Affairs are hereby reduced by the following
11 amounts:

12 (1) “Veterans Health Administration—Medical
13 and Prosthetic Research”, \$4,004,000.

14 (2) “National Cemetery Administration”,
15 \$1,464,000.

16 (3) “Departmental Administration—General
17 Administration”, \$1,250,000.

18 (4) “Departmental Administration—Board of
19 Veterans Appeals”, \$1,214,000.

20 (5) “Departmental Administration—General
21 Operating Expenses, Veterans Benefits Administra-
22 tion”, \$24,849,000.

23 (6) “Departmental Administration—Informa-
24 tion Technology Systems”, \$12,535,000.

1 (7) “Departmental Administration—Office of
2 Inspector General”, \$1,302,000.

3 SEC. 235. The Secretary of Veterans Affairs shall en-
4 sure that the toll-free suicide hotline under section
5 1720F(h) of title 38, United States Code—

6 (1) provides to individuals who contact the hot-
7 line immediate assistance from a trained profes-
8 sional; and

9 (2) adheres to all requirements of the American
10 Association of Suicidology.

11 SEC. 236. (a) The Secretary of Veterans Affairs shall
12 treat a marriage and family therapist described in sub-
13 section (b) as qualified to serve as a marriage and family
14 therapist in the Department of Veterans Affairs, regard-
15 less of any requirements established by the Commission
16 on Accreditation for Marriage and Family Therapy Edu-
17 cation.

18 (b) A marriage and family therapist described in this
19 subsection is a therapist who meets each of the following
20 criteria:

21 (1) Has a masters or higher degree in marriage
22 and family therapy, or a related field, from a region-
23 ally accredited program.

24 (2) Is licensed as a marriage and family thera-
25 apist in a State (as defined in section 101(20) of title

1 38, United States Code) and possesses the highest
2 level of licensure offered from the State.

3 (3) Has passed the Association of Marital and
4 Family Therapy Regulatory Board Examination in
5 Marital and Family Therapy.

6 SEC. 237. None of the funds made available by this
7 Act may be used by the Secretary of Veterans Affairs to
8 pay a performance award under section 5384 of title 5,
9 United States Code.

10 SEC. 238. None of the funds made available by this
11 Act may be used to end, suspend, or relocate hospital-
12 based services with respect to a health care facility of the
13 Department of Veterans Affairs that is—

14 (1) the subject of an environmental impact
15 statement in accordance with the National Environ-
16 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

17 (2) designated as a National Historic Land-
18 mark by the National Park Service; and

19 (3) located in a highly rural area.

20 TITLE III

21 RELATED AGENCIES

22 AMERICAN BATTLE MONUMENTS COMMISSION

23 SALARIES AND EXPENSES

24 For necessary expenses, not otherwise provided for,
25 of the American Battle Monuments Commission, including

1 the acquisition of land or interest in land in foreign coun-
2 tries; purchases and repair of uniforms for caretakers of
3 national cemeteries and monuments outside of the United
4 States and its territories and possessions; rent of office
5 and garage space in foreign countries; purchase (one-for-
6 one replacement basis only) and hire of passenger motor
7 vehicles; not to exceed \$7,500 for official reception and
8 representation expenses; and insurance of official motor
9 vehicles in foreign countries, when required by law of such
10 countries, \$75,100,000, to remain available until ex-
11 pended.

12 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

13 For necessary expenses, not otherwise provided for,
14 of the American Battle Monuments Commission, such
15 sums as may be necessary, to remain available until ex-
16 pended, for purposes authorized by section 2109 of title
17 36, United States Code.

18 UNITED STATES COURT OF APPEALS FOR VETERANS

19 CLAIMS

20 SALARIES AND EXPENSES

21 For necessary expenses for the operation of the
22 United States Court of Appeals for Veterans Claims as
23 authorized by sections 7251 through 7298 of title 38,
24 United States Code, \$30,945,000: *Provided*, That
25 \$2,500,000 shall be available for the purpose of providing

1 financial assistance as described, and in accordance with
2 the process and reporting procedures set forth, under this
3 heading in Public Law 102–229.

4 DEPARTMENT OF DEFENSE—CIVIL

5 CEMETERIAL EXPENSES, ARMY

6 SALARIES AND EXPENSES

7 For necessary expenses for maintenance, operation,
8 and improvement of Arlington National Cemetery and Sol-
9 diers’ and Airmen’s Home National Cemetery, including
10 the purchase or lease of passenger motor vehicles for re-
11 placement on a one-for-one basis only, and not to exceed
12 \$1,000 for official reception and representation expenses,
13 \$70,800,000, of which not to exceed \$15,000,000 shall re-
14 main available until September 30, 2019. In addition,
15 such sums as may be necessary for parking maintenance,
16 repairs and replacement, to be derived from the “Lease
17 of Department of Defense Real Property for Defense
18 Agencies” account.

19 ARMED FORCES RETIREMENT HOME

20 TRUST FUND

21 For expenses necessary for the Armed Forces Retire-
22 ment Home to operate and maintain the Armed Forces
23 Retirement Home—Washington, District of Columbia,
24 and the Armed Forces Retirement Home—Gulfport, Mis-
25 sissippi, to be paid from funds available in the Armed

1 Forces Retirement Home Trust Fund, \$64,300,000, of
2 which \$1,000,000 shall remain available until expended
3 for construction and renovation of the physical plants at
4 the Armed Forces Retirement Home—Washington, Dis-
5 trict of Columbia, and the Armed Forces Retirement
6 Home—Gulfport, Mississippi: *Provided*, That of the
7 amounts made available under this heading from funds
8 available in the Armed Forces Retirement Home Trust
9 Fund, \$22,000,000 shall be paid from the general fund
10 of the Treasury to the Trust Fund.

11 ADMINISTRATIVE PROVISIONS

12 SEC. 301. Funds appropriated in this Act under the
13 heading “Department of Defense—Civil, Cemeterial Ex-
14 penses, Army”, may be provided to Arlington County, Vir-
15 ginia, for the relocation of the federally owned water main
16 at Arlington National Cemetery, making additional land
17 available for ground burials.

18 SEC. 302. Amounts deposited into the special account
19 established under 10 U.S.C. 4727 are appropriated and
20 shall be available until expended to support activities at
21 the Army National Military Cemeteries.

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

5 For an additional amount for “Military Construction,
6 Army”, \$18,900,000, to remain available until September
7 30, 2021, for projects outside of the United States: *Pro-*
8 *vided*, That such amount is designated by the Congress
9 for Overseas Contingency Operations/Global War on Ter-
10 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
11 anced Budget and Emergency Deficit Control Act of 1985.

12 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

13 For an additional amount for “Military Construction,
14 Navy and Marine Corps”, \$59,809,000, to remain avail-
15 able until September 30, 2021, for projects outside of the
16 United States: *Provided*, That such amount is designated
17 by the Congress for Overseas Contingency Operations/
18 Global War on Terrorism pursuant to section
19 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
20 Deficit Control Act of 1985.

21 MILITARY CONSTRUCTION, AIR FORCE

22 For an additional amount for “Military Construction,
23 Air Force” \$88,291,000, to remain available until Sep-
24 tember 30, 2021, for projects outside of the United States:
25 *Provided*, That such amount is designated by the Congress

1 for Overseas Contingency Operations/Global War on Ter-
2 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
3 anced Budget and Emergency Deficit Control Act of 1985.

4 MILITARY CONSTRUCTION, DEFENSE-WIDE

5 For an additional amount for “Military Construction,
6 Defense-Wide”, \$5,000,000, to remain available until Sep-
7 tember 30, 2021, for projects outside of the United States:
8 *Provided*, That such amount is designated by the Congress
9 for Overseas Contingency Operations/Global War on Ter-
10 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
11 anced Budget and Emergency Deficit Control Act of 1985.

12 TITLE V

13 GENERAL PROVISIONS

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

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

24 SEC. 503. All departments and agencies funded under
25 this Act are encouraged, within the limits of the existing

1 statutory authorities and funding, to expand their use of
2 “E-Commerce” technologies and procedures in the con-
3 duct of their business practices and public service activi-
4 ties.

5 SEC. 504. Unless stated otherwise, all reports and no-
6 tifications required by this Act shall be submitted to the
7 Subcommittee on Military Construction and Veterans Af-
8 fairs, and Related Agencies of the Committee on Appro-
9 priations of the House of Representatives and the Sub-
10 committee on Military Construction and Veterans Affairs,
11 and Related Agencies of the Committee on Appropriations
12 of the Senate.

13 SEC. 505. None of the funds made available in this
14 Act may be transferred to any department, agency, or in-
15 strumentality of the United States Government except
16 pursuant to a transfer made by, or transfer authority pro-
17 vided in, this or any other appropriations Act.

18 SEC. 506. None of the funds made available in this
19 Act may be used for a project or program named for an
20 individual serving as a Member, Delegate, or Resident
21 Commissioner of the United States House of Representa-
22 tives.

23 SEC. 507. (a) Any agency receiving funds made avail-
24 able in this Act, shall, subject to subsections (b) and (c),
25 post on the public Web site of that agency any report re-

1 quired to be submitted by the Congress in this or any
2 other Act, upon the determination by the head of the agen-
3 cy that it shall serve the national interest.

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

5 (1) the public posting of the report com-
6 promises national security; or

7 (2) the report contains confidential or propri-
8 etary information.

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

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

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

21 SEC. 509. None of the funds made available in this
22 Act may be used by an agency of the executive branch
23 to pay for first-class travel by an employee of the agency
24 in contravention of sections 301–10.122 through 301–
25 10.124 of title 41, Code of Federal Regulations.

1 SEC. 510. None of the funds made available in this
2 Act may be used to execute a contract for goods or serv-
3 ices, including construction services, where the contractor
4 has not complied with Executive Order No. 12989.

5 SEC. 511. None of the funds made available by this
6 Act may be used by the Department of Defense or the
7 Department of Veterans Affairs to lease or purchase new
8 light duty vehicles for any executive fleet, or for an agen-
9 cy's fleet inventory, except in accordance with Presidential
10 Memorandum—Federal Fleet Performance, dated May
11 24, 2011.

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

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

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

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

4 (2) is—

5 (A) in the custody or under the effective
6 control of the Department of Defense; or

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

9 SEC. 513. Unobligated balances of amounts appro-
10 priated under title VI of the Departments of Labor,
11 Health and Human Services, Education and Related
12 Agencies Appropriations Act, 2015 (division G of Public
13 Law 113–235) and title IX of the Department of State,
14 Foreign Operations, and Related Programs Appropria-
15 tions Act, 2015 (division J of Public Law 113–235) shall
16 also be available for necessary expenses to prevent, pre-
17 pare for, and respond to Zika virus, domestically and
18 internationally: *Provided*, That such amounts are des-
19 ignated by the Congress as an emergency requirement
20 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
21 et and Emergency Deficit Control Act of 1985, except that
22 such amounts shall be available only if the President sub-
23 sequently so designates such amounts and transmits such
24 designation to the Congress.

1 SPENDING REDUCTION ACCOUNT

2 SEC. 514. The amount by which the applicable alloca-
3 tion of new budget authority made by the Committee on
4 Appropriations of the House of Representatives under sec-
5 tion 302(b) of the Congressional Budget Act of 1974 ex-
6 ceeds the amount of proposed new budget authority is \$0.

7 SEC. 515. None of the funds made available by this
8 Act may be used to propose, plan for, or execute a new
9 or additional Base Realignment and Closure (BRAC)
10 round.

11 SEC. 516. None of the funds made available by this
12 Act may be used to enter into a contract with any offeror
13 or any of its principals if the offeror certifies, as required
14 by Federal Acquisition Regulation, that the offeror or any
15 of its principals—

16 (1) within a 3-year period preceding this offer
17 has been convicted of or had a civil judgment ren-
18 dered against it for: commission of fraud or a crimi-
19 nal offense in connection with obtaining, attempting
20 to obtain, or performing a public (Federal, State, or
21 local) contract or subcontract; violation of Federal or
22 State antitrust statutes relating to the submission of
23 offers; or commission of embezzlement, theft, for-
24 gery, bribery, falsification or destruction of records,

1 making false statements, tax evasion, violating Fed-
2 eral criminal tax laws, or receiving stolen property;

3 (2) are presently indicted for, or otherwise
4 criminally or civilly charged by a governmental enti-
5 ty with, commission of any of the offenses enumer-
6 ated above in paragraph (1); or

7 (3) within a 3-year period preceding this offer,
8 has been notified of any delinquent Federal taxes in
9 an amount that exceeds \$3,000 for which the liabil-
10 ity remains unsatisfied.

11 SEC. 517. None of the funds made available by this
12 Act may be used for the Veterans Experience Office.

13 SEC. 518. None of the funds made available by this
14 Act may be used to—

15 (1) carry out the memorandum from the Vet-
16 erans Benefit Administration known as Fast Letter
17 13–10, issued on May 20, 2013; or

18 (2) create or maintain any patient record-keep-
19 ing system other than those currently approved by
20 the Department of Veterans Affairs Central Office
21 in Washington, D.C.

22 SEC. 519. (a) For an additional amount for “Vet-
23 erans Health Administration—Medical Services” for
24 grants to States under subchapter III of chapter 81 of
25 title 38, United States Code, to expand, remodel, or alter

1 existing buildings for furnishing nursing home care to vet-
2 erans in State homes that are former nursing home facili-
3 ties of the Department of Veterans Affairs, as authorized
4 by section 8133 of such subchapter, there is hereby appro-
5 priated, and the amount otherwise provided by this Act
6 for “Departmental Administration—General Administra-
7 tion” is hereby reduced by, \$10,000,000.

8 (b) None of the funds made available by this Act may
9 be used to implement, administer, or enforce the
10 prioritization requirements in paragraphs (1)(C) or (2)
11 through (5) of section 8135(e) of title 38, United States
12 Code, with respect to the appropriation in subsection (a).

13 SEC. 520. None of the funds made available by this
14 Act may be used in contravention of sections 575.106 or
15 575.206 of title 5, Code of Federal Regulations.

16 SEC. 521. None of the funds made available by this
17 Act may be used by the Secretary of Veterans Affairs in
18 contravention of subchapter III of chapter 20 of title 38,
19 United States Code.

20 SEC. 522. None of the funds made available in this
21 Act may be used to enforce VA Adjudication Procedure
22 Manual M21-1, Part IV, Subpart II, Chapter 1, Section
23 H, Topic 28.h related to Developing Claims Based on
24 Service Aboard Ships Offshore the RVN.

1 SEC. 523. None of the funds made available by this
2 Act may be used to implement, administer, or enforce Vet-
3 erans Health Administration directive 2011–004 (or direc-
4 tive of the same substance) with respect to the prohibition
5 on “VA providers from completing forms seeking rec-
6 ommendations or opinions regarding a Veteran’s partici-
7 pation in a State marijuana program”.

8 SEC. 524. None of the funds made available by this
9 Act may be used to modify a military installation in the
10 United States, including construction or modification of
11 a facility on a military installation, to provide temporary
12 housing for unaccompanied alien children.

13 SEC. 525. None of the funds made available by this
14 Act may be used to implement section 8(d)(2) of the De-
15 partment of Veterans Affairs National Cemetery Adminis-
16 tration Directive 3220 of November 22, 2005.

17 This Act may be cited as the “Military Construction
18 and Veterans Affairs and Related Agencies Appropriations
19 Act, 2017”.

Passed the House of Representatives May 19, 2016.

Attest:

Clerk.

114TH CONGRESS
2^D SESSION

H. R. 4974

AN ACT

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other purposes.