

## Union Calendar No. 379

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4974

[Report No. 114-497]

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.

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### IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 2016

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

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## A BILL

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 tifies the Committees on Appropriations of both Houses  
2 of Congress of the determination and the reasons therefor.

3       MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

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

19               MILITARY CONSTRUCTION, AIR FORCE

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

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

13           MILITARY CONSTRUCTION, DEFENSE-WIDE

14                   (INCLUDING TRANSFER OF FUNDS)

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

1 and to be available for the same purposes, and for the  
2 same time period, as the appropriation or fund to which  
3 transferred: *Provided further*, That of the amount appro-  
4 priated, not to exceed \$201,422,000 shall be available for  
5 study, planning, design, and architect and engineer serv-  
6 ices, as authorized by law, unless the Secretary of Defense  
7 determines that additional obligations are necessary for  
8 such purposes and notifies the Committees on Appropria-  
9 tions of both Houses of Congress of the determination and  
10 the reasons therefor.

11 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

12 For construction, acquisition, expansion, rehabilita-  
13 tion, and conversion of facilities for the training and ad-  
14 ministration of the Army National Guard, and contribu-  
15 tions therefor, as authorized by chapter 1803 of title 10,  
16 United States Code, and Military Construction Authoriza-  
17 tion Acts, \$232,930,000, to remain available until Sep-  
18 tember 30, 2021: *Provided*, That, of the amount appro-  
19 priated, not to exceed \$8,729,000 shall be available for  
20 study, planning, design, and architect and engineer serv-  
21 ices, as authorized by law, unless the Director of the Army  
22 National Guard determines that additional obligations are  
23 necessary for such purposes and notifies the Committees  
24 on Appropriations of both Houses of Congress of the de-  
25 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       FAMILY HOUSING OPERATION AND MAINTENANCE,  
2                                       ARMY

3       For expenses of family housing for the Army for op-  
4   eration and maintenance, including debt payment, leasing,  
5   minor construction, principal and interest charges, and in-  
6   surance premiums, as authorized by law, \$325,995,000.

7       FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE  
8                                       CORPS

9       For expenses of family housing for the Navy and Ma-  
10   rine Corps for construction, including acquisition, replace-  
11   ment, addition, expansion, extension, and alteration, as  
12   authorized by law, \$94,011,000, to remain available until  
13   September 30, 2021.

14       FAMILY HOUSING OPERATION AND MAINTENANCE,  
15                                       NAVY AND MARINE CORPS

16       For expenses of family housing for the Navy and Ma-  
17   rine Corps for operation and maintenance, including debt  
18   payment, leasing, minor construction, principal and inter-  
19   est charges, and insurance premiums, as authorized by  
20   law, \$300,915,000.

21       FAMILY HOUSING CONSTRUCTION, AIR FORCE

22       For expenses of family housing for the Air Force for  
23   construction, including acquisition, replacement, addition,  
24   expansion, extension, and alteration, as authorized by law,

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, which shall be in addition to  
7 funds previously appropriated under this heading that be-  
8 came available on October 1, 2016; and, in addition,  
9 \$44,886,554,000, plus reimbursements, shall become  
10 available on October 1, 2017, and shall remain available  
11 until September 30, 2018: *Provided*, That, of the amount  
12 made available on October 1, 2017, under this heading,  
13 \$1,400,000,000 shall remain available until September 30,  
14 2019: *Provided further*, That, notwithstanding any other  
15 provision of law, the Secretary of Veterans Affairs shall  
16 establish a priority for the provision of medical treatment  
17 for veterans who have service-connected disabilities, lower  
18 income, or have special needs: *Provided further*, That, not-  
19 withstanding any other provision of law, the Secretary of  
20 Veterans Affairs shall give priority funding for the provi-  
21 sion of basic medical benefits to veterans in enrollment  
22 priority groups 1 through 6: *Provided further*, That, not-  
23 withstanding any other provision of law, the Secretary of  
24 Veterans Affairs may authorize the dispensing of prescrip-  
25 tion drugs from Veterans Health Administration facilities

1 to enrolled veterans with privately written prescriptions  
2 based on requirements established by the Secretary: *Pro-*  
3 *vided further*, That the implementation of the program de-  
4 scribed in the previous proviso shall incur no additional  
5 cost to the Department of Veterans Affairs.

6 MEDICAL COMMUNITY CARE

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

20 MEDICAL SUPPORT AND COMPLIANCE

21 For necessary expenses in the administration of the  
22 medical, hospital, nursing home, domiciliary, construction,  
23 supply, and research activities, as authorized by law; ad-  
24 ministrative expenses in support of capital policy activi-  
25 ties; and administrative and legal expenses of the Depart-

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

10

## MEDICAL FACILITIES

11 For necessary expenses for the maintenance and op-  
12 eration of hospitals, nursing homes, domiciliary facilities,  
13 and other necessary facilities of the Veterans Health Ad-  
14 ministration; for administrative expenses in support of  
15 planning, design, project management, real property ac-  
16 quisition and disposition, construction, and renovation of  
17 any facility under the jurisdiction or for the use of the  
18 Department; for oversight, engineering, and architectural  
19 activities not charged to project costs; for repairing, alter-  
20 ing, improving, or providing facilities in the several hos-  
21 pitals and homes under the jurisdiction of the Depart-  
22 ment, not otherwise provided for, either by contract or by  
23 the hire of temporary employees and purchase of mate-  
24 rials; for leases of facilities; and for laundry services,  
25 \$5,434,880,000, plus reimbursements, shall become avail-

1 able on October 1, 2017, and shall remain available until  
2 September 30, 2018: *Provided*, That, of the amount made  
3 available on October 1, 2017, under this heading,  
4 \$250,000,000 shall remain available until September 30,  
5 2019.

6 MEDICAL AND PROSTHETIC RESEARCH

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

12 NATIONAL CEMETERY ADMINISTRATION

13 For necessary expenses of the National Cemetery Ad-  
14 ministration for operations and maintenance, not other-  
15 wise provided for, including uniforms or allowances there-  
16 for; cemeterial expenses as authorized by law; purchase  
17 of one passenger motor vehicle for use in cemeterial oper-  
18 ations; hire of passenger motor vehicles; and repair, alter-  
19 ation or improvement of facilities under the jurisdiction  
20 of the National Cemetery Administration, \$271,220,000,  
21 of which not to exceed \$26,600,000 shall remain available  
22 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, of which not to exceed \$10,000,000 shall  
13 remain available until September 30, 2018: *Provided,*  
14 That funds provided under this heading may be trans-  
15 ferred to “General Operating Expenses, Veterans Benefits  
16 Administration”.

17                   BOARD OF VETERANS APPEALS

18       For necessary operating expenses of the Board of  
19 Veterans Appeals, \$156,096,000, of which not to exceed  
20 \$15,610,000 shall remain available until September 30,  
21 2018.

22                   GENERAL OPERATING EXPENSES, VETERANS BENEFITS  
23                   ADMINISTRATION

24       For necessary operating expenses of the Veterans  
25 Benefits Administration, not otherwise provided for, in-

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

16 INFORMATION TECHNOLOGY SYSTEMS

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses for information technology  
19 systems and telecommunications support, including devel-  
20 opmental information systems and operational information  
21 systems; for pay and associated costs; and for the capital  
22 asset acquisition of information technology systems, in-  
23 cluding management and related contractual costs of said  
24 acquisitions, including contractual costs associated with  
25 operations authorized by section 3109 of title 5, United

1 States Code, \$4,220,869,000, plus reimbursements: *Pro-*  
2 *vided*, That \$1,247,548,000 shall be for pay and associ-  
3 ated costs, of which not to exceed \$36,300,000 shall re-  
4 main available until September 30, 2018: *Provided further*,  
5 That \$2,502,052,000 shall be for operations and mainte-  
6 nance, of which not to exceed \$177,900,000 shall remain  
7 available until September 30, 2018: *Provided further*, That  
8 \$471,269,000 shall be for information technology systems  
9 development, modernization, and enhancement, and shall  
10 remain available until September 30, 2018: *Provided fur-*  
11 *ther*, That amounts made available for information tech-  
12 nology systems development, modernization, and enhance-  
13 ment may not be obligated or expended until the Secretary  
14 of Veterans Affairs or the Chief Information Officer of  
15 the Department of Veterans Affairs submits to the Com-  
16 mittees on Appropriations of both Houses of Congress a  
17 certification of the amounts, in parts or in full, to be obli-  
18 gated and expended for each development project: *Pro-*  
19 *vided further*, That amounts made available for salaries  
20 and expenses, operations and maintenance, and informa-  
21 tion technology systems development, modernization, and  
22 enhancement may be transferred among the three sub-  
23 accounts after the Secretary of Veterans Affairs requests  
24 from the Committees on Appropriations of both Houses  
25 of Congress the authority to make the transfer and an

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

1 porting clinicians of the Department of Veterans Affairs  
2 and the Department of Defense no later than December  
3 31, 2016, while ensuring continued support and compat-  
4 ibility with the interoperability platform and full stand-  
5 ards-based interoperability, as stipulated by the National  
6 Defense Authorization Act of Fiscal Year 2014 (Public  
7 Law 113–66); (2) submits to the Committees on Appro-  
8 priations of both Houses of Congress the VistA Evolution  
9 Business Case and supporting documents regarding con-  
10 tinuation of VistA Evolution or alternatives to VistA Evo-  
11 lution, including an analysis of necessary or desired capa-  
12 bilities, technical and security requirements, the plan for  
13 modernizing the platform framework, and all associated  
14 costs; and (3) submits to the Committees on Appropria-  
15 tions of both Houses of Congress, and such Committees  
16 approve, the following: a report that describes a strategic  
17 plan for VistA Evolution, or any successor, and the associ-  
18 ated implementation plan including metrics and timelines;  
19 a master schedule and lifecycle cost estimate for VistA  
20 Evolution or any successor; and an implementation plan  
21 for the transition from the Project Management Account-  
22 ability System (PMAS) to the new project delivery frame-  
23 work (the Veteran-focused Integration Process (VIP))  
24 that includes the methodology by which projects will be  
25 tracked, progress measured, and deliverables evaluated:

1 *Provided further*, That the funds made available under this  
2 heading for information technology systems development,  
3 modernization, and enhancement, shall be for the projects,  
4 and in the amounts, specified under this heading in the  
5 report accompanying this Act.

6 OFFICE OF INSPECTOR GENERAL

7 For necessary expenses of the Office of Inspector  
8 General, to include information technology, in carrying out  
9 the provisions of the Inspector General Act of 1978 (5  
10 U.S.C. App.), \$160,106,000, of which not to exceed  
11 \$14,800,000 shall remain available until September 30,  
12 2018.

13 CONSTRUCTION, MAJOR PROJECTS

14 For constructing, altering, extending, and improving  
15 any of the facilities, including parking projects, under the  
16 jurisdiction or for the use of the Department of Veterans  
17 Affairs, or for any of the purposes set forth in sections  
18 316, 2404, 2406 and chapter 81 of title 38, United States  
19 Code, not otherwise provided for, including planning, ar-  
20 chitectural and engineering services, construction manage-  
21 ment services, maintenance or guarantee period services  
22 costs associated with equipment guarantees provided  
23 under the project, services of claims analysts, offsite utility  
24 and storm drainage system construction costs, and site ac-  
25 quisition, where the estimated cost of a project is more

1 than the amount set forth in section 8104(a)(3)(A) of title  
2 38, United States Code, or where funds for a project were  
3 made available in a previous major project appropriation,  
4 \$528,110,000, of which \$494,310,000 shall remain avail-  
5 able until September 30, 2021, and of which \$33,800,000  
6 shall remain available until expended: *Provided*, That ex-  
7 cept for advance planning activities, including needs as-  
8 sessments which may or may not lead to capital invest-  
9 ments, and other capital asset management related activi-  
10 ties, including portfolio development and management ac-  
11 tivities, and investment strategy studies funded through  
12 the advance planning fund and the planning and design  
13 activities funded through the design fund, including needs  
14 assessments which may or may not lead to capital invest-  
15 ments, and salaries and associated costs of the resident  
16 engineers who oversee those capital investments funded  
17 through this account and contracting officers who manage  
18 specific major construction projects, and funds provided  
19 for the purchase of land, security, and maintenance for  
20 the National Cemetery Administration through the land  
21 acquisition line item, none of the funds made available  
22 under this heading shall be used for any project which has  
23 not been approved by the Congress in the budgetary proe-  
24 cess: *Provided further*, That funds made available under  
25 this heading for fiscal year 2017, for each approved

1 project shall be obligated: (1) by the awarding of a con-  
2 struction documents contract by September 30, 2017; and  
3 (2) by the awarding of a construction contract by Sep-  
4 tember 30, 2018: *Provided further*, That the Secretary of  
5 Veterans Affairs shall promptly submit to the Committees  
6 on Appropriations of both Houses of Congress a written  
7 report on any approved major construction project for  
8 which obligations are not incurred within the time limita-  
9 tions established above: *Provided further*, That, of the  
10 amount made available under this heading, \$222,620,000  
11 for Veterans Health Administration major construction  
12 projects shall not be available until the Department of  
13 Veterans Affairs—

14           (1) enters into an agreement with an appro-  
15           priate non-Department of Veterans Affairs Federal  
16           entity to serve as the design and/or construction  
17           agent for any Veterans Health Administration major  
18           construction project with a Total Estimated Cost of  
19           \$100,000,000 or above by providing full project  
20           management services, including management of the  
21           project design, acquisition, construction, and con-  
22           tract changes, consistent with section 502 of Public  
23           Law 114–58; and

24           (2) certifies in writing that such an agreement  
25           is executed and intended to minimize or prevent sub-



1       sequent major construction project cost overruns  
2       and provides a copy of the agreement entered into  
3       and any required supplementary information to the  
4       Committees on Appropriations of both Houses of  
5       Congress.

6                               CONSTRUCTION, MINOR PROJECTS

7       For constructing, altering, extending, and improving  
8 any of the facilities, including parking projects, under the  
9 jurisdiction or for the use of the Department of Veterans  
10 Affairs, including planning and assessments of needs  
11 which may lead to capital investments, architectural and  
12 engineering services, maintenance or guarantee period  
13 services costs associated with equipment guarantees pro-  
14 vided under the project, services of claims analysts, offsite  
15 utility and storm drainage system construction costs, and  
16 site acquisition, or for any of the purposes set forth in  
17 sections 316, 2404, 2406 and chapter 81 of title 38,  
18 United States Code, not otherwise provided for, where the  
19 estimated cost of a project is equal to or less than the  
20 amount set forth in section 8104(a)(3)(A) of title 38,  
21 United States Code, \$372,069,000, to remain available  
22 until September 30, 2021, along with unobligated balances  
23 of previous “Construction, Minor Projects” appropriations  
24 which are hereby made available for any project where the  
25 estimated cost is equal to or less than the amount set forth

1 in such section: *Provided*, That funds made available  
2 under this heading shall be for: (1) repairs to any of the  
3 nonmedical facilities under the jurisdiction or for the use  
4 of the Department which are necessary because of loss or  
5 damage caused by any natural disaster or catastrophe;  
6 and (2) temporary measures necessary to prevent or to  
7 minimize further loss by such causes.

8 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE  
9 FACILITIES

10 For grants to assist States to acquire or construct  
11 State nursing home and domiciliary facilities and to re-  
12 model, modify, or alter existing hospital, nursing home,  
13 and domiciliary facilities in State homes, for furnishing  
14 care to veterans as authorized by sections 8131 through  
15 8137 of title 38, United States Code, \$80,000,000, to re-  
16 main available until expended.

17 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

18 For grants to assist States and tribal organizations  
19 in establishing, expanding, or improving veterans ceme-  
20 teries as authorized by section 2408 of title 38, United  
21 States Code, \$45,000,000, to remain available until ex-  
22 pended.

1 ADMINISTRATIVE PROVISIONS  
2 (INCLUDING TRANSFER OF FUNDS)

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

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 202. Amounts made available for the Depart-  
15 ment of Veterans Affairs for fiscal year 2017, in this or  
16 any other Act, under the “Medical Services”, “Medical  
17 Community Care”, “Medical Support and Compliance”,  
18 and “Medical Facilities” accounts may be transferred  
19 among the accounts: *Provided*, That any transfers among  
20 the “Medical Services”, “Medical Community Care”, and  
21 “Medical Support and Compliance” accounts of 1 percent  
22 or less of the total amount appropriated to the account  
23 in this or any other Act may take place subject to notifica-  
24 tion from the Secretary of Veterans Affairs to the Com-  
25 mittees on Appropriations of both Houses of Congress of

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

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

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

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

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

19       SEC. 207. Appropriations available in this title shall  
20 be available to pay prior year obligations of corresponding  
21 prior year appropriations accounts resulting from sections  
22 3328(a), 3334, and 3712(a) of title 31, United States  
23 Code, except that if such obligations are from trust fund  
24 accounts they shall be payable only from “Compensation  
25 and Pensions”.

1 (INCLUDING TRANSFER OF FUNDS)

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

1 disability income insurance included in that insurance pro-  
2 gram.

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

8 (INCLUDING TRANSFER OF FUNDS)

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

24 SEC. 211. No funds of the Department of Veterans  
25 Affairs shall be available for hospital care, nursing home

1 care, or medical services provided to any person under  
2 chapter 17 of title 38, United States Code, for a non-serv-  
3 ice-connected disability described in section 1729(a)(2) of  
4 such title, unless that person has disclosed to the Sec-  
5 retary of Veterans Affairs, in such form as the Secretary  
6 may require, current, accurate third-party reimbursement  
7 information for purposes of section 1729 of such title: *Pro-*  
8 *vided*, That the Secretary may recover, in the same man-  
9 ner as any other debt due the United States, the reason-  
10 able charges for such care or services from any person who  
11 does not make such disclosure as required: *Provided fur-*  
12 *ther*, That any amounts so recovered for care or services  
13 provided in a prior fiscal year may be obligated by the  
14 Secretary during the fiscal year in which amounts are re-  
15 ceived.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 212. Notwithstanding any other provision of  
18 law, proceeds or revenues derived from enhanced-use leas-  
19 ing activities (including disposal) may be deposited into  
20 the “Construction, Major Projects” and “Construction,  
21 Minor Projects” accounts and be used for construction  
22 (including site acquisition and disposition), alterations,  
23 and improvements of any medical facility under the juris-  
24 diction or for the use of the Department of Veterans Af-  
25 fairs. Such sums as realized are in addition to the amount



1 provided for in “Construction, Major Projects” and “Con-  
2 struction, Minor Projects”.

3 SEC. 213. Amounts made available under “Medical  
4 Services” are available—

5 (1) for furnishing recreational facilities, sup-  
6 plies, and equipment; and

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

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 214. Such sums as may be deposited to the  
12 Medical Care Collections Fund pursuant to section 1729A  
13 of title 38, United States Code, may be transferred to the  
14 “Medical Services” and “Medical Community Care” ac-  
15 counts to remain available until expended for the purposes  
16 of these accounts.

17 SEC. 215. The Secretary of Veterans Affairs may  
18 enter into agreements with Indian tribes and tribal organi-  
19 zations which are party to the Alaska Native Health Com-  
20 pact with the Indian Health Service, and Indian tribes and  
21 tribal organizations serving rural Alaska which have en-  
22 tered into contracts with the Indian Health Service under  
23 the Indian Self Determination and Educational Assistance  
24 Act, to provide healthcare, including behavioral health and  
25 dental care. The Secretary shall require participating vet-

1 erans and facilities to comply with all appropriate rules  
2 and regulations, as established by the Secretary. The term  
3 “rural Alaska” shall mean those lands sited within the ex-  
4 ternal boundaries of the Alaska Native regions specified  
5 in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native  
6 Claims Settlement Act, as amended (43 U.S.C. 1606), and  
7 those lands within the Alaska Native regions specified in  
8 sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims  
9 Settlement Act, as amended (43 U.S.C. 1606), which are  
10 not within the boundaries of the municipality of Anchor-  
11 age, the Fairbanks North Star Borough, the Kenai Penin-  
12 sula Borough or the Matanuska Susitna Borough.

13 (INCLUDING TRANSFER OF FUNDS)

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

20 SEC. 217. None of the funds made available in this  
21 title may be used to implement any policy prohibiting the  
22 Directors of the Veterans Integrated Services Networks  
23 from conducting outreach or marketing to enroll new vet-  
24 erans within their respective Networks.

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

13                               (INCLUDING TRANSFER OF FUNDS)

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

1 Affairs shall request from the Committees on Appropria-  
2 tions of both Houses of Congress the authority to make  
3 the transfer and an approval is issued.

4 (INCLUDING TRANSFER OF FUNDS)

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

1 gress: *Provided further*, That section 223 of title II of Di-  
2 vision J of Public Law 114–113 is repealed.

3 (INCLUDING TRANSFER OF FUNDS)

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

Union Calendar No. 379

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 4974**

[Report No. 114-497]

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## **A BILL**

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.

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APRIL 15, 2016

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