

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 25 minutes a.m.), the House stood in recess.

□ 1200

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at noon.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The House will be in order.

The House will be in order.

The Chair wishes to call on the Chaplain for the prayer.

Will Members please be in order for the prayer by the Chaplain. The prayer will be offered by the Chaplain, Father Conroy.

## PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Father of mercy, we give You thanks for giving us another day.

Bless the Members of the people's House. May all their deliberations give rise to understanding. You have called us to serve this Nation by Your divine inspiration.

May we reach the destiny You have in mind for us, and may all that is done be for Your greater honor and glory.

Amen.

## THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Members are asked to remain standing for the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 2 of rule I, the Chair is charged with preserving order and decorum in the proceedings of the House. The Chair finds that the House is currently not in a state of order due to the presence of Members in the well who are not under recognition.

The Chair would ask Members to please leave the well so that the House may proceed with business.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 3 minutes p.m.), the House stood in recess.

□ 2204

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 10 o'clock and 4 minutes p.m.

## ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair wishes to make an announcement regarding decorum in the House Chamber.

The Chair appreciates that Members will differ on matters of policy and will seek to express those differences.

But the Chair would hope that the business of the House could be conducted in a fashion that reflects positively on the dignity and decorum of this institution to which we all belong and serve.

## CONFERENCE REPORT ON H.R. 2577, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

Mr. ROGERS of Kentucky submitted the following conference report and statement on the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

## CONFERENCE REPORT (H. REPT. 114-640)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the amendment of the Senate to the bill (H.R. 2577), making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

**SECTION 1. SHORT TITLE.**

*This Act may be cited as the "Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017 and Zika Response and Preparedness Act".*

**SEC. 2. TABLE OF CONTENTS.**

*The table of contents of this Act is as follows:*

*Sec. 1. Short title.*

*Sec. 2. Table of contents.*

*Sec. 3. References.*

*Sec. 4. Statement of appropriations.*

*Sec. 5. Availability of funds.*

**DIVISION A—MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017**

*Title I—Department of Defense*

*Title II—Department of Veterans Affairs*

*Title III—Related agencies*

*Title IV—Overseas contingency operations*

*Title V—General provisions*

**DIVISION B—ZIKA RESPONSE AND PREPAREDNESS APPROPRIATIONS ACT, 2016****DIVISION C—ZIKA VECTOR CONTROL****DIVISION D—RESCISSIONS OF FUNDS****SEC. 3. REFERENCES.**

*Except as expressly provided otherwise, any reference to "this Act" contained in any division of this Act shall be treated as referring only to the provisions of that division.*

**SEC. 4. STATEMENT OF APPROPRIATIONS.**

*The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2017.*

**SEC. 5. AVAILABILITY OF FUNDS.**

*Each amount designated in this Act by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.*

**DIVISION A—MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017**

## TITLE I

## DEPARTMENT OF DEFENSE

## MILITARY CONSTRUCTION, ARMY

*For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$513,459,000, to remain available until September 30, 2021: Provided, That, of this amount, not to exceed \$98,159,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

## MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

*For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$1,021,580,000, to remain available until September 30, 2021: Provided, That, of this amount, not to exceed \$88,230,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

## MILITARY CONSTRUCTION, AIR FORCE

*For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and*

real property for the Air Force as currently authorized by law, \$1,491,058,000, to remain available until September 30, 2021: Provided, That of this amount, not to exceed \$143,582,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That none of the funds made available under this heading shall be for construction of the Joint Intelligence Analysis Complex Consolidation, Phase 3, at Royal Air Force Croughton, United Kingdom, unless authorized in an Act authorizing appropriations for fiscal year 2017 for military construction.

**MILITARY CONSTRUCTION, DEFENSE-WIDE  
(INCLUDING TRANSFER OF FUNDS)**

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$2,025,444,000, to remain available until September 30, 2021: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed \$180,775,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, ARMY NATIONAL  
GUARD**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$232,930,000, to remain available until September 30, 2021: Provided, That, of the amount appropriated, not to exceed \$8,729,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, AIR NATIONAL GUARD**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$143,957,000, to remain available until September 30, 2021: Provided, That, of the amount appropriated, not to exceed \$10,462,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, ARMY RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the

training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$68,230,000, to remain available until September 30, 2021: Provided, That, of the amount appropriated, not to exceed \$7,500,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, NAVY RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$38,597,000, to remain available until September 30, 2021: Provided, That, of the amount appropriated, not to exceed \$3,783,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, AIR FORCE RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$188,950,000, to remain available until September 30, 2021: Provided, That, of the amount appropriated, not to exceed \$4,500,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**NORTH ATLANTIC TREATY ORGANIZATION**

**SECURITY INVESTMENT PROGRAM**

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, \$177,932,000, to remain available until expended.

**DEPARTMENT OF DEFENSE BASE CLOSURE  
ACCOUNT**

For deposit into the Department of Defense Base Closure Account, established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$240,237,000, to remain available until expended.

**FAMILY HOUSING CONSTRUCTION, ARMY**

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$157,172,000, to remain available until September 30, 2021.

**FAMILY HOUSING OPERATION AND MAINTENANCE,  
ARMY**

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$325,995,000.

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

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$94,011,000, to remain available until September 30, 2021.

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

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$300,915,000.

**FAMILY HOUSING CONSTRUCTION, AIR FORCE**

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$61,352,000, to remain available until September 30, 2021.

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

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$274,429,000.

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

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

**DEPARTMENT OF DEFENSE FAMILY HOUSING  
IMPROVEMENT FUND**

For the Department of Defense Family Housing Improvement Fund, \$3,258,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

**ADMINISTRATIVE PROVISIONS**

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

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

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

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

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

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2)

provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

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

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

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

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

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

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

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

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

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

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

propriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 117. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

(INCLUDING TRANSFER OF FUNDS)

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

SEC. 119. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than \$35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 121. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and

family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

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

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

(2) is located at a military installation at which the total number of civilian employees of the Department of the Army and Army contractor personnel employed exceeds 10 percent of the total number of members of the regular and reserve components of the Army assigned to the installation.

(b) EXCEPTION.—Subsection (a) shall not apply if the Secretary of the Army certifies to the congressional defense committees that in proposing the relocation of the unit of the Army, the Secretary complied with Army Regulation 5–10 relating to the policy, procedures, and responsibilities for Army stationing actions.

SEC. 123. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14–R, Volume 3, Chapter 7, of March 2011, as in effect on the date of enactment of this Act.

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

SEC. 125. For an additional amount for the accounts and in the amounts specified, to remain available until September 30, 2021:

"Military Construction, Army", \$40,500,000;  
 "Military Construction, Navy and Marine Corps", \$227,099,000;  
 "Military Construction, Air Force", \$149,500,000;  
 "Military Construction, Army National Guard", \$67,500,000;  
 "Military Construction, Air National Guard", \$11,000,000;  
 "Military Construction, Army Reserve", \$30,000,000:

Provided, That such funds may only be obligated to carry out construction projects identified in the respective military department's unfunded priority list for fiscal year 2017 submitted to Congress by the Secretary of Defense: Provided further, That such projects are subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That not later than 30 days after enactment of this Act, the Secretary of the military department concerned, or his or her designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 126. For an additional amount for "Military Construction, Navy and Marine Corps", \$89,400,000, to remain available until September 30, 2021: Provided, That, such funds may only be obligated to carry out construction projects identified by the Department of the Navy in its June 8, 2016, unfunded priority list submission to the Committees on Appropriations of both Houses of Congress detailing unfunded reprogramming and emergency construction requirements: Provided further, That, not later

than 30 days after enactment of this Act, the Secretary of the Navy, or his or her designee, shall submit to the Committees an expenditure plan for funds provided under this section.

## (RESCISSIONS OF FUNDS)

SEC. 127. Of the unobligated balances available to the Department of Defense from prior appropriation Acts, the following funds are hereby rescinded from the following accounts in the amounts specified:

“Military Construction, Army”, \$29,602,000;  
“Military Construction, Air Force”, \$51,460,000;

“Military Construction, Defense-Wide”, \$171,600,000, of which \$30,000,000 are to be derived from amounts made available for Missile Defense Agency planning and design; and

“North Atlantic Treaty Organization Security Investment Program”, \$30,000,000;

Provided, That no amounts may be rescinded from amounts that were designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## (RESCISSION OF FUNDS)

SEC. 128. Of the unobligated balances made available in prior appropriation Acts for the fund established in section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), \$25,000,000 are hereby rescinded.

SEC. 129. For the purposes of this Act, the term “congressional defense committees” means the Committees on Armed Services of the House of Representatives and the Senate, the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the Senate, and the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the House of Representatives.

SEC. 130. None of the funds made available by this Act may be used to carry out the closure or realignment of the United States Naval Station, Guantánamo Bay, Cuba.

SEC. 131. Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this or any other Act may be used to consolidate or relocate any element of a United States Air Force Rapid Engineer Deployable Heavy Operational Repair Squadron Engineer (RED HORSE) outside of the United States until the Secretary of the Air Force (1) completes an analysis and comparison of the cost and infrastructure investment required to consolidate or relocate a RED HORSE squadron outside of the United States versus within the United States; (2) provides to the Committees on Appropriations of both Houses of Congress (“the Committees”) a report detailing the findings of the cost analysis; and (3) certifies in writing to the Committees that the preferred site for the consolidation or relocation yields the greatest savings for the Air Force: Provided, That the term “United States” in this section does not include any territory or possession of the United States.

## TITLE II

## DEPARTMENT OF VETERANS AFFAIRS

## VETERANS BENEFITS ADMINISTRATION

## COMPENSATION AND PENSIONS

## (INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United

States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers’ retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, \$90,119,449,000, to remain available until expended and to become available on October 1, 2017: Provided, That not to exceed \$17,224,000 of the amount made available for fiscal year 2018 under this heading shall be reimbursed to “General Operating Expenses, Veterans Benefits Administration”, and “Information Technology Systems” for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the “Compensation and Pensions” appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to “Medical Care Collections Fund” to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

## READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, \$13,708,648,000, to remain available until expended and to become available on October 1, 2017: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

## VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen’s indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, \$124,504,000, to remain available until expended, of which \$107,899,000 shall become available on October 1, 2017.

## VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That, during fiscal year 2017, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$198,856,000.

## VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$36,000, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$2,517,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$389,000, which may be paid to the appropriation for “General Operating Expenses, Veterans Benefits Administration”.

## NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

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

## GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, \$2,856,160,000: Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That, of the funds made available under this heading, not to exceed 5 percent shall remain available until September 30, 2018.

## VETERANS HEALTH ADMINISTRATION

## MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bio-engineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note), and hospital care and medical services authorized by section 1787 of title 38, United States Code; \$1,078,993,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2016; and, in addition, \$44,886,554,000, plus reimbursements, shall become available on October 1, 2017, and shall remain available until September 30, 2018: Provided, That, of the amount made available on October 1, 2017, under this heading, \$1,400,000,000 shall remain available until September 30, 2019: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: Provided further, That the Secretary of Veterans

Affairs shall ensure that sufficient amounts appropriated under this heading for medical supplies and equipment are available for the acquisition of prosthetics designed specifically for female veterans: Provided further, That the Secretary of Veterans Affairs shall provide access to therapeutic listening devices to veterans struggling with mental health related problems, substance abuse, or traumatic brain injury.

#### MEDICAL COMMUNITY CARE

For necessary expenses for furnishing health care to individuals pursuant to chapter 17 of title 38, United States Code, at non-Department facilities, \$7,246,181,000, plus reimbursements, of which \$2,000,000,000 shall remain available until September 30, 2020; and, in addition, \$9,409,118,000 shall become available on October 1, 2017, and shall remain available until September 30, 2018: Provided, That of the amount made available on October 1, 2017, \$1,500,000,000 shall remain available until September 30, 2021.

#### MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), \$6,654,480,000, plus reimbursements, shall become available on October 1, 2017, and shall remain available until September 30, 2018: Provided, That, of the amount made available on October 1, 2017, under this heading, \$100,000,000 shall remain available until September 30, 2019.

#### MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services; \$247,668,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2016; and, in addition, \$5,434,880,000, plus reimbursements, shall become available on October 1, 2017, and shall remain available until September 30, 2018: Provided, That, of the amount made available on October 1, 2017, under this heading, \$250,000,000 shall remain available until September 30, 2019.

#### MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, \$675,366,000, plus reimbursements, shall remain available until September 30, 2018: Provided, That the Secretary of Veterans Affairs shall ensure that sufficient amounts appropriated under this heading are available for prosthetic research specifically for female veterans, and for toxic exposure research.

#### NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial op-

erations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, \$286,193,000, of which not to exceed 10 percent shall remain available until September 30, 2018.

#### DEPARTMENTAL ADMINISTRATION

##### GENERAL ADMINISTRATION

##### (INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, \$345,391,000, of which not to exceed 5 percent shall remain available until September 30, 2018: Provided, That funds provided under this heading may be transferred to "General Operating Expenses, Veterans Benefits Administration".

##### BOARD OF VETERANS APPEALS

For necessary operating expenses of the Board of Veterans Appeals, \$156,096,000, of which not to exceed 10 percent shall remain available until September 30, 2018.

##### INFORMATION TECHNOLOGY SYSTEMS

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, \$4,278,259,000, plus reimbursements: Provided, That \$1,272,548,000 shall be for pay and associated costs, of which not to exceed \$37,100,000 shall remain available until September 30, 2018: Provided further, That \$2,534,442,000 shall be for operations and maintenance, of which not to exceed \$180,200,000 shall remain available until September 30, 2018: Provided further, That \$471,269,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2018: Provided further, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: Provided further, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That amounts made available for the "Information Technology Systems" account for development, modernization, and enhancement may be transferred among projects or to newly defined projects: Provided further, That no project may be increased or decreased by more than \$1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: Provided further, That funds under this heading may be used by the Interagency Program Office through the Department of Veterans Affairs to

define data standards, code sets, and value sets used to enable interoperability: Provided further, That of the funds made available for information technology systems development, modernization, and enhancement for VistA Evolution or any successor program, not more than 25 percent may be obligated or expended until the Secretary of Veterans Affairs:

(1) submits to the Committees on Appropriations of both Houses of Congress the VistA Evolution Business Case and supporting documents regarding continuation of VistA Evolution or alternatives to VistA Evolution, including an analysis of necessary or desired capabilities, technical and security requirements, the plan for modernizing the platform framework, and all associated costs;

(2) submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, the following: a report that describes a strategic plan for VistA Evolution, or any successor program, and the associated implementation plan including metrics and timelines; a master schedule and lifecycle cost estimate for VistA Evolution or any successor; and an implementation plan for the transition from the Project Management Accountability System to a new project delivery framework, the Veteran-focused Integration Process, that includes the methodology by which projects will be tracked, progress measured, and deliverables evaluated;

(3) submits to the Committees on Appropriations of both Houses of Congress a report outlining the strategic plan to reach interoperability with private sector healthcare providers, the timeline for reaching "meaningful use" as defined by the Office of National Coordinator for Health Information Technology for each data domain covered under the VistA Evolution program, and the extent to which the Department of Veterans Affairs leverages the State Health Information Exchanges to share health data with private sector providers;

(4) submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, the following: a report that describes the extent to which VistA Evolution, or any successor program, maximizes the use of commercially available software used by DoD and the private sector, requires an open architecture that leverages best practices and rapidly adapts to technologies produced by the private sector, enhances full interoperability between the VA and DoD and between VA and the private sector, and ensures the security of personally identifiable information of veterans and beneficiaries; and

(5) certifies in writing to the Committees on Appropriations of both Houses of Congress that the Department of Veterans Affairs has met the requirements contained in the National Defense Authorization Act of Fiscal Year 2014 (Public Law 113-66) which require that electronic health record systems of the Department of Defense and the Department of Veterans Affairs have reached interoperability, comply with national standards and architectural requirements identified by the DoD/VA Interagency Program Office in collaboration with the Office of National Coordinator for Health Information Technology: Provided further, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects, and in the amounts, specified under this heading in the joint explanatory statement accompanying this Act.

##### OFFICE OF INSPECTOR GENERAL

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

##### CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking

projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$528,110,000, of which \$478,110,000 shall remain available until September 30, 2021, and of which \$50,000,000 shall remain available until expended: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account and contracting officers who manage specific major construction projects, and funds provided for the purchase, security, and maintenance of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project that has not been notified to Congress through the budgetary process or that has not been approved by the Congress through statute, joint resolution, or in the explanatory statement accompanying such Act and presented to the President at the time of enrollment: Provided further, That funds made available under this heading for fiscal year 2017, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2017; and (2) by the awarding of a construction contract by September 30, 2018: Provided further, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above: Provided further, That, of the amount made available under this heading, \$222,620,000 for Veterans Health Administration major construction projects shall not be available until the Department of Veterans Affairs—

(1) enters into an agreement with an appropriate non-Department of Veterans Affairs Federal entity to serve as the design and/or construction agent for any Veterans Health Administration major construction project with a Total Estimated Cost of \$100,000,000 or above by providing full project management services, including management of the project design, acquisition, construction, and contract changes, consistent with section 502 of Public Law 114-58; and

(2) certifies in writing that such an agreement is executed and intended to minimize or prevent subsequent major construction project cost overruns and provides a copy of the agreement entered into and any required supplementary information to the Committees on Appropriations of both Houses of Congress.

#### CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may

lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$372,069,000, to remain available until September 30, 2021, along with unobligated balances of previous "Construction, Minor Projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: Provided, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

#### GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, \$90,000,000, to remain available until expended.

#### GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

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

#### ADMINISTRATIVE PROVISIONS (INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2017 for "Compensation and Pensions", "Readjustment Benefits", and "Veterans Insurance and Indemnities" may be transferred as necessary to any other of the mentioned appropriations: Provided, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2017, in this or any other Act, under the "Medical Services", "Medical Community Care", "Medical Support and Compliance", and "Medical Facilities" accounts may be transferred among the accounts: Provided, That any transfers among the "Medical Services", "Medical Community Care", and "Medical Support and Compliance" accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: Provided further, That any transfers among the "Medical Services", "Medical Community Care", and "Medical Support and Compliance" accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That any transfers to or from the "Medical Facilities" account may take place only after the Secretary requests from

the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

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

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

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

SEC. 206. Appropriations available in this title for "Compensation and Pensions", "Readjustment Benefits", and "Veterans Insurance and Indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2016.

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

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2017, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the "General Operating Expenses, Veterans Benefits Administration" and "Information Technology Systems" accounts for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2017 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2017 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

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

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses

shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not to exceed \$47,668,000 for the Office of Resolution Management and \$3,932,000 for the Office of Employment Discrimination Complaint Adjudication: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to the "General Administration" and "Information Technology Systems" accounts for use by the office that provided the service.

SEC. 211. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 212. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction, Major Projects" and "Construction, Minor Projects" accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, Major Projects" and "Construction, Minor Projects".

SEC. 213. Amounts made available under "Medical Services" are available—

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

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 214. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to the "Medical Services" and "Medical Community Care" accounts to remain available until expended for the purposes of these accounts.

SEC. 215. The Secretary of Veterans Affairs may enter into agreements with Federally Qualified Health Centers in the State of Alaska and Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, to provide healthcare, including behavioral health and dental care, to veterans in rural Alaska. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term "rural Alaska" shall mean those lands which are not within the boundaries of the municipality of Anchorage or the Fairbanks North Star Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 216. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the

"Construction, Major Projects" and "Construction, Minor Projects" accounts, to remain available until expended for the purposes of these accounts.

(RESCISSION OF FUNDS)

SEC. 217. Of the amounts appropriated in title II of division J of Public Law 114-113 under the heading "Medical Services" which become available on October 1, 2016, \$7,246,181,000 are hereby rescinded.

SEC. 218. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a report on the financial status of the Department of Veterans Affairs for the preceding quarter: Provided, That, at a minimum, the report shall include the direction contained in the paragraph entitled "Quarterly reporting", under the heading "General Administration" in the joint explanatory statement accompanying this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 219. Amounts made available under the "Medical Services", "Medical Community Care", "Medical Support and Compliance", "Medical Facilities", "General Operating Expenses, Veterans Benefits Administration", "General Administration", and "National Cemetery Administration" accounts for fiscal year 2017 may be transferred to or from the "Information Technology Systems" account: Provided, That such transfers may not result in a more than 10 percent aggregate increase in the total amount made available by this Act for the "Information Technology Systems" account: Provided further, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 220. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with: (1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109-115; 119 Stat. 2506); or (2) section 8110(a)(5) of title 38, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2017 for "Medical Services", "Medical Community Care", "Medical Support and Compliance", "Medical Facilities", "Construction, Minor Projects", and "Information Technology Systems", up to \$274,731,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress: Provided further, That section 223 of title II of division J of Public Law 114-113 is repealed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 222. Of the amounts appropriated to the Department of Veterans Affairs which become available on October 1, 2017, for "Medical Services", "Medical Community Care", "Medical Support and Compliance", and "Medical Facilities", up to \$280,802,000, plus reimbursements, may be transferred to the Joint Department of

Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 223. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Of the amounts available in this title for "Medical Services", "Medical Community Care", "Medical Support and Compliance", and "Medical Facilities", a minimum of \$15,000,000 shall be transferred to the DOD-VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

SEC. 225. None of the funds available to the Department of Veterans Affairs, in this or any other Act, may be used to replace the current system by which the Veterans Integrated Service Networks select and contract for diabetes monitoring supplies and equipment.

SEC. 226. The Secretary of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in a major construction project that total at least \$5,000,000, or 5 percent of the programmed amount of the project, whichever is less: Provided, That such notification shall occur within 14 days of a contract identifying the programmed amount: Provided further, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 227. None of the funds made available for "Construction, Major Projects" may be used for a project in excess of the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations unless the Secretary of Veterans Affairs receives approval from the Committees on Appropriations of both Houses of Congress.

SEC. 228. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report containing performance measures and data from each Veterans Benefits Administration Regional Office: Provided, That, at a minimum, the report shall include the direction contained in the section entitled "Disability claims backlog", under the heading "General

Operating Expenses, Veterans Benefits Administration” in the joint explanatory statement accompanying this Act.

SEC. 229. Of the funds provided to the Department of Veterans Affairs for fiscal year 2017 for “Medical Support and Compliance” a maximum of \$40,000,000 may be obligated from the “Medical Support and Compliance” account for the VistA Evolution and electronic health record interoperability projects: Provided, That funds in addition to these amounts may be obligated for the VistA Evolution and electronic health record interoperability projects upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

SEC. 230. The Secretary of Veterans Affairs shall provide written notification to the Committees on Appropriations of both Houses of Congress 15 days prior to organizational changes which result in the transfer of 25 or more full-time equivalents from one organizational unit of the Department of Veterans Affairs to another.

SEC. 231. The Secretary of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed \$2,000,000.

(INCLUDING TRANSFER OF FUNDS)

SEC. 232. The Secretary of Veterans Affairs, upon determination that such action is necessary to address needs of the Veterans Health Administration, may transfer to the “Medical Services” account any discretionary appropriations made available for fiscal year 2017 in this title (except appropriations made to the “General Operating Expenses, Veterans Benefits Administration” account) or any discretionary unobligated balances within the Department of Veterans Affairs, including those appropriated for fiscal year 2017, that were provided in advance by appropriations Acts: Provided, That transfers shall be made only with the approval of the Office of Management and Budget: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority provided by law: Provided further, That no amounts may be transferred from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That such authority to transfer may not be used unless for higher priority items, based on emergent healthcare requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: Provided further, That, upon determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation and shall be available for the same purposes as originally appropriated: Provided further, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

(INCLUDING TRANSFER OF FUNDS)

SEC. 233. Amounts made available for the Department of Veterans Affairs for fiscal year 2017, under the “Board of Veterans Appeals” and the “General Operating Expenses, Veterans Benefits Administration” accounts may be transferred between such accounts: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

SEC. 234. The Secretary of Veterans Affairs may not reprogram funds among major construction projects or programs if such instance of reprogramming will exceed \$5,000,000, unless

such reprogramming is approved by the Committees on Appropriations of both Houses of Congress.

(RESCISSION OF FUNDS)

SEC. 235. Of the unobligated balances available within the “DOD—VA Health Care Sharing Incentive Fund”, \$40,000,000 are hereby rescinded.

(RESCISSIONS OF FUNDS)

SEC. 236. Of the discretionary funds made available in Public Law 114–113 for the Department of Veterans Affairs for fiscal year 2017, \$134,000,000 are rescinded from “Medical Services”, \$26,000,000 are rescinded from “Medical Support and Compliance”, and \$9,000,000 are rescinded from “Medical Facilities”.

SEC. 237. The amounts otherwise made available by this Act for the following accounts of the Department of Veterans Affairs are hereby reduced by the following amounts:

(1) “Veterans Health Administration—Medical and Prosthetic Research”, \$2,000,000.

(2) “Departmental Administration—Board of Veterans Appeals”, \$500,000.

(3) “Veterans Benefits Administration—General Operating Expenses, Veterans Benefits Administration”, \$12,000,000.

(4) “Departmental Administration—Information Technology Systems”, \$8,000,000.

(5) “Departmental Administration—Office of Inspector General”, \$500,000.

SEC. 238. The Secretary of Veterans Affairs shall ensure that the toll-free suicide hotline under section 1720F(h) of title 38, United States Code—

(1) provides to individuals who contact the hotline immediate assistance from a trained professional; and

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

SEC. 239. (a) The Secretary of Veterans Affairs shall treat a marriage and family therapist described in subsection (b) as qualified to serve as a marriage and family therapist in the Department of Veterans Affairs, regardless of any requirements established by the Commission on Accreditation for Marriage and Family Therapy Education.

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

(1) Has a masters or higher degree in marriage and family therapy, or a related field, from a regionally accredited institution.

(2) Is licensed as a marriage and family therapist in a State (as defined in section 101(20) of title 38, United States Code) and possesses the highest level of licensure offered from the State.

(3) Has passed the Association of Marital and Family Therapy Regulatory Board Examination in Marital and Family Therapy or a related examination for licensure administered by a State (as so defined).

SEC. 240. None of the funds in this or any other Act may be used to close Department of Veterans Affairs (VA) hospitals, domiciliaries, or clinics, conduct an environmental assessment, or to diminish healthcare services at existing Veterans Health Administration medical facilities located in Veterans Integrated Service Network 23 as part of a planned realignment of VA services until the Secretary provides to the Committees on Appropriations of both Houses of Congress a report including the following elements:

(1) a national realignment strategy that includes a detailed description of realignment plans within each Veterans Integrated Service Network (VISN), including an updated Long Range Capital Plan to implement realignment requirements;

(2) an explanation of the process by which those plans were developed and coordinated within each VISN;

(3) a cost vs. benefit analysis of each planned realignment, including the cost of replacing Veterans Health Administration services with contract care or other outsourced services;

(4) an analysis of how any such planned realignment of services will impact access to care for veterans living in rural or highly rural areas, including travel distances and transportation costs to access a VA medical facility and availability of local specialty and primary care;

(5) an inventory of VA buildings with historic designation and the methodology used to determine the buildings’ condition and utilization;

(6) a description of how any realignment will be consistent with requirements under the National Historic Preservation Act; and

(7) consideration given for reuse of historic buildings within newly identified realignment requirements: Provided, That, this provision shall not apply to capital projects in VISN 23, or any other VISN, which have been authorized or approved by Congress.

SEC. 241. None of the funds appropriated in this or prior appropriations Acts or otherwise made available to the Department of Veterans Affairs may be used to transfer any amounts from the Filipino Veterans Equity Compensation Fund to any other account within the Department of Veterans Affairs.

SEC. 242. Paragraph (3) of section 403(a) of the Veterans’ Mental Health and Other Care Improvements Act of 2008 (Public Law 110–387; 38 U.S.C. 1703 note) is amended to read as follows:

“(3) DURATION.—A veteran may receive health services under this section during the period beginning on the date specified in paragraph (2) and ending on September 30, 2017.”

SEC. 243. (a) Section 1722A(a) of title 38, United States Code, is amended by adding at the end the following new paragraph:

“(4) Paragraph (1) does not apply to opioid antagonists furnished under this chapter to a veteran who is at high risk for overdose of a specific medication or substance in order to reverse the effect of such an overdose.”

(b) Section 1710(g)(3) of such title is amended—

(1) by striking “with respect to home health services” and inserting “with respect to the following:”

“(A) Home health services”; and

(2) by adding at the end the following new subparagraph:

“(B) Education on the use of opioid antagonists to reverse the effects of overdoses of specific medications or substances.”

SEC. 244. Section 312 of title 38, United States Code, is amended in subsection (c)(1) by striking the phrase “that makes a recommendation or otherwise suggests corrective action.”

SEC. 245. Of the funds provided to the Department of Veterans Affairs for each of fiscal year 2017 and fiscal year 2018 for “Medical Services”, funds may be used in each year to carry out and expand the child care program authorized by section 205 of Public Law 111–163, notwithstanding subsection (e) of such section.

SEC. 246. Section 5701(l) of title 38, United States Code, is amended by striking “may” and inserting “shall”.

VA PATIENT PROTECTION ACT OF 2016

SEC. 247. (a) PROCEDURE AND ADMINISTRATION.—

(1) IN GENERAL.—Chapter 7 of title 38, United States Code, is amended by adding at the end the following new subchapter:

“SUBCHAPTER II—WHISTLEBLOWER COMPLAINTS

“§ 731. Whistleblower complaint defined

“In this subchapter, the term ‘whistleblower complaint’ means a complaint by an employee of the Department disclosing, or assisting another employee to disclose, a potential violation of any law, rule, or regulation, or gross mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health and safety.

“§ 732. Treatment of whistleblower complaints

“(a) FILING.—(1) In addition to any other method established by law in which an employee



may file a whistleblower complaint, an employee of the Department may file a whistleblower complaint in accordance with subsection (g) with a supervisor of the employee.

“(2) Except as provided by subsection (d)(1), in making a whistleblower complaint under paragraph (1), an employee shall file the initial complaint with the immediate supervisor of the employee.

“(b) NOTIFICATION.—(1)(A) Not later than four business days after the date on which a supervisor receives a whistleblower complaint by an employee under this section, the supervisor shall notify, in writing, the employee of whether the supervisor determines that there is a reasonable likelihood that the complaint discloses a violation of any law, rule, or regulation, or gross mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health and safety.

“(B) The supervisor shall retain written documentation regarding the whistleblower complaint and shall submit to the next-level supervisor and the central whistleblower office described in subsection (h) a written report on the complaint.

“(2)(A) On a monthly basis, the supervisor shall submit to the appropriate director or other official who is superior to the supervisor a written report that includes the number of whistleblower complaints received by the supervisor under this section during the month covered by the report, the disposition of such complaints, and any actions taken because of such complaints pursuant to subsection (c).

“(B) In the case in which such a director or official carries out this paragraph, the director or official shall submit such monthly report to the supervisor of the director or official and to the central whistleblower office described in subsection (h).

“(c) POSITIVE DETERMINATION.—If a supervisor makes a positive determination under subsection (b)(1) regarding a whistleblower complaint of an employee, the supervisor shall include in the notification to the employee under such subsection the specific actions that the supervisor will take to address the complaint.

“(d) FILING COMPLAINT WITH NEXT-LEVEL SUPERVISORS.—(1) If any circumstance described in paragraph (3) is met, an employee may file a whistleblower complaint in accordance with subsection (g) with the next-level supervisor who shall treat such complaint in accordance with this section.

“(2) An employee may file a whistleblower complaint with the Secretary if the employee has filed the whistleblower complaint to each level of supervisors between the employee and the Secretary in accordance with paragraph (1).

“(3) A circumstance described in this paragraph is any of the following circumstances:

“(A) A supervisor does not make a timely determination under subsection (b)(1) regarding a whistleblower complaint.

“(B) The employee who made a whistleblower complaint determines that the supervisor did not adequately address the complaint pursuant to subsection (c).

“(C) The immediate supervisor of the employee is the basis of the whistleblower complaint.

“(e) TRANSFER OF EMPLOYEE WHO FILES WHISTLEBLOWER COMPLAINT.—If a supervisor makes a positive determination under subsection (b)(1) regarding a whistleblower complaint filed by an employee, the Secretary shall—

“(1) inform the employee of the ability to volunteer for a transfer in accordance with section 3352 of title 5; and

“(2) give preference to the employee for such a transfer in accordance with such section.

“(f) PROHIBITION ON EXEMPTION.—The Secretary may not exempt any employee of the Department from being covered by this section.

“(g) WHISTLEBLOWER COMPLAINT FORM.—(1) A whistleblower complaint filed by an employee under subsection (a) or (d) shall consist of the

form described in paragraph (2) and any supporting materials or documentation the employee determines necessary.

“(2) The form described in this paragraph is a form developed by the Secretary, in consultation with the Special Counsel, that includes the following:

“(A) An explanation of the purpose of the whistleblower complaint form.

“(B) Instructions for filing a whistleblower complaint as described in this section.

“(C) An explanation that filing a whistleblower complaint under this section does not preclude the employee from any other method established by law in which an employee may file a whistleblower complaint.

“(D) A statement directing the employee to information accessible on the Internet website of the Department as described in section 735(d).

“(E) Fields for the employee to provide—

“(i) the date that the form is submitted;

“(ii) the name of the employee;

“(iii) the contact information of the employee;

“(iv) a summary of the whistleblower complaint (including the option to append supporting documents pursuant to paragraph (1)); and

“(v) proposed solutions to the complaint.

“(F) Any other information or fields that the Secretary determines appropriate.

“(3) The Secretary, in consultation with the Special Counsel, shall develop the form described in paragraph (2) by not later than 60 days after the date of the enactment of this section.

“(h) CENTRAL WHISTLEBLOWER OFFICE.—(1) The Secretary shall ensure that the central whistleblower office—

“(A) is not an element of the Office of the General Counsel;

“(B) is not headed by an official who reports to the General Counsel;

“(C) does not provide, or receive from, the General Counsel any information regarding a whistleblower complaint except pursuant to an action regarding the complaint before an administrative body or court; and

“(D) does not provide advice to the General Counsel.

“(2) The central whistleblower office shall be responsible for investigating all whistleblower complaints of the Department, regardless of whether such complaints are made by or against an employee who is not a member of the Senior Executive Service.

“(3) The Secretary shall ensure that the central whistleblower office maintains a toll-free hotline to anonymously receive whistleblower complaints.

“(4) The Secretary shall ensure that the central whistleblower office has such staff and resources as the Secretary considers necessary to carry out the functions of the central whistleblower office.

“(5) In this subsection, the term ‘central whistleblower office’ means the Office of Accountability Review or a successor office that is established or designated by the Secretary to investigate whistleblower complaints filed under this section or any other method established by law.

**“§ 733. Adverse actions against supervisory employees who commit prohibited personnel actions relating to whistleblower complaints**

“(a) IN GENERAL.—(1) In accordance with paragraph (2), the Secretary shall carry out the following adverse actions against supervisory employees (as defined in section 7103(a) of title 5) whom the Secretary, an administrative judge, the Merit Systems Protection Board, the Office of Special Counsel, an adjudicating body provided under a union contract, a Federal judge, or the Inspector General of the Department determines committed a prohibited personnel action described in subsection (c):

“(A) With respect to the first offense, an adverse action that is not less than a 12-day suspension and not more than removal.

“(B) With respect to the second offense, removal.

“(2)(A) An employee against whom an adverse action under paragraph (1) is proposed is entitled to written notice.

“(B)(i) An employee who is notified under subparagraph (A) of being the subject of a proposed adverse action under paragraph (1) is entitled to 14 days following such notification to answer and furnish evidence in support of the answer.

“(ii) If the employee does not furnish any such evidence as described in clause (i) or if the Secretary determines that such evidence is not sufficient to reverse the determination to propose the adverse action, the Secretary shall carry out the adverse action following such 14-day period.

“(C) Paragraphs (1) and (2) of subsection (b) of section 7513 of title 5, subsection (c) of such section, paragraphs (1) and (2) of subsection (b) of section 7543 of such title, and subsection (c) of such section shall not apply with respect to an adverse action carried out under paragraph (1).

“(b) LIMITATION ON OTHER ADVERSE ACTIONS.—With respect to a prohibited personnel action described in subsection (c), if the Secretary carries out an adverse action against a supervisory employee, the Secretary may carry out an additional adverse action under this section based on the same prohibited personnel action if the total severity of the adverse actions do not exceed the level specified in subsection (a).

“(c) PROHIBITED PERSONNEL ACTION DESCRIBED.—A prohibited personnel action described in this subsection is any of the following actions:

“(1) Taking or failing to take a personnel action in violation of section 2302 of title 5 against an employee relating to the employee—

“(A) filing a whistleblower complaint in accordance with section 732 of this title;

“(B) filing a whistleblower complaint with the Inspector General of the Department, the Special Counsel, or Congress;

“(C) providing information or participating as a witness in an investigation of a whistleblower complaint in accordance with section 732 or with the Inspector General of the Department, the Special Counsel, or Congress;

“(D) participating in an audit or investigation by the Comptroller General of the United States;

“(E) refusing to perform an action that is unlawful or prohibited by the Department; or

“(F) engaging in communications that are related to the duties of the position or are otherwise protected.

“(2) Preventing or restricting an employee from making an action described in any of subparagraphs (A) through (F) of paragraph (1).

“(3) Conducting a negative peer review or opening a retaliatory investigation because of an activity of an employee that is protected by section 2302 of title 5.

“(4) Requesting a contractor to carry out an action that is prohibited by section 4705(b) or section 4712(a)(1) of title 41, as the case may be.

**“§ 734. Evaluation criteria of supervisors and treatment of bonuses**

“(a) EVALUATION CRITERIA.—(1) In evaluating the performance of supervisors of the Department, the Secretary shall include the criteria described in paragraph (2).

“(2) The criteria described in this subsection are the following:

“(A) Whether the supervisor treats whistleblower complaints in accordance with section 732 of this title.

“(B) Whether the appropriate deciding official, performance review board, or performance review committee determines that the supervisor was found to have committed a prohibited personnel action described in section 733(b) of this title by an administrative judge, the Merit Systems Protection Board, the Office of Special

Counsel, an adjudicating body provided under a union contract, a Federal judge, or, in the case of a settlement of a whistleblower complaint (regardless of whether any fault was assigned under such settlement), the Secretary.

“(b) BONUSES.—(1) The Secretary may not pay to a supervisor described in subsection (a)(2)(B) an award or bonus under this title or title 5, including under chapter 45 or 53 of such title, during the one-year period beginning on the date on which the determination was made under such subsection.

“(2) Notwithstanding any other provision of law, the Secretary shall issue an order directing a supervisor described in subsection (a)(2)(B) to repay the amount of any award or bonus paid under this title or title 5, including under chapter 45 or 53 of such title, if—

“(A) such award or bonus was paid for performance during a period in which the supervisor committed a prohibited personnel action as determined pursuant to such subsection (a)(2)(B);

“(B) the Secretary determines such repayment appropriate pursuant to regulations prescribed by the Secretary to carry out this section; and

“(C) the supervisor is afforded notice and an opportunity for a hearing before making such repayment.

**“§ 735. Training regarding whistleblower complaints**

“(a) TRAINING.—Not less frequently than once each year, the Secretary, in coordination with the Whistleblower Protection Ombudsman designated under section 3(d)(1)(C) of the Inspector General Act of 1978 (5 U.S.C. App.), shall provide to each employee of the Department training regarding whistleblower complaints, including—

“(1) an explanation of each method established by law in which an employee may file a whistleblower complaint;

“(2) an explanation of prohibited personnel actions described by section 733(c) of this title;

“(3) with respect to supervisors, how to treat whistleblower complaints in accordance with section 732 of this title;

“(4) the right of the employee to petition Congress regarding a whistleblower complaint in accordance with section 7211 of title 5;

“(5) an explanation that the employee may not be prosecuted or reprised against for disclosing information to Congress, the Inspector General, or another investigatory agency in instances where such disclosure is permitted by law, including under sections 5701, 5705, and 7732 of this title, under section 552a of title 5 (commonly referred to as the Privacy Act), under chapter 93 of title 18, and pursuant to regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191);

“(6) an explanation of the language that is required to be included in all nondisclosure policies, forms, and agreements pursuant to section 115(a)(1) of the Whistleblower Protection Enhancement Act of 2012 (5 U.S.C. 2302 note); and

“(7) the right of contractors to be protected from reprisal for the disclosure of certain information under section 4705 or 4712 of title 41.

“(b) MANNER TRAINING IS PROVIDED.—The Secretary shall ensure that training provided under subsection (a) is provided in person.

“(c) CERTIFICATION.—Not less frequently than once each year, the Secretary shall provide training on merit system protection in a manner that the Special Counsel certifies as being satisfactory.

“(d) PUBLICATION.—(1) The Secretary shall publish on the Internet website of the Department, and display prominently at each facility of the Department, the rights of an employee to file a whistleblower complaint, including the information described in paragraphs (1) through (7) of subsection (a).

“(2) The Secretary shall publish on the Internet website of the Department, the whistle-

blower complaint form described in section 732(g)(2).

**“§ 736. Reports to Congress**

“(a) ANNUAL REPORTS.—Not less frequently than once each year, the Secretary shall submit to the appropriate committees of Congress a report that includes—

“(1) with respect to whistleblower complaints filed under section 732 of this title during the year covered by the report—

“(A) the number of such complaints filed;

“(B) the disposition of such complaints; and

“(C) the ways in which the Secretary addressed such complaints in which a positive determination was made by a supervisor under subsection (b)(1) of such section;

“(2) the number of whistleblower complaints filed during the year covered by the report that are not included under paragraph (1), including—

“(A) the method in which such complaints were filed;

“(B) the disposition of such complaints; and

“(C) the ways in which the Secretary addressed such complaints; and

“(3) with respect to disclosures made by a contractor under section 4705 or 4712 of title 41—

“(A) the number of complaints relating to such disclosures that were investigated by the Inspector General of the Department of Veterans Affairs during the year covered by the report;

“(B) the disposition of such complaints; and

“(C) the ways in which the Secretary addressed such complaints.

“(b) NOTICE OF OFFICE OF SPECIAL COUNSEL DETERMINATIONS.—Not later than 30 days after the date on which the Secretary receives from the Special Counsel information relating to a whistleblower complaint pursuant to section 1213 of title 5, the Secretary shall notify the appropriate committees of Congress of such information, including the determination made by the Special Counsel.

“(c) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ‘appropriate committees of Congress’ means—

“(1) the Committee on Veterans’ Affairs and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(2) the Committee on Veterans’ Affairs and the Committee on Oversight and Government Reform of the House of Representatives.”

**(2) CONFORMING AND CLERICAL AMENDMENTS.—**

(A) CONFORMING AMENDMENT.—Such chapter is further amended by inserting before section 701 the following:

“SUBCHAPTER I—GENERAL EMPLOYEE MATTERS”.

(B) CLERICAL AMENDMENTS.—The table of sections at the beginning of such chapter is amended—

(i) by inserting before the item relating to section 701 the following new item:

“SUBCHAPTER I—GENERAL EMPLOYEE MATTERS”;

and

(ii) by adding at the end the following new items:

“SUBCHAPTER II—WHISTLEBLOWER COMPLAINTS

“731. Whistleblower complaint defined.

“732. Treatment of whistleblower complaints.

“733. Adverse actions against supervisory employees who commit prohibited personnel actions relating to whistleblower complaints.

“734. Evaluation criteria of supervisors and treatment of bonuses.

“735. Training regarding whistleblower complaints.

“736. Reports to Congress.”

(b) TREATMENT OF CONGRESSIONAL TESTIMONY BY DEPARTMENT OF VETERANS AFFAIRS EMPLOYEES AS OFFICIAL DUTY.—

(1) IN GENERAL.—Subchapter I of chapter 7 of title 38, United States Code, as designated by

section 2(a)(2)(A), is amended by adding at the end the following new section:

**“§ 715. Congressional testimony by employees: treatment as official duty**

“(a) CONGRESSIONAL TESTIMONY.—An employee of the Department is performing official duty during the period with respect to which the employee is testifying in an official capacity in front of either chamber of Congress, a committee of either chamber of Congress, or a joint or select committee of Congress.

“(b) TRAVEL EXPENSES.—The Secretary shall provide travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, to any employee of the Department of Veterans Affairs performing official duty described under subsection (a).”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter, as amended by section 2(a)(2)(B), is further amended by inserting after the item relating to section 713 the following new item:

“715. Congressional testimony by employees: treatment as official duty.”

SEC. 248. (a) IN GENERAL.—For the purposes of verifying that an individual performed service under honorable conditions that satisfies the requirements of a coastwise merchant seaman who is recognized pursuant to section 401 of the GI Bill Improvement Act of 1977 (Public Law 95-202; 38 U.S.C. 106 note) as having performed active duty service for the purposes described in subsection (c)(1), the Secretary of Defense shall accept the following:

(1) In the case of an individual who served on a coastwise merchant vessel seeking such recognition for whom no applicable Coast Guard shipping or discharge form, ship logbook, merchant mariner’s document or Z-card, or other official employment record is available, the Secretary of Defense shall provide such recognition on the basis of applicable Social Security Administration records submitted for or by the individual, together with validated testimony given by the individual or the primary next of kin of the individual that the individual performed such service during the period beginning on December 7, 1941, and ending on December 31, 1946.

(2) In the case of an individual who served on a coastwise merchant vessel seeking such recognition for whom the applicable Coast Guard shipping or discharge form, ship logbook, merchant mariner’s document or Z-card, or other official employment record has been destroyed or otherwise become unavailable by reason of any action committed by a person responsible for the control and maintenance of such form, logbook, or record, the Secretary of Defense shall accept other official documentation demonstrating that the individual performed such service during period beginning on December 7, 1941, and ending on December 31, 1946.

(3) For the purpose of determining whether to recognize service allegedly performed during the period beginning on December 7, 1941, and ending on December 31, 1946, the Secretary shall recognize masters of seagoing vessels or other officers in command of similarly organized groups as agents of the United States who were authorized to document any individual for purposes of hiring the individual to perform service in the merchant marine or discharging an individual from such service.

(b) TREATMENT OF OTHER DOCUMENTATION.—Other documentation accepted by the Secretary of Defense pursuant to subsection (a)(2) shall satisfy all requirements for eligibility of service during the period beginning on December 7, 1941, and ending on December 31, 1946.

(c) BENEFITS ALLOWED.—

(1) MEDALS, RIBBONS, AND DECORATIONS.—An individual whose service is recognized as active duty pursuant to subsection (a) may be awarded an appropriate medal, ribbon, or other military decoration based on such service.

(2) *STATUS OF VETERAN.*—An individual whose service is recognized as active duty pursuant to subsection (a) shall be honored as a veteran but shall not be entitled by reason of such recognized service to any benefit that is not described in this subsection.

SEC. 249. Section 322(d)(1) of title 38, United States Code, is amended—

(1) by striking “allowance to a veteran” and inserting the following: “allowance to—  
“(A) a veteran”;

(2) in subparagraph (A), as designated by paragraph (1), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following new subparagraph:

“(B) a veteran with a VA service-connected disability rated as 30 percent or greater by the Department of Veterans Affairs who is selected by the United States Olympic Committee for the United States Olympic Team for any month in which the veteran is competing in any event sanctioned by the National Governing Bodies of the United States Olympic Sports.”

SEC. 250. (a) *IN GENERAL.*—Section 111(b)(1) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

“(G) A veteran with vision impairment, a veteran with a spinal cord injury or disorder, or a veteran with double or multiple amputations whose travel is in connection with care provided through a special disabilities rehabilitation program of the Department (including programs provided by spinal cord injury centers, blind rehabilitation centers, and prosthetics rehabilitation centers) if such care is provided—

“(i) on an in-patient basis; or  
“(ii) during a period in which the Secretary provides the veteran with temporary lodging at a facility of the Department to make such care more accessible to the veteran.”

(b) *REPORT.*—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on the beneficiary travel program under section 111 of title 38, United States Code, as amended by subsection (a), that includes the following:

(1) The cost of the program.  
(2) The number of veterans served by the program.  
(3) Such other matters as the Secretary considers appropriate.

(c) *EFFECTIVE DATE.*—The amendment made by subsection (a) shall take effect on the first day of the first fiscal year that begins after the date of the enactment of this Act.

SEC. 251. (a) *IN GENERAL.*—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish a program to conduct inspections of kitchens and food service areas at each medical facility of the Department of Veterans Affairs. Such inspections shall occur not less frequently than annually. The program’s goal is to ensure that the same standards for kitchens and food service areas at hospitals in the private sector are being met at kitchens and food service areas at medical facilities of the Department.

(b) *AGREEMENT.*—

(1) *IN GENERAL.*—The Secretary shall seek to enter into an agreement with the Joint Commission on Accreditation of Hospital Organizations under which the Joint Commission on Accreditation of Hospital Organizations conducts the inspections required under subsection (a).

(2) *ALTERNATE ORGANIZATION.*—If the Secretary is unable to enter into an agreement described in paragraph (1) with the Joint Commission on Accreditation of Hospital Organizations on terms acceptable to the Secretary, the Secretary shall seek to enter into such an agreement with another appropriate organization that—

(A) is not part of the Federal Government;  
(B) operates as a not-for-profit entity; and

(C) has expertise and objectivity comparable to that of the Joint Commission on Accreditation of Hospital Organizations.

(c) *REMEDIATION PLAN.*—

(1) *INITIAL FAILURE.*—If a kitchen or food service area of a medical facility of the Department is determined pursuant to an inspection conducted under subsection (a) not to meet the standards for kitchens and food service areas in hospitals in the private sector, that medical facility fails the inspection and the Secretary shall—

(A) implement a remediation plan for that medical facility within 72 hours; and

(B) Conduct a second inspection under subsection (a) at that medical facility within 14 days of the failed inspection.

(2) *SECOND FAILURE.*—If a medical facility of the Department fails the second inspection conducted under paragraph (1)(B), the Secretary shall close the kitchen or food service area at that medical facility that did not meet the standards for kitchens and food service areas in hospitals in the private sector until full remediation is completed and all kitchens and food service areas at that medical facility meet such standards.

(3) *PROVISION OF FOOD.*—If a kitchen or food service area is closed at a medical facility of the Department pursuant to paragraph (2), the Director of the Veterans Integrated Service Network in which the medical facility is located shall enter into a contract with a vendor approved by the General Services Administration to provide food at the medical facility.

(d) *QUARTERLY REPORTS.*—Not less frequently than quarterly, the Under Secretary of Health shall submit to Congress a report on inspections conducted under this section, and their detailed findings and actions taken, during the preceding quarter at medical facilities of the Department.

SEC. 252. (a) *IN GENERAL.*—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish a program to conduct risk-based inspections for mold and mold issues at each medical facility of the Department of Veterans Affairs. Such facilities will be rated high, medium, or low risk for mold. Such inspections at facilities rated high risk shall occur not less frequently than annually, and such inspections at facilities rated medium or low risk shall occur not less frequently than biennially.

(b) *AGREEMENT.*—

(1) *IN GENERAL.*—The Secretary shall seek to enter into an agreement with the Joint Commission on Accreditation of Hospital Organizations under which the Joint Commission on Accreditation of Hospital Organizations conducts the inspections required under subsection (a).

(2) *ALTERNATE ORGANIZATION.*—If the Secretary is unable to enter into an agreement described in paragraph (1) with the Joint Commission on Accreditation of Hospital Organizations on terms acceptable to the Secretary, the Secretary shall seek to enter into such an agreement with another appropriate organization that—

(A) is not part of the Federal Government;  
(B) operates as a not-for-profit entity; and  
(C) has expertise and objectivity comparable to that of the Joint Commission on Accreditation of Hospital Organizations.

(c) *REMEDIATION PLAN.*—If a medical facility of the Department is determined pursuant to an inspection conducted under subsection (a) to have a mold issue, the Secretary shall—

(1) implement a remediation plan for that medical facility within 7 days; and

(2) Conduct a second inspection under subsection (a) at that medical facility within 90 days of the initial inspection.

(d) *QUARTERLY REPORTS.*—Not less frequently than quarterly, the Under Secretary of Health shall submit to Congress a report on inspections conducted under this section, and their detailed findings and actions taken, during the pre-

ceding quarter at medical facilities of the Department.

SEC. 253. Section 1706(b)(5)(A) of title 38, United States Code, is amended, in the first sentence, by striking “through 2008”.

SEC. 254. (a) The Secretary of Veterans Affairs may use amounts appropriated or otherwise made available in this title to ensure that the ratio of veterans to full-time employment equivalents within any program of rehabilitation conducted under chapter 31 of title 38, United States Code, does not exceed 125 veterans to one full-time employment equivalent.

(b) Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the programs of rehabilitation conducted under chapter 31 of title 38, United States Code, including—

(1) an assessment of the veteran-to-staff ratio for each such program; and

(2) recommendations for such action as the Secretary considers necessary to reduce the veteran-to-staff ratio for each such program.

SEC. 255. (a) None of the funds made available in this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede that Inspector General’s access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General’s right of access.

(b) A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner.

(c) Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

SEC. 256. None of the funds appropriated or otherwise made available in this title may be used by the Secretary of Veterans Affairs to enter into an agreement related to resolving a dispute or claim with an individual that would restrict in any way the individual from speaking to members of Congress or their staff on any topic not otherwise prohibited from disclosure by Federal law or required by Executive Order to be kept secret in the interest of national defense or the conduct of foreign affairs.

SEC. 257. Appropriations made available in this Act under the heading “Medical Services” shall be available to carry out sections 322(d) and 521A of title 38, United States Code, to include the payment of the administrative expenses necessary to carry out such sections. Of the amount appropriated for fiscal year 2017, up to \$2,000,000 shall be available for the payment of monthly assistance allowances to veterans pursuant to 38 U.S.C. 322(d) and up to \$8,000,000 shall be available for the payment of grants pursuant to 38 U.S.C. 521A. Of the amounts appropriated in advance for fiscal year 2018, up to \$2,000,000 shall be available for the payment of monthly assistance allowances to veterans pursuant to 38 U.S.C. 322(d) and up to \$8,000,000 shall be available for the payment of grants pursuant to 38 U.S.C. 521A.

SEC. 258. (a) In fiscal year 2017 and each fiscal year hereafter, beginning with the fiscal year 2018 budget request submitted to Congress pursuant to section 1105(a) of title 31, United States Code, the budget justification documents submitted for the “Construction, Major Projects” account of the Department of Veterans Affairs shall include, at a minimum, the information required under subsection (b).

(b) The budget justification documents submitted pursuant to subsection (a) shall include, for each project—

- (1) the estimated total cost of the project;
- (2) the funding provided for each fiscal year prior to the budget year;
- (3) the amount requested for the budget year;
- (4) the estimated funding required for the project for each of the 4 fiscal years succeeding the budget year; and

(5) such additional information as is enumerated under the heading relating to the “Construction, Major Projects” account of the Department of Veterans Affairs in the joint explanatory statement accompanying this Act.

(c) Not later than 45 days after the date of enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a proposed budget justification template that complies with the requirements of this section.

SEC. 259. (a) The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in an amount not to exceed the amount specified for that project:

(1) Seismic corrections to buildings, including retrofitting and replacement of high-risk buildings, in San Francisco, California, in an amount not to exceed \$180,480,000.

(2) Seismic corrections to facilities, including facilities to support homeless veterans, at the medical center in West Los Angeles, California, in an amount not to exceed \$105,500,000.

(3) Seismic corrections to the mental health and community living center in Long Beach, California, in an amount not to exceed \$287,100,000.

(4) Construction of an outpatient clinic, administrative space, cemetery, and columbarium in Alameda, California, in an amount not to exceed \$87,332,000.

(5) Realignment of medical facilities in Livermore, California, in an amount not to exceed \$194,430,000.

(6) Construction of a medical center in Louisville, Kentucky, in an amount not to exceed \$150,000,000.

(7) Construction of a replacement community living center in Perry Point, Maryland, in an amount not to exceed \$92,700,000.

(8) Seismic corrections and other renovations to several buildings and construction of a specialty care building in American Lake, Washington, in an amount not to exceed \$16,260,000.

(b) There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Construction, Major Projects, account, \$1,113,802,000 for the projects authorized in subsection (a).

(c) The projects authorized in subsection (a) may only be carried out using—

(1) funds appropriated for fiscal year 2016 pursuant to the authorization of appropriations in subsection (b);

(2) funds available for Construction, Major Projects, for a fiscal year before fiscal year 2016 that remain available for obligation;

(3) funds available for Construction, Major Projects, for a fiscal year after fiscal year 2016 that remain available for obligation;

(4) funds appropriated for Construction, Major Projects, for fiscal year 2016 for a category of activity not specific to a project;

(5) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2016 for a category of activity not specific to a project; and

(6) funds appropriated for Construction, Major Projects, for a fiscal year after fiscal year 2016 for a category of activity not specific to a project.

SEC. 260. (a) Notwithstanding any other provision of law, the amounts appropriated or otherwise made available to the Department of Veterans Affairs for the “Medical Services” account may be used to provide—

(1) fertility counseling and treatment using assisted reproductive technology to a covered veteran or the spouse of a covered veteran; or

(2) adoption reimbursement to a covered veteran.

(b) In this section:

(1) The term “service-connected” has the meaning given such term in section 101 of title 38, United States Code.

(2) The term “covered veteran” means a veteran, as such term is defined in section 101 of title 38, United States Code, who has a service-connected disability that results in the inability of the veteran to procreate without the use of fertility treatment.

(3) The term “assisted reproductive technology” means benefits relating to reproductive assistance provided to a member of the Armed Forces who incurs a serious injury or illness on active duty pursuant to section 1074(c)(4)(A) of title 10, United States Code, as described in the memorandum on the subject of “Policy for Assisted Reproductive Services for the Benefit of Seriously or Severely Ill/Injured (Category II or III) Active Duty Service Members” issued by the Assistant Secretary of Defense for Health Affairs on April 3, 2012, and the guidance issued to implement such policy, including any limitations on the amount of such benefits available to such a member.

(4) The term “adoption reimbursement” means reimbursement for the adoption-related expenses for an adoption that is finalized after the date of the enactment of this Act under the same terms as apply under the adoption reimbursement program of the Department of Defense, as authorized in Department of Defense Instruction 1341.09, including the reimbursement limits and requirements set forth in such instruction.

(c) Amounts made available for the purposes specified in subsection (a) of this section are subject to the requirements for funds contained in section 508 of division H of the Consolidated Appropriations Act, 2016 (Public Law 114–113).

### TITLE III

#### RELATED AGENCIES

##### AMERICAN BATTLE MONUMENTS COMMISSION

##### SALARIES AND EXPENSES

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

##### FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

##### UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

##### SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, \$30,945,000: Provided, That \$2,500,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

##### DEPARTMENT OF DEFENSE—CIVIL

##### CEMETERIAL EXPENSES, ARMY

##### SALARIES AND EXPENSES

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

##### ARMED FORCES RETIREMENT HOME

##### TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$64,300,000, of which \$1,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi: Provided, That of the amounts made available under this heading from funds available in the Armed Forces Retirement Home Trust Fund, \$22,000,000 shall be paid from the general fund of the Treasury to the Trust Fund.

##### ADMINISTRATIVE PROVISIONS

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

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

### TITLE IV

#### OVERSEAS CONTINGENCY OPERATIONS

##### DEPARTMENT OF DEFENSE

##### MILITARY CONSTRUCTION, ARMY

For an additional amount for “Military Construction, Army”, \$18,900,000, to remain available until September 30, 2021, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

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

##### MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for “Military Construction, Air Force” \$88,291,000, to remain available until September 30, 2021, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## MILITARY CONSTRUCTION, DEFENSE-WIDE

For an additional amount for “Military Construction, Defense-Wide”, \$5,000,000, to remain available until September 30, 2021, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## ADMINISTRATIVE PROVISION

SEC. 401. Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

## TITLE V

## GENERAL PROVISIONS

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

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

SEC. 503. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of “E-Commerce” technologies and procedures in the conduct of their business practices and public service activities.

SEC. 504. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

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

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

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

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

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

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

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

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

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

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

SEC. 511. None of the funds made available by this Act may be used by the Department of Defense or the Department of Veterans Affairs to lease or purchase new light duty vehicles for any executive fleet, or for an agency’s fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

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

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

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

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

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

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

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

## DIVISION B—ZIKA RESPONSE AND PREPAREDNESS

## TITLE I

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

## CENTERS FOR DISEASE CONTROL AND PREVENTION

## CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

For an additional amount for fiscal year 2016 for “CDC-Wide Activities and Program Support”, \$476,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, health conditions related to such virus, and other vector-borne diseases, domestically and internationally: Provided, That products purchased with these funds may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F–2 of the Public Health Service (“PHS”) Act: Provided further, That funds may be used for purchase and insurance of official motor vehicles in foreign countries: Provided further, That the provisions in section 317S of the PHS Act shall apply to the use of funds appropriated in this paragraph as determined by the Director of the Centers for Disease Control and Prevention to be appropriate: Provided further, That funds appropriated in this paragraph may be used for grants for the construction, alteration, or renovation of non-federally owned facilities to improve preparedness and response capability at State and local laboratories: Provided further, That of the amount appropriated in this paragraph, \$88,000,000 may be used to reimburse accounts administered by the Centers for Disease Control and Prevention for obligations incurred for Zika virus response prior to the enactment of this Act: Provided further, That such amount is

designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL INSTITUTES OF HEALTH  
NATIONAL INSTITUTE OF ALLERGY AND  
INFECTIOUS DISEASES  
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for fiscal year 2016 for “National Institute of Allergy and Infectious Diseases”, \$230,000,000, to remain available until September 30, 2017, for research on the virology, natural history, and pathogenesis of the Zika virus infection and preclinical and clinical development of vaccines and other medical countermeasures for the Zika virus and other vector-borne diseases, domestically and internationally: Provided, That such funds may be transferred by the Director of the National Institutes of Health (“NIH”) to other accounts of the NIH for the purposes provided in this paragraph: Provided further, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## OFFICE OF THE SECRETARY

## PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

## (INCLUDING TRANSFER OF FUNDS)

For an additional amount for fiscal year 2016 for “Public Health and Social Services Emergency Fund”, \$227,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, health conditions related to such virus, and other vector-borne diseases, domestically and internationally; to develop necessary countermeasures and vaccines, including the development and purchase of vaccines, therapeutics, diagnostics, necessary medical supplies, and administrative activities; for additional payments for distribution as provided for under the “Social Services Block Grant Program”; and for carrying out sections 330 through 336 and 338 of the PHS Act: Provided, That funds appropriated in this paragraph may be used to procure security countermeasures (as defined in section 319F–2(c)(1)(B) of the PHS Act): Provided further, That paragraphs (1) and (7)(C) of subsection (c) of section 319F–2 of the PHS Act, but no other provisions of such section, shall apply to such security countermeasures procured with funds appropriated in this paragraph: Provided further, That products purchased with funds appropriated in this paragraph may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F–2 of the PHS Act: Provided further, That funds appropriated in this paragraph may be transferred to the fund authorized by section 319F–4 of the PHS Act: Provided further, That of the funds appropriated under this heading, \$95,000,000 shall be transferred to the “Social Services Block Grant” for health services provided by public health departments, hospitals, or reimbursed through public health plans, notwithstanding section 2005(a)(4) of the Social Security Act, in States, territories, or tribal lands with active or local transmission cases of the Zika virus, as confirmed by the Centers for Disease Control and Prevention, of which not less than \$80,000,000 shall be for territories with the highest rates of Zika transmission: Provided further, That the Secretary of Health and Human Services shall distribute funds transferred to the “Social Services Block Grant” in this paragraph in accordance with objective criteria that are made available to the public: Provided further, That of the funds appropriated under this heading, \$40,000,000 shall be used to expand the delivery of primary health services authorized by section 330 of the PHS Act in Puerto Rico and other territories: Provided further, That of the funds appropriated under this heading, \$6,000,000 shall, for purposes of providing primary health services in areas affected

by Zika virus or other vector-borne diseases, be used to assign National Health Service Corps (NHSC) members to Puerto Rico and other territories, notwithstanding the assignment priorities and limitations in or under sections 333(a)(1)(D), 333(b), or 333A(a) of the PHS Act, and to make NHSC Loan Repayment Program awards under section 338B of such Act: Provided further, That for purposes of the previous proviso, section 331(a)(3)(D) of the PHS Act shall be applied as if the term “primary health services” included health services regarding pediatric subspecialists: Provided further, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**GENERAL PROVISIONS—THIS TITLE**  
(INCLUDING TRANSFER OF FUNDS)

**DIRECT HIRES**

**SEC. 101.** Funds appropriated by this title may be used by the heads of the Department of Health and Human Services, Department of State, and the United States Agency for International Development to appoint, without regard to the provisions of sections 3309 through 3319 of title 5 of the United States Code, candidates needed for positions to perform critical work relating to Zika response for which—

- (1) public notice has been given; and
- (2) the Secretary of Health and Human Services has determined that such a public health threat exists.

**TRANSFER AUTHORITIES**

**SEC. 102.** Funds appropriated by this title may be transferred to, and merged with, other appropriation accounts under the headings “Centers for Disease Control and Prevention”, “Public Health and Social Services Emergency Fund”, and “National Institutes of Health” for the purposes specified in this title following consultation with the Office of Management and Budget: Provided, That the Committees on Appropriations shall be notified 10 days in advance of any such transfer: Provided further, That, upon a determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation: Provided further, That none of the funds made available by this title may be transferred pursuant to the authority in section 205 of division H of Public Law 114–113 or section 241(a) of the PHS Act.

**REPORTING REQUIREMENTS**

**SEC. 103.** Not later than 30 days after enactment of this Act, the Secretary of Health and Human Services shall provide a detailed spend plan of anticipated uses of funds made available in this title, including estimated personnel and administrative costs, to the Committees on Appropriations: Provided, That such plans shall be updated and submitted to the Committees on Appropriations every 60 days until September 30, 2017.

**OVERSIGHT**

**SEC. 104.** Of the funds appropriated by this title under the heading “Public Health and Social Services Emergency Fund”, up to—

(1) \$500,000 shall be transferred to, and merged with, funds made available under the heading “Office of the Secretary, Office of Inspector General”, and shall remain available until expended, for oversight of activities supported with funds appropriated by this title: Provided, That the Secretary of Health and Human Services shall consult with the Committees on Appropriations prior to obligating such funds: Provided further, That the transfer authority provided by this paragraph is in addition to any other transfer authority provided by law; and

(2) \$500,000 shall be made available to the Comptroller General of the United States, and shall remain available until expended, for oversight of activities supported with funds appro-

riated by this title: Provided, That the Comptroller General shall consult with the Committees on Appropriations prior to obligating such funds.

**TITLE II**

**DEPARTMENT OF STATE**

**ADMINISTRATION OF FOREIGN AFFAIRS**  
**DIPLOMATIC AND CONSULAR PROGRAMS**  
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for fiscal year 2016 for “Diplomatic and Consular Programs”, \$14,594,000, to remain available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus, health conditions related to such virus, and other vector-borne diseases: Provided, That such funds may be made available for medical evacuation costs of any other department or agency of the United States under Chief of Mission authority, and may be transferred to any other appropriation of such department or agency for such costs: Provided further, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE**

For an additional amount for fiscal year 2016 for “Emergencies in the Diplomatic and Consular Service”, \$4,000,000, for necessary expenses to support response efforts related to the Zika virus, health conditions related to such virus, and other vector-borne diseases, to remain available until September 30, 2017: Provided, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**REPATRIATION LOANS PROGRAM ACCOUNT**

For an additional amount for fiscal year 2016 for “Repatriation Loans Program Account” for the cost of direct loans, \$1,000,000, to support response efforts related to the Zika virus, health conditions related to such virus, and other vector-borne diseases, to remain available until September 30, 2017: Provided, That such costs, including costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such funds are available to subsidize an additional amount of gross obligations for the principal amount of direct loans not to exceed \$1,880,406: Provided further, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT**

**FUNDS APPROPRIATED TO THE PRESIDENT**  
**OPERATING EXPENSES**

For an additional amount for fiscal year 2016 for “Operating Expenses”, \$10,000,000, to remain available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus, health conditions related to such virus, and other vector-borne diseases: Provided, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**BILATERAL ECONOMIC ASSISTANCE**

**FUNDS APPROPRIATED TO THE PRESIDENT**  
**GLOBAL HEALTH PROGRAMS**

For an additional amount for fiscal year 2016 for “Global Health Programs”, \$145,500,000, to remain available until September 30, 2017, for necessary expenses to prevent, prepare for, and respond to the Zika virus, health conditions related to such virus, and other vector-borne diseases: Provided, That funds appropriated under this heading shall be made available for vector

control activities, vaccines, diagnostics, and vector control technologies: Provided further, That funds appropriated under this heading may be made available as contributions to the World Health Organization, the United Nations Children’s Fund, the Pan American Health Organization, the International Atomic Energy Agency, and the Food and Agriculture Organization: Provided further, That funds made available under this heading shall be subject to prior consultation with the Committees on Appropriations: Provided further, That none of the funds appropriated under this heading may be made available for the Grand Challenges for Development program: Provided further, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**GENERAL PROVISIONS—THIS TITLE**

**TRANSFER AUTHORITIES**

(INCLUDING TRANSFER OF FUNDS)

**SEC. 201.** (a) Funds appropriated by this title under the headings “Diplomatic and Consular Programs”, “Emergencies in the Diplomatic and Consular Service”, “Repatriation Loans Program Account”, and “Operating Expenses” may be transferred to, and merged with, funds appropriated by this title under such headings to carry out the purposes of this title.

(b) The transfer authorities provided by this section are in addition to any other transfer authority provided by law.

(c) Upon a determination that all or part of the funds transferred pursuant to the authorities provided by this section are not necessary for such purposes, such amounts may be transferred back to such appropriations.

(d) No funds shall be transferred pursuant to this section unless at least 5 days prior to making such transfer the Secretary of State or the Administrator of the United States Agency for International Development, as appropriate, notifies the Committees on Appropriations in writing of the details of any such transfer.

**NOTIFICATION REQUIREMENT**

**SEC. 202.** Funds appropriated by this title shall only be available for obligation if the Secretary of State or the Administrator of the United States Agency for International Development, as appropriate, notifies the Committees on Appropriations in writing at least 15 days in advance of such obligation.

**CONSOLIDATED REPORTING REQUIREMENT**

**SEC. 203.** Not later than 30 days after enactment of this Act and prior to the initial obligation of funds made available by this title, the Secretary of State and the Administrator of the United States Agency for International Development shall submit a consolidated report to the Committees on Appropriations on the anticipated uses of such funds on a country and project basis, including estimated personnel and administrative costs: Provided, That such report shall be updated and submitted to the Committees on Appropriations every 60 days until September 30, 2017.

**OVERSIGHT**

**SEC. 204.** Of the funds appropriated by this title, up to—

(1) \$500,000 shall be transferred to, and merged with, funds available under the heading “United States Agency for International Development, Funds Appropriated to the President, Office of Inspector General”, and shall remain available until expended, for oversight of activities supported with funds appropriated by this title: Provided, That the transfer authority provided by this paragraph is in addition to any other transfer authority provided by law; and

(2) \$500,000 shall be made available to the Comptroller General of the United States, and shall remain available until expended, for oversight of activities supported with funds appropriated by this title: Provided, That the Secretary of State and the Comptroller General, as

appropriate, shall consult with the Committees on Appropriations prior to obligating such funds.

#### RESCISSION

SEC. 205. Of the unobligated balances available under the heading “Operating Expenses” in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235), \$10,000,000 are rescinded: Provided, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### TITLE III

##### GENERAL PROVISIONS—THIS DIVISION

###### EXTENSION OF AUTHORITIES AND PROVISIONS

SEC. 301. Unless otherwise provided for by this division, the additional amounts appropriated pursuant to this division are subject to the requirements for funds contained in the Consolidated Appropriations Act, 2016 (Public Law 114–113).

###### PERSONAL SERVICE CONTRACTORS

SEC. 302. Funds made available by this division may be used to enter into contracts with individuals for the provision of personal services (as described in section 104 of part 37 of title 48, Code of Federal Regulations (48 CFR 37.104)) to support the purposes of titles I and II of this division, within the United States and abroad, subject to prior consultation with, and the notification procedures of, the Committees on Appropriations: Provided, That such individuals may not be deemed employees of the United States for the purpose of any law administered by the Office of Personnel Management: Provided further, That the authority made available pursuant to this section shall expire on September 30, 2017.

###### DESIGNATION RETENTION

SEC. 303. Any amount appropriated by this division, designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and subsequently so designated by the President, and transferred pursuant to transfer authorities provided by this division shall retain such designation.

###### EFFECTIVE DATE

SEC. 304. This division shall become effective immediately upon enactment of this Act.

This division may be cited as the “Zika Response and Preparedness Appropriations Act, 2016”.

#### DIVISION C—ZIKA VECTOR CONTROL

##### SECTION 1. SHORT TITLE.

This division may be cited as the “Zika Vector Control Act”.

##### SEC. 2. MOSQUITO CONTROL WAIVER.

Notwithstanding section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342), during the 180 day period following the date of enactment of this Act the Administrator of the United States Environmental Protection Agency (or a State, in the case of a permit program approved under subsection (b)) shall not require a permit for a discharge from the application by an entity authorized under State or local law, such as a vector control district, of a pesticide in compliance with all relevant requirements of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.) to control mosquitos or mosquito larvae for the prevention or control of the Zika virus.

##### DIVISION D—RESCISSIONS OF FUNDS

SEC. 101. (a) Of the unobligated amounts made available under section 1323(c)(1) of the Patient Protection and Affordable Care Act (42 U.S.C. 18043(c)(1)), \$543,000,000 is rescinded immediately upon enactment of this Act.

(b) Of the unobligated balances available in the Nonrecurring expenses fund established in

section 223 of division G of Public Law 110–161 (42 U.S.C. 3514a) from any fiscal year, \$100,000,000 is rescinded immediately upon enactment of this Act.

(c) Of the unobligated balances of appropriations made available under the heading “Bilateral Economic Assistance, Funds Appropriated to the President, Economic Support Fund” in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235), \$107,000,000 is rescinded immediately upon enactment of this Act: Provided, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

And the House agree to the same.

HAROLD ROGERS,  
TOM COLE,  
KAY GRANGER,  
CHARLES W. DENT,  
JEFF FORTENBERRY,  
THOMAS J. ROONEY,  
MARTHA ROBY,  
DAVID G. VALADAO,

Managers on the Part of the House.

THAD COCHRAN,  
MARK KIRK,  
MITCH MCCONNELL,  
LISA MURKOWSKI,  
JOHN HOEVEN,  
SUSAN COLLINS,  
JOHN BOOZMAN,  
SHELLEY MOORE CAPITO,  
ROY BLUNT,  
LINDSEY GRAHAM,

Managers on the Part of the Senate.

#### JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate, and the amendment of the House to the amendment of the Senate, to the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

This conference agreement includes the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2017, the Zika Response and Preparedness Appropriations Act, 2016, the Zika Vector Control Act, and a division on rescissions of funds. H.R. 2577 was used as the vehicle for the Senate amendment, which included the Senate-passed versions of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2017 (S. 2844) and the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017 (S. 2806). The Senate amendment also included appropriations relating to Zika Response and Preparedness. The House amendment included the House-passed text of the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2017 (H.R. 4974), the Zika Response Appropriations Act, 2016 (H.R. 5243), and the Zika Vector Control Act (H.R. 897).

Section 1 of the conference agreement is the short title of the bill.

Section 2 of the conference agreement displays a table of contents.

Section 3 of the conference agreement states that, unless expressly provided otherwise, any reference to “this Act” contained in any division shall be treated as referring only to the provisions of that division.

Section 4 provides a statement of appropriations.

Section 5 states that each amount designated by Congress as an emergency requirement is contingent on the President so designating all such emergency amounts and transmitting such designations to Congress.

The conference agreement does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined by clause 9 of rule XXI of the Rules of the House of Representatives.

#### DIVISION A—MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

The following is an explanation of the effects of Division A, which makes appropriations for Military Construction, Veterans Affairs, and Related Agencies for fiscal year 2017. Unless otherwise noted, reference to the House and Senate reports are to House Report 114–497 and Senate Report 114–237. The language set forth in House Report 114–497 and Senate Report 114–237 should be complied with and carry the same emphasis as the language included in the joint explanatory statement, unless specifically addressed to the contrary in this joint explanatory statement. While repeating some report language for emphasis, this joint explanatory statement does not intend to negate the language referred to above unless expressly provided herein. In cases in which the House or the Senate has directed the submission of a report, such report is to be submitted to both Houses of Congress. House or Senate reporting requirements with deadlines prior to, or within 15 days after enactment of this Act shall be submitted not later than 60 days after enactment of this Act. All other reporting deadlines not specifically directed by this joint explanatory statement are to be met.

#### TITLE I—DEPARTMENT OF DEFENSE

*Bid Savings.*—The conferees note that, given information for cost variation notices required by 10 U.S.C. 2853, the Department of Defense continues to have bid savings on previously appropriated military construction projects. Therefore, the agreement includes rescissions to the Army, Air Force, and Defense-Wide construction accounts. The Secretary of Defense is directed to continue to submit 1002 reports on military construction bid savings at the end of each fiscal quarter to the Committees.

*Missile Defense.*—The conferees remain committed to rapidly implementing the European Phased Adaptive Approach (EPAA). Construction of the first Aegis Ashore missile defense site in Deveselu, Romania, is complete and the site is operational. The Committees fully funded construction of the second site at Redzikowo, Poland, in fiscal year 2016, and expect the Missile Defense Agency to pursue an aggressive construction schedule to bring this critical asset online. Additionally, the conference agreement fully funds the request for the first phase of the Long Range Discrimination Radar at Clear, Alaska. This radar will dramatically improve our ability to effectively target ballistic missile threats to the homeland coming from the Pacific. As the missile threat continues to evolve, the conferees remain strongly supportive of the expeditionary deployment of a Terminal High Altitude Area Defense battery on Guam. The conferees encourage the Department of Defense to consider making this deployment permanent and request the appropriate military construction projects in support of this critical mission be requested in future budget submissions.

*Overseas Contingency Operations.*—The conference agreement includes House Title IV, Overseas Contingency Operations. The Senate bill included funding for similar projects in Title I.

*Emerging Security Threats in Europe.*—The conferees are aware that heightened tensions between Russia and Europe following Russia's invasion of Ukraine in 2014 have increased security threats to European nations, particularly in Eastern Europe. In response to Russian aggression, the Administration in 2014 announced the European Reassurance Initiative (ERI) to enhance allied security by increasing the presence and joint training activities of U.S. military forces in Europe. The ERI includes a number of military construction projects funded in both fiscal year 2015 and in this Act. The conferees note that although ERI military construction funding was originally intended to be a one-time only investment, the evolving nature of the threat has prompted the Department of Defense (DOD) to expand its plans for investing in military construction to support the continual presence of U.S. rotational military forces in Europe, increased training activities with European allies, and the repositioning of Army combat-ready equipment in Poland to support an armored brigade combat team.

The conferees recognize the importance of providing reassurance and security to the Nation's European allies, but are concerned that DOD has not outlined a comprehensive plan for military construction requirements to support the ERI. Instead, the Committees have received ad hoc notifications of proposed planning and design expenditures for projects in support of the ERI, including a \$200,000,000 facility for repositioning Army combat brigade equipment in Poland, and nine ERI-related Air Force projects, primarily at U.S. Air Force bases in Germany, estimated to cost a total of \$260,000,000.

Given the magnitude of the planned ERI military construction investment thus far, the conferees direct the Secretary of Defense to provide to the Committees on Appropriations of both Houses of Congress (the Committees), with submission of the fiscal year 2018 budget request, a comprehensive plan for military construction requirements associated with the European Reassurance Initiative through the fiscal year 2018 Future Years Defense Program.

The conferees further direct the Comptroller General of the United States to provide to the Committees, not later than one year after the date of enactment of this Act, a report evaluating the extent to which the Department of Defense has developed a comprehensive force structure plan, including military construction requirements, to meet emerging security threats in Europe. The report shall include an assessment of the extent to which the Department has:

- (1) identified the near-term and long-term United States military force requirements in Europe in support of the European Reassurance Initiative;
- (2) evaluated the posture, force structure, and military construction options for meeting projected force requirements;
- (3) evaluated the long-term costs associated with the posture, force structure, and military construction requirements; and
- (4) developed a Future Years Defense Program for force structure costs associated with the European Reassurance Initiative.

The report shall also include any other matters related to security threats in Europe that the Comptroller General determines are appropriate, and recommendations as warranted for improvements to the Department's planning and analysis methodology. The reports shall be provided in the appropriate classified and unclassified formats.

*Al Udeid Air Base Mold Contamination.*—The conferees are concerned about reports that airmen serving at Al Udeid Air Base in Qatar were living in dangerously contaminated

barracks. On social media and later in the press, reports detailed collapsing ceilings, contaminated water, and toxic black mold found throughout the facility. The Committees have raised concerns in the past about low levels of funding for facility sustainment, restoration and modernization, and if the black mold issues at Al Udeid were a result of a lack of funding for maintenance, that is unacceptable. Also, the conferees are aware that the Department of Defense Inspector General released a report in September 2014 (DODIG-2014-121) that identified 1,057 deficiencies and code violations "that could affect the health, safety, and well-being of warfighters and their families" stationed in Japan. Included among the deficiencies were elevated levels of radon and excessive mold growth. In light of the Inspector General report and the reports from Al Udeid, the conferees direct the Department to submit a report to the congressional defense committees not later than 180 days after enactment of this Act detailing global military housing and expeditionary facilities locations with mold contamination, mitigation strategies implemented or expected to be in place, and any new construction standards designed to prevent mold contamination.

#### MILITARY CONSTRUCTION, ARMY

The conference agreement provides \$513,459,000 for Military Construction, Army. Within this amount, the conference agreement provides \$98,159,000 for study, planning, design, architect and engineer services, and host nation support.

*Aging Army hangars for Combat Aviation Units.*—The conferees recognize that the Army's aging hangars housing combat aviation units are structurally deficient and do not meet the operational requirements of the Army's Combat Aviation Brigades. A critical need exists for the Army to modernize infrastructure associated with operational needs, inclement weather, personnel changes, and unforeseen circumstances. The conferees direct the Secretary of the Army to submit a report to the congressional defense committees not later than 90 days after the enactment of this Act detailing the age and condition of the Army's Combat Aviation Brigade aircraft maintenance hangars, a prioritization of the most deficient infrastructure assets, and a plan to modernize or replace those hangars, including the required resources.

*Air traffic control facilities.*—The conferees are concerned that many of the Army's air traffic control facilities are unsafe, antiquated, and do not provide adequate control, communications or observation abilities for the current air traffic levels at certain locations. For example, the current facility located at Fort Benning, Georgia, will become wholly inadequate at the current pace of operations and a replacement facility is necessary to ensure air traffic services are available to support mission readiness and deployment platforms and the military flying community. The conferees are concerned that this could be a problem throughout the Army enterprise with the recent reductions to the Department of Defense's construction accounts. Therefore, the Secretary of the Army is directed to conduct a risk assessment on Army air traffic control facilities throughout the Army enterprise and develop a plan to update these facilities. This assessment shall be submitted to the congressional defense committees not later than 60 days after enactment of this Act.

*Defense Laboratory Enterprise Facilities and Infrastructure.*—The conferees note that DOD investment in Defense laboratories has been lacking, resulting in negative impacts on the ability of the military to develop new acqui-

sition programs or perform cutting-edge research. At the same time, the Nation's near-peer competitors are making significant new investments in their research and development capabilities as part of the effort to close the technology gap with the U.S. military. Of additional concern, aging lab infrastructure also creates a disincentive to attracting new employees as DOD tries to rebuild its technical workforce.

One of the tools that Congress has provided to incentivize DOD lab investment is the establishment of a higher threshold for unspecified minor military construction (UMMC) for laboratories to enable the services to keep up with a threat that evolves faster than the normal planning process. However, the conferees are concerned that the services are not programming sufficient UMMC to take full advantage of the laboratory revitalization initiative. For example, in fiscal year 2016, the Army, which operates an extensive network of DOD labs, did not allocate any unspecified minor military construction funding for necessary laboratory revitalization projects, and the request for UMMC in the Army has remained flat at \$25,000,000. Therefore, the conference agreement provides an additional \$10,000,000 to supplement unspecified minor military construction, and the Army is encouraged to pursue opportunities to use the additional funding for lab revitalization.

#### MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

The conference agreement provides \$1,021,580,000 for Military Construction, Navy and Marine Corps. Within this amount, the conference agreement provides \$88,230,000 for study, planning, design, architect and engineer services.

*Military Construction funding for the Navy and Marine Corps.*—Conferees are concerned about the need for the construction of an F-35C aircraft maintenance hangar, a communications complex and infrastructure upgrades, and an F-35C aircraft parking apron for the Marine Corps' four F-35C squadrons on the West Coast. This construction supports Carrier Air Wing operations with the USS *Carl Vinson* as the first F-35C compatible ship on the West Coast in support of the Pacific Command Area of Responsibility. The Marine Corps has identified these projects as its top priorities, critical to the F-35C squadrons and the conferees support these priorities.

*Townsend Bombing Range.*—Concerns still remain regarding the Townsend Bombing Range and its effect on the local timber industry. While the Navy and local stakeholders have started a dialogue, an agreement has not yet been reached. The conferees look forward to an agreement that meets the Navy's training needs and protects local timber stakeholders.

*Navy Unfunded Reprogramming Requirements.*—The Committees were recently informed that the Navy has been underestimating the cost of major construction projects over the past several years due to unrealistic cost assumptions and a flawed construction cost formula. The Navy acknowledges that it has been aware of this problem for some time but had taken no action to remedy the deficiencies in its construction cost estimating process or to notify the Committees in a timely manner of the situation or its potential impact on the execution of projects. As a result, the Navy is faced with a large inventory of underfunded projects, and insufficient unobligated balances from bid savings or cancelled projects to cover the shortfall. Thus, a number of authorized projects for which funds have been appropriated over the past several years are at risk due to insufficient funds to award a contract.



The conferees provide an additional \$89,400,000 in this Act, to address the Navy's highest priority urgent unfunded reprogramming requirements as well as unanticipated emergency construction requirements. However, the conferees are concerned that this is just the tip of the iceberg, and that additional underfunded projects for which no ready source of reprogramming funds is available will emerge. Therefore, the conferees direct the Secretary of the Navy to reassess the sufficiency of the appropriation request for all previously appropriated projects for which contracts have not been awarded, and to provide to the congressional defense committees, within 60 days of enactment of this Act, (1) a detailed analysis of the process and decisions that led to the underestimating of construction costs, (2) the revised cost estimate, if applicable, for any project that is estimated to be underfunded due to unrealistic cost assumptions and/or a flawed construction cost formula, (3) a plan of how the Navy intends to address the shortfall within its own resources, including the identification of any previously appropriated projects that might have to be cancelled, and (4) a description of the steps it is taking to remedy the cost estimating process for future construction projects.

The conferees further direct the Secretary of Defense to review the construction cost formulas used to develop military construction appropriation requests by the Naval Facilities Engineering Command and the U.S. Army Corps of Engineers to assess the reliability of the formulas, and to report to the congressional defense committees within 90 days of enactment of this Act on its findings and any recommendations to improve the fidelity of the construction cost formulas.

All the services, including the Navy, have informed the Committees for the past several years that construction costs have been rising with the improving economy and the rebound of the construction market, and that bid savings have been subsequently decreasing. The conferees believe there is no excuse for the Navy's inability to or failure to address this problem, and fully expect a sound and justifiable cost estimate for any military construction projects submitted in the fiscal year 2018 and future budget requests.

#### MILITARY CONSTRUCTION, AIR FORCE

The conference agreement provides \$1,491,058,000 for Military Construction, Air Force. Within this amount, the conference agreement provides \$143,582,000 for study, planning, design, architect and engineer services. Additionally, the conference agreement rescinds \$23,900,000 for three fiscal year 2014 projects in Saipan, Commonwealth of the Northern Mariana Islands (CNMI), to support Air Force training exercises and provide an emergency divert location. The conferees are concerned that the Air Force has been unable to reach a land use agreement with the Government of the CNMI despite extensive negotiations, and no resolution to the issue is imminent. Therefore, the funding is rescinded without prejudice, and the Air Force is urged to resubmit the projects once agreement on the location is finalized and the projects can be executed.

*Air Force Facility Security Requirements.*—The conferees are concerned with the Department's funding recommendation for the Air Force's unspecified minor military construction account. An additional \$10,000,000 is provided to assist installations in the continental U.S. with significant facility entry and exit point concerns. Priority should be given to installations with access control points that present safety, security and traffic hazards.

*Air Force Ballistic Missile Facilities.*—The conferees are aware that ground-based inter-

continental ballistic missile (ICBM) facilities at the Nation's three ICBM bases in Montana, North Dakota, and Wyoming are aging and in urgent need of replacement. At a time of increased global tensions among nuclear-capable nations, it is imperative to replace crumbling and outdated ICBM infrastructure at U.S. installations with state-of-the-art nuclear deterrence facilities. Key to this effort is the replacement of the Cuban missile crisis-era Weapons Storage Facilities and Missile Alert Facilities at each of the ICBM bases. The conferees understand that the Air Force has developed a funding roadmap to replace the Weapons Storage Facilities (WSFs) at each ICBM base but are concerned that the current timeline for implementation of the roadmap is not sufficiently aggressive in light of the urgency of upgrading these facilities to meet current threat conditions. Given the failing condition of the current WSFs and the importance of the ground-based ICBM capability to the Nation's nuclear deterrence, the conferees urge the Air Force to prioritize and accelerate the replacement of the WSFs as well as the Nuclear Alert Facilities at ICBM bases. The conferees reiterate the directive in Senate Report 114-237 for the Secretary of the Air Force to undertake an analysis of the cost of maintaining the existing Missile Alert Facilities at the Nation's ICBM bases and to provide a report to the Committees within 90 days of enactment of this Act on the findings of the analysis and a projected cost and timeline for replacing the Weapons Alert Facilities at each of these bases. The conferees also direct the Secretary of Defense to assess the feasibility of using Defense Access Road funding and other sources of funding to build alternate routes for military equipment traveling on public roads to missile launch facilities, taking into consideration the proximity of local populations, security risks, safety, and weather, and to provide a report to the Committees within one year of enactment of this Act.

#### MILITARY CONSTRUCTION, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

The conference agreement provides \$2,025,444,000 for Military Construction, Defense-Wide. Within this amount, the conference agreement provides \$180,775,000 for study, planning, design, architect and engineer services. Within this amount, an additional \$15,000,000 is provided for Missile Defense Agency planning and design. The additional funding is to expedite the construction and deployment of urgently needed missile defense assets in various locations within the continental United States, including Alaska and Hawaii.

*Pentagon Metro entrance facility.*—The conference agreement includes funding for the Pentagon Metro entrance facility project as requested in the budget submission. The conferees remain concerned that this facility needs to be constructed in a manner that will further enhance the physical access and perimeter defense of the building in accordance with the Integrated Pentagon Security Master Plan and the Pentagon Century Review. Given that the design is only at 10 percent at this point, the conferees direct the Secretary of Defense to report to the congressional defense committees quarterly on the progress of the planning and design and any major construction changes to the current project's 1391.

#### MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

The conference agreement provides \$232,930,000 for Military Construction, Army National Guard. Within this amount, the conference agreement provides \$8,729,000 for study, planning, design, architect and engineer services.

#### MILITARY CONSTRUCTION, AIR NATIONAL GUARD

The conference agreement provides \$143,957,000 for Military Construction, Air National Guard. Within this amount, the conference agreement provides \$10,462,000 for study, planning, design, architect and engineer services.

#### MILITARY CONSTRUCTION, ARMY RESERVE

The conference agreement provides \$68,230,000 for Military Construction, Army Reserve. Within this amount, the conference agreement provides \$7,500,000 for study, planning, design, architect and engineer services.

#### MILITARY CONSTRUCTION, NAVY RESERVE

The conference agreement provides \$38,597,000 for Military Construction, Navy Reserve. Within this amount, the conference agreement provides \$3,783,000 for study, planning, design, architect and engineer services.

#### MILITARY CONSTRUCTION, AIR FORCE RESERVE

The conference agreement provides \$188,950,000 for Military Construction, Air Force Reserve. Within this amount, the conference agreement provides \$4,500,000 for study, planning, design, architect and engineer services.

#### NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

The conference agreement provides \$177,932,000 for the North Atlantic Treaty Organization Security Investment Program.

#### DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

The conference agreement provides \$240,237,000 for the Department of Defense Base Closure Account, which is \$35,000,000 above the request. The additional funding is for the Army and the Navy to accelerate environmental remediation at installations closed under previous Base Realignment and Closure (BRAC) rounds.

*Accelerated cleanup.*—The conferees recognize that many factors hinder the cleanup of BRAC sites. However, the conferees believe that strategic investments can lead to quicker clean-ups and faster turnover of DOD property to the local community. Therefore, the conferees direct the Secretary of Defense to submit to the congressional defense committees a spend plan for the additional BRAC funds not later than 15 days after enactment of this Act.

#### Family Housing Overview

*Homeowners Assistance Program—Delayed Expression or Delayed Identification of Injured Beneficiaries.*—As the Executive Agent for the Homeowners Assistance Program (HAP) across the Department of Defense, the Army mistakenly administered approximately 76 applicants whose injuries were incurred during a military deployment, while they owned a home, and experienced delayed expression or delayed identification of the injury. The applicants were paid in good faith and in accordance with guidance from Congress and the Department of Defense to err in favor of wounded, ill, and injured HAP applicants. If these beneficiaries had suffered from an obvious physical injury—which the HAP statute envisioned—their injury would have been clearly documented at the time they owned their home, and they would have qualified for HAP benefits. Therefore, no funds from this Act shall be used to collect overpayments for any wounded, ill, or injured HAP beneficiary with delayed expression or delayed identification, or send notice letters, while the Department further develops permanent legislative solutions with Congress.

#### FAMILY HOUSING CONSTRUCTION, ARMY

The conference agreement provides \$157,172,000 for Family Housing Construction, Army.

FAMILY HOUSING OPERATION AND  
MAINTENANCE, ARMY

The conference agreement provides \$325,995,000 for Family Housing Operation and Maintenance, Army.

FAMILY HOUSING CONSTRUCTION, NAVY AND  
MARINE CORPS

The conference agreement provides \$94,011,000 for Family Housing Construction, Navy and Marine Corps.

FAMILY HOUSING OPERATION AND  
MAINTENANCE, NAVY AND MARINE CORPS

The conference agreement provides \$300,915,000 for Family Housing Operation and Maintenance, Navy and Marine Corps.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

The conference agreement provides \$61,352,000 for Family Housing Construction, Air Force.

FAMILY HOUSING OPERATION AND  
MAINTENANCE, AIR FORCE

The conference agreement provides \$274,429,000 for Family Housing Operation and Maintenance, Air Force.

FAMILY HOUSING OPERATION AND  
MAINTENANCE, DEFENSE-WIDE

The conference agreement provides \$59,157,000 for Family Housing Operation and Maintenance, Defense-Wide.

DEPARTMENT OF DEFENSE FAMILY HOUSING  
IMPROVEMENT FUND

The conference agreement provides \$3,258,000 for the Department of Defense Family Housing Improvement Fund.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFERS AND RESCISSIONS OF  
FUNDS)

The conference agreement includes section 101 limiting the use of funds under a cost-plus-a-fixed-fee contract.

The conference agreement includes section 102 allowing the use of construction funds in this title for hire of passenger motor vehicles.

The conference agreement includes section 103 allowing the use of construction funds in this title for advances to the Federal Highway Administration for the construction of access roads.

The conference agreement includes section 104 prohibiting construction of new bases in the United States without a specific appropriation.

The conference agreement includes section 105 limiting the use of funds for the purchase of land or land easements that exceed 100 percent of the value.

The conference agreement includes section 106 prohibiting the use of funds, except funds appropriated in this title for that purpose, for family housing.

The conference agreement includes section 107 limiting the use of minor construction funds to transfer or relocate activities.

The conference agreement includes section 108 prohibiting the procurement of steel unless American producers, fabricators, and manufacturers have been allowed to compete.

The conference agreement includes section 109 prohibiting the use of construction or family housing funds to pay real property taxes in any foreign nation.

The conference agreement includes section 110 prohibiting the use of funds to initiate a new installation overseas without prior notification.

The conference agreement includes section 111 establishing a preference for American architectural and engineering services for overseas projects.

The conference agreement includes section 112 establishing a preference for American contractors in United States territories and possessions in the Pacific and on Kwajalein Atoll and in countries bordering the Arabian Gulf.

The conference agreement includes section 113 requiring congressional notification of military exercises when construction costs exceed \$100,000.

The conference agreement includes section 114 allowing funds appropriated in prior years for new projects authorized during the current session of Congress.

The conference agreement includes section 115 allowing the use of expired or lapsed funds to pay the cost of supervision for any project being completed with lapsed funds.

The conference agreement includes section 116 allowing military construction funds to be available for five years.

The conference agreement includes section 117 allowing the transfer of funds from Family Housing Construction accounts to the Family Housing Improvement Program.

The conference agreement includes section 118 allowing transfers to the Homeowners Assistance Fund.

The conference agreement includes section 119 limiting the source of operation and

maintenance funds for flag and general officer quarters and allowing for notification by electronic medium.

The conference agreement includes section 120 extending the availability of funds in the Ford Island Improvement Account.

The conference agreement includes section 121 allowing the transfer of expired funds to the Foreign Currency Fluctuations, Construction, Defense account.

The conference agreement includes section 122 restricting the obligation of funds for relocating an Army unit that performs a testing mission.

The conference agreement includes section 123 allowing for the reprogramming of construction funds among projects and activities subject to certain criteria.

The conference agreement includes section 124 prohibiting the obligation or expenditure of funds provided to the Department of Defense for military construction for projects at Arlington National Cemetery.

The conference agreement includes section 125 providing additional funds for various Military Construction accounts.

The conference agreement includes section 126 providing additional funds for Military Construction, Navy and Marine Corps.

The conference agreement includes section 127 rescinding funds from prior Appropriations Acts from various accounts.

The conference agreement includes section 128 rescinding unobligated balances from the fund established by Sec. 1013(d) of 42 U.S.C. 3374.

The conference agreement includes section 129 defining the congressional defense committees.

The conference agreement includes section 130 prohibiting the use of funds in this Act to close or realign Naval Station Guantanamo Bay, Cuba. The provision is intended to prevent the closure or realignment of the installation out of the possession of the United States, and maintain the Naval Station's long-standing regional security and migrant operations missions.

The conference agreement includes section 131 restricting funds in this Act to be used to consolidate or relocate any element of Air Force Rapid Engineer Deployable Heavy Operational Repair Squadron Engineer until certain conditions are met.

MILITARY CONSTRUCTION  
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE	SENATE	CONFERENCE AGREEMENT
-----				
ALASKA				
ARMY				
FORT WAINWRIGHT				
UNMANNED AERIAL VEHICLE HANGAR.....	47,000	47,000	47,000	47,000
AIR FORCE				
CLEAR AFS				
FIRE STATION.....	20,000	20,000	20,000	20,000
EIELSON AFB				
F-35A ADAL FIELD TRAINING DETACHMENT FAC.....	22,100	22,100	22,100	22,100
F-35A AIRCRAFT WEATHER SHELTER (SQD 2).....	82,300	---	82,300	82,300
F-35A AIRCRAFT WEATHER SHELTERS (SQD 1).....	79,500	79,500	79,500	79,500
F-35A EARTH COVERED MAGAZINES.....	11,300	11,300	11,300	11,300
F-35A HANGAR/PROPULSION MX/DISPATCH.....	44,900	44,900	44,900	44,900
F-35A HANGAR/SQUAD OPS/AMU SQ #2.....	42,700	42,700	42,700	42,700
F-35A MISSILE MAINTENANCE FACILITY.....	12,800	12,800	12,800	12,800
JOINT BASE ELMENDORF-RICHARDSON				
ADD/ALTER AWACS ALERT HANGAR.....	29,000	29,000	29,000	29,000
DEFENSE-WIDE				
CLEAR AFS				
LONG RANGE DISCRIM RADAR SYS COMPLEX PH1.....	155,000	155,000	155,000	155,000
FORT GREELY				
MISSILE DEFENSE COMPLEX SWITCHGEAR FACILITY.....	9,560	9,560	9,560	9,560
JOINT BASE ELMENDORF-RICHARDSON				
CONSTRUCT TRUCK OFFLOAD FACILITY.....	4,900	4,900	4,900	4,900
ARIZONA				
NAVY				
YUMA				
VMX-22 MAINTENANCE HANGAR.....	48,355	48,355	48,355	48,355
AIR FORCE				
LUKE AFB				
F-35A SQUAD OPS/AIRCRAFT MAINT UNIT #5.....	20,000	20,000	20,000	20,000
DEFENSE-WIDE				
FORT HUACHUCA				
JITC BUILDING 52110 RENOVATION.....	4,493	4,493	4,493	4,493
CALIFORNIA				
ARMY				
CONCORD				
ACCESS CONTROL POINT.....	12,600	12,600	12,600	12,600
NAVY				
CORONADO				
COASTAL CAMPUS ENTRY CONTROL POINT.....	13,044	13,044	13,044	13,044
COASTAL CAMPUS UTILITIES INFRASTRUCTURE.....	81,104	81,104	81,104	81,104
GRACE HOPPER DATA CENTER POWER UPGRADES.....	10,353	10,353	10,353	10,353
LEMOORE				
F-35C ENGINE REPAIR FACILITY.....	26,723	26,723	26,723	26,723
SAN DIEGO				
ENERGY SECURITY HOSPITAL MICROGRID.....	6,183	---	6,183	---
SEAL BEACH				
MISSILE MAGAZINES.....	21,007	21,007	21,007	21,007
AIR FORCE				
EDWARDS AIR FORCE BASE				
FLIGHTLINE FIRE STATION.....	24,000	24,000	24,000	24,000
DEFENSE-WIDE				
CORONADO				
SOF HUMAN PERFORMANCE TRAINING CENTER.....	15,578	15,578	15,578	15,578
SOF SEAL TEAM OPS FACILITY.....	47,290	47,290	47,290	47,290
SOF SEAL TEAM OPS FACILITY.....	47,290	47,290	47,290	47,290
SOF SPECIAL RECON TEAM ONE OPERATIONS FAC.....	20,949	20,949	20,949	20,949
SOF TRAINING DETACHMENT ONE OPS FACILITY.....	44,305	44,305	44,305	44,305
TRAVIS AFB				
REPLACE HYDRANT FUEL SYSTEM.....	26,500	26,500	26,500	26,500

MILITARY CONSTRUCTION  
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE	SENATE	CONFERENCE AGREEMENT
-----				
ARMY RESERVE				
FORT HUNTER LIGGETT				
EMERGENCY SERVICES CENTER.....	21,500	21,500	21,500	21,500
CAMP PARKS				
TRANSIENT TRAINING BARRACKS.....	19,000	19,000	19,000	19,000
COLORADO				
ARMY				
FORT CARSON				
AUTOMATED INFANTRY PLATOON BATTLE COURSE.....	8,100	8,100	8,100	8,100
UNMANNED AERIAL VEHICLE HANGAR.....	5,000	5,000	5,000	5,000
AIR FORCE				
BUCKLEY AIR FORCE BASE				
SMALL ARMS RANGE COMPLEX.....	13,500	13,500	13,500	13,500
CONNECTICUT				
AIR NATIONAL GUARD				
BRADLEY IAP				
CONSTRUCT SMALL AIR TERMINAL.....	6,300	6,300	6,300	6,300
DELAWARE				
AIR FORCE				
DOVER AFB				
AIRCRAFT MAINTENANCE HANGAR.....	39,000	39,000	39,000	39,000
DEFENSE-WIDE				
DOVER AFB				
WELCH ES/DOVER MS REPLACEMENT.....	44,115	44,115	44,115	44,115
FLORIDA				
NAVY				
EGLIN AFB				
WMD FIELD TRAINING FACILITIES.....	20,489	20,489	20,489	20,489
AIR FORCE				
EGLIN AFB				
ADVANCED MUNITIONS TECHNOLOGY COMPLEX.....	75,000	75,000	75,000	75,000
FLIGHTLINE FIRE STATION.....	13,600	13,600	13,600	13,600
PATRICK AFB				
FIRE/CRASH RESCUE STATION.....	13,500	13,500	13,500	13,500
DEFENSE-WIDE				
PATRICK AFB				
REPLACE FUEL TANKS.....	10,100	10,100	10,100	10,100
AIR NATIONAL GUARD				
JACKSONVILLE IAP				
REPLACE FIRE CRASH/RESCUE STATION.....	9,000	9,000	9,000	9,000
GEORGIA				
ARMY				
FORT GORDON				
CYBER PROTECTION TEAM OPS FACILITY.....	90,000	90,000	90,000	90,000
FORT STEWART				
AUTOMATED QUALIFICATION/TRAINING RANGE.....	14,800	14,800	14,800	14,800
AIR FORCE				
MOODY AFB				
PERSONNEL RECOVERY 4-BAY HANGAR/HELO MX UNIT.....	30,900	30,900	30,900	30,900
DEFENSE-WIDE				
FORT BENNING				
SOF TACTICAL UNMANNED AERIAL VEHICLE HANGAR.....	4,820	4,820	4,820	4,820
FORT GORDON				
MEDICAL CLINIC REPLACEMENT.....	25,000	25,000	25,000	25,000
HAWAII				
ARMY				
FORT SHAFTER				
COMMAND AND CONTROL FACILITY, INCR 2.....	40,000	40,000	40,000	40,000

MILITARY CONSTRUCTION  
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE	SENATE	CONFERENCE AGREEMENT
-----				
NAVY				
BARKING SANDS				
UPGRADE POWER PLANT & ELECTRICAL DISTRIB SYS.....	43,384	43,384	43,384	43,384
KANEOHE BAY				
REGIMENTAL CONSOLIDATED COMM/ELEC FACILITY.....	72,565	72,565	72,565	72,565
ARMY NATIONAL GUARD				
HILO				
COMBINED SUPPORT MAINTENANCE SHOP.....	31,000	31,000	31,000	31,000
AIR NATIONAL GUARD				
JOINT BASE PEARL HARBOR-HICKAM				
F-22 COMPOSITE REPAIR FACILITY.....	11,000	11,000	11,000	11,000
IOWA				
ARMY NATIONAL GUARD				
DAVENPORT				
NATIONAL GUARD READINESS CENTER.....	23,000	23,000	23,000	23,000
AIR NATIONAL GUARD				
SIOUX GATEWAY AIRPORT				
CONSTRUCT CONSOLIDATED SUPPORT FUNCTIONS.....	12,600	12,600	12,600	12,600
KANSAS				
AIR FORCE				
MCCONNELL AFB				
AIR TRAFFIC CONTROL TOWER.....	11,200	11,200	11,200	11,200
KC-46A ADAL TAXIWAY DELTA.....	5,600	5,600	5,600	5,600
KC-46A ALTER FLIGHT SIMULATOR BLDGS.....	3,000	3,000	3,000	3,000
ARMY NATIONAL GUARD				
FORT LEAVENWORTH				
NATIONAL GUARD READINESS CENTER.....	29,000	29,000	29,000	29,000
LOUISIANA				
AIR FORCE				
BARKSDALE AFB				
CONSOLIDATED COMMUNICATION FACILITY.....	21,000	21,000	21,000	21,000
NAVY RESERVE				
NEW ORLEANS				
JOINT RESERVE INTELLIGENCE CENTER.....	11,207	11,207	11,207	11,207
MAINE				
NAVY				
KITTERY				
UNACCOMPANIED HOUSING.....	17,773	17,773	17,773	17,773
UTILITY IMPROVEMENTS FOR NUCLEAR PLATFORMS.....	30,119	30,119	30,119	30,119
DEFENSE-WIDE				
KITTERY				
MEDICAL/DENTAL CLINIC REPLACEMENT.....	27,100	27,100	27,100	27,100
MARYLAND				
NAVY				
PATUXENT RIVER				
CBARS RDT&E HANGAR.....	40,576	40,576	40,576	40,576
AIR FORCE				
JOINT BASE ANDREWS				
21 POINTS ENCLOSED FIRING RANGE.....	13,000	13,000	13,000	13,000
PAR RELOCATE JADOC SATELLITE SITE.....	3,500	3,500	3,500	3,500
DEFENSE-WIDE				
BETHESDA NAVAL HOSPITAL				
MEDCEN ADDITION/ALTERATION INCR 1.....	50,000	50,000	50,000	50,000
FORT MEADE				
ACCESS CONTROL FACILITY.....	21,000	21,000	21,000	21,000
NSAW CAMPUS FEEDERS PHASE 3.....	17,000	17,000	17,000	17,000
NSAW RECAPITALIZE BUILDING #2 INCR 2.....	195,000	195,000	195,000	195,000

MILITARY CONSTRUCTION  
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE	SENATE	CONFERENCE AGREEMENT
-----				
MASSACHUSETTS				
AIR FORCE				
HANSCOM AFB				
SYSTEM MANAGEMENT ENGINEERING FACILITY.....	20,000	20,000	20,000	20,000
MINNESOTA				
AIR NATIONAL GUARD				
DULUTH IAP				
LOAD CREW TRAINING/WEAPON SHOPS.....	7,600	7,600	7,600	7,600
MISSOURI				
DEFENSE-WIDE				
ST LOUIS				
LAND ACQUISITION-NEXT NGA WEST (N2W) CAMPUS.....	801	801	801	801
MONTANA				
AIR FORCE				
MALMSTROM AFB				
MISSILE MAINTENANCE FACILITY.....	14,600	14,600	14,600	14,600
NEVADA				
NAVY				
FALLON				
AIR WING SIMULATOR FACILITY.....	13,523	13,523	13,523	13,523
AIR FORCE				
NELLIS AFB				
F-35A POL FILL STAND ADDITION.....	10,600	10,600	10,600	10,600
NEW HAMPSHIRE				
ARMY NATIONAL GUARD				
HOOKSETT				
NATIONAL GUARD VEHICLE MAINTENANCE SHOP.....	11,000	11,000	11,000	11,000
ROCHESTER				
NATIONAL GUARD VEHICLE MAINTENANCE SHOP.....	8,900	8,900	8,900	8,900
AIR NATIONAL GUARD				
PEASE INTERNATIONAL TRADE PORT				
KC-46A INSTALL FUSELAGE TRAINER BLDG 251.....	1,500	1,500	1,500	1,500
NEW MEXICO				
AIR FORCE				
CANNON AFB				
NORTH FITNESS CENTER.....	21,000	21,000	21,000	21,000
HOLLOMAN AFB				
HAZARDOUS CARGO PAD AND TAXIWAY.....	10,600	10,600	10,600	10,600
KIRTLAND AFB				
COMBAT RESCUE HELICOPTER (CRH) SIMULATOR.....	7,300	7,300	7,300	7,300
NEW YORK				
NAVY RESERVE				
BROOKLYN				
ELECTRIC FEEDER DUCTBANK.....	1,964	1,964	1,964	1,964
SYRACUSE				
MARINE CORPS RESERVE CENTER.....	13,229	13,229	13,229	13,229
NORTH CAROLINA				
NAVY				
CAMP LEJEUNE				
RANGE FACILITIES SAFETY IMPROVEMENTS.....	18,482	18,482	18,482	18,482
CHERRY POINT MARINE CORPS AIR STATION				
CENTRAL HEATING PLANT CONVERSION.....	12,515	12,515	12,515	12,515
DEFENSE-WIDE				
CAMP LEJEUNE				
DENTAL CLINIC REPLACEMENT.....	31,000	31,000	31,000	31,000
FORT BRAGG				
SOF COMBAT MEDIC TRAINING FACILITY.....	10,905	10,905	10,905	10,905

MILITARY CONSTRUCTION  
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE	SENATE	CONFERENCE AGREEMENT
SOF PARACHUTE RIGGING FACILITY.....	21,420	21,420	21,420	21,420
SOF SPECIAL TACTICS FACILITY (PH3).....	30,670	30,670	30,670	30,670
SOF TACTICAL EQUIPMENT MAINTENANCE FACILITY.....	23,598	23,598	23,598	23,598
AIR NATIONAL GUARD				
CHARLOTTE/DOUGLAS IAP				
C-17 CORROSION CONTROL/FUEL CELL HANGAR.....	29,600	29,600	29,600	29,600
C-17 TYPE III HYDRANT REFUELING SYSTEM.....	21,000	21,000	21,000	21,000
AIR FORCE RESERVE				
SEYMOUR JOHNSON AFB				
KC-46A ADAL BLDG FOR AGE/FUSELAGE TRAINING.....	5,700	5,700	5,700	5,700
KC-46A ADAL SQUADRON OPERATIONS FACILITIES.....	2,250	2,250	2,250	2,250
KC-46A TWO BAY CORROSION/FUEL CELL HANGAR.....	90,000	90,000	90,000	90,000
OHIO				
AIR FORCE				
WRIGHT-PATTERSON AFB				
RELOCATED ENTRY CONTROL FACILITY 26A.....	12,600	12,600	12,600	12,600
OKLAHOMA				
AIR FORCE				
ALTUS AFB				
KC-46A FTU/FTC SIMULATOR FACILITY PH 2.....	11,600	11,600	11,600	11,600
TINKER AFB				
KC-46A DEPOT SYSTEM INTEGRATION LABORATORY.....	17,000	17,000	17,000	17,000
ARMY NATIONAL GUARD				
ARDMORE				
NATIONAL GUARD READINESS CENTER.....	22,000	22,000	22,000	22,000
PENNSYLVANIA				
ARMY NATIONAL GUARD				
YORK				
NATIONAL GUARD READINESS CENTER.....	9,300	9,300	9,300	9,300
AIR FORCE RESERVE				
PITTSBURGH IAP				
C-17 ADAL FUEL HYDRANT SYSTEM.....	22,800	22,800	22,800	22,800
C-17 CONST/OVERLAY TAXIWAY AND APRON.....	8,200	8,200	8,200	8,200
C-17 CONSTRUCT TWO BAY CORROSION/FUEL HANGAR.....	54,000	54,000	54,000	54,000
RHODE ISLAND				
ARMY NATIONAL GUARD				
EAST GREENWICH				
NATIONAL GUARD/RESERVE CENTER BUILDING (JFHQ).....	20,000	20,000	20,000	20,000
SOUTH CAROLINA				
NAVY				
BEAUFORT				
AIRCRAFT MAINTENANCE HANGAR.....	83,490	83,490	83,490	83,490
PARRIS ISLAND				
RECRUIT RECONDITIONING CENTER & BARRACKS.....	29,882	29,882	29,882	29,882
DEFENSE-WIDE				
JOINT BASE CHARLESTON				
CONSTRUCT HYDRANT FUEL SYSTEM.....	17,000	17,000	17,000	17,000
AIR NATIONAL GUARD				
MCENTIRE ANGCS				
REPLACE OPERATIONS AND TRAINING FACILITY.....	8,400	8,400	8,400	8,400
TEXAS				
ARMY				
FORT HOOD				
AUTOMATED INFANTRY PLATOON BATTLE COURSE.....	7,600	7,600	7,600	7,600
AIR FORCE				
JOINT BASE SAN ANTONIO				
BMT RECRUIT DORMITORY 6.....	67,300	67,300	67,300	67,300

MILITARY CONSTRUCTION  
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE	SENATE	CONFERENCE AGREEMENT
-----				
DEFENSE-WIDE				
RED RIVER ARMY DEPOT				
CONSTRUCT WAREHOUSE & OPEN STORAGE.....	44,700	44,700	44,700	44,700
SHEPPARD AFB				
MEDICAL/DENTAL CLINIC REPLACEMENT.....	91,910	91,910	91,910	91,910
AIR NATIONAL GUARD				
ELLINGTON FIELD				
CONSOLIDATE CREW READINESS FACILITY.....	4,500	4,500	4,500	4,500
NAVY RESERVE				
GALVESTON				
RESERVE CENTER ANNEX.....	8,414	8,414	8,414	8,414
UTAH				
ARMY				
CAMP WILLIAMS				
LIVE FIRE EXERCISE SHOOTHOUSE.....	7,400	7,400	7,400	7,400
AIR FORCE				
HILL AFB				
649 MUNS MUNITIONS STORAGE MAGAZINES.....	6,600	6,600	6,600	6,600
649 MUNS PRECISION GUIDED MISSILE MX FACILITY.....	8,700	8,700	8,700	8,700
649 MUNS STAMP/MAINT & INSPECTION FACILITY.....	12,000	12,000	12,000	12,000
COMPOSITE AIRCRAFT ANTENNA CALIBRATION FAC.....	7,100	7,100	7,100	7,100
F-35A MUNITIONS MAINTENANCE COMPLEX.....	10,100	10,100	10,100	10,100
ARMY NATIONAL GUARD				
CAMP WILLIAMS				
NATIONAL GUARD READINESS CENTER.....	37,000	37,000	37,000	37,000
VERMONT				
AIR NATIONAL GUARD				
BURLINGTON IAP				
F-35 BEDDOWN 4- BAY FLIGHT SIMULATOR.....	4,500	4,500	4,500	4,500
VIRGINIA				
ARMY				
FORT BELVOIR				
SECURE ADMIN/OPERATIONS FACILITY, INCR 2.....	64,000	64,000	64,000	64,000
AIR FORCE				
JOINT BASE LANGLEY-EUSTIS				
AIR FORCE TARGETING CENTER.....	45,000	45,000	45,000	45,000
FUEL SYSTEM MAINTENANCE DOCK.....	14,200	14,200	14,200	14,200
DEFENSE-WIDE				
PENTAGON				
PENTAGON METRO ENTRANCE FACILITY.....	12,111	12,111	---	12,111
UPGRADE IT FACILITIES INFRASTRUCTURE-RRMC.....	8,105	8,105	8,105	8,105
ARMY RESERVE				
DUBLIN				
ORGANIZATIONAL MAINTENANCE SHOP/AMSA.....	6,000	6,000	6,000	6,000
WASHINGTON				
NAVY				
BANGOR				
SERVICE PIER ELECTRICAL UPGRADES.....	18,939	18,939	18,939	18,939
SUBMARINE REFIT MAINT SUPPORT FACILITY.....	21,476	21,476	21,476	21,476
BREMERTON				
NUCLEAR REPAIR FACILITY.....	6,704	6,704	6,704	6,704
WHIDBEY ISLAND				
EA-18G MAINTENANCE HANGAR.....	45,501	45,501	45,501	45,501
TRITON MISSION CONTROL FACILITY.....	30,475	30,475	30,475	30,475
AIR FORCE				
FAIRCHILD AFB				
PIPELINE DORM, USAF SERE SCHOOL (150 RM).....	27,000	27,000	27,000	27,000



MILITARY CONSTRUCTION  
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE	SENATE	CONFERENCE AGREEMENT
-----				
WISCONSIN				
ARMY RESERVE				
FORT MCCOY				
AT/MOB DINING FACILITY.....	11,400	11,400	11,400	11,400
WYOMING				
AIR FORCE				
F. E. WARREN AFB				
MISSILE TRANSFER FACILITY BLDG 4331.....	5,550	5,550	5,550	5,550
ARMY NATIONAL GUARD				
LARAMIE				
NATIONAL GUARD READINESS CENTER.....	21,000	21,000	21,000	21,000
AUSTRALIA				
AIR FORCE				
DARWIN				
APR - AIRCRAFT MX SUPPORT FACILITY.....	1,800	1,800	1,800	1,800
APR - EXPAND PARKING APRON.....	28,600	28,600	28,600	28,600
BULGARIA				
AIR FORCE				
GRAF IGNATIEVO				
SQUADRON OPERATIONS/OPERATION ALERT FACILITY.....	---	---	3,800	---
FIGHTER RAMP EXTENSION.....	---	---	7,000	---
UPGRADE MUNITIONS STORAGE.....	---	---	2,600	---
CUBA				
ARMY				
GUANTANAMO BAY				
MIGRATION COMPLEX IMPROVEMENTS.....	33,000	33,000	33,000	33,000
DIEGO GARCIA				
DEFENSE-WIDE				
DIEGO GARCIA				
IMPROVE WHARF REFUELING CAPABILITY.....	30,000	30,000	30,000	30,000
DJIBOUTI				
NAVY				
CAMP LEMONNIER				
MEDICAL/DENTAL FACILITY.....	---	---	37,409	---
AIR FORCE				
CHABELLEY AIRFIELD				
ACCESS ROAD.....	---	---	3,600	---
PARKING APRON AND TAXIWAY.....	---	---	6,900	---
ESTONIA				
AIR FORCE				
AMARI AB				
BULK FUEL STORAGE.....	---	---	6,500	---
GERMANY				
ARMY				
EAST CAMP GRAFENWOEHR				
TRAINING SUPPORT CENTER.....	22,000	22,000	22,000	22,000
GARMISCH				
DINING FACILITY.....	9,600	9,600	9,600	9,600
WIESBADEN ARMY AIRFIELD				
CONTROLLED HUMIDITY WAREHOUSE.....	16,500	16,500	16,500	16,500
HAZARDOUS MATERIAL STORAGE BUILDING.....	2,700	2,700	2,700	2,700
AIR FORCE				
RAMSTEIN AB				
37 AS SQUADRON OPERATIONS/AIRCRAFT MAINT UNIT.....	13,437	13,437	13,437	13,437
SPANGDAHLEM AB				
EIC - SITE DEVELOPMENT AND INFRASTRUCTURE.....	43,465	43,465	43,465	43,465

MILITARY CONSTRUCTION  
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE	SENATE	CONFERENCE AGREEMENT
HIGH CAPACITY TRIM PAD AND HUSH HOUSE.....	---	---	1,000	---
F/A-22 LOW OBSERVABLE/COMPOSITE REPAIR FACILITY...	---	---	12,000	---
F/A-22 UPGRADE				
INFRASTRUCTURE/COMMUNICATIONS/UTILITIES.....	---	---	1,600	---
UPGRADE HARDENED AIRCRAFT SHELTERS FOR F/A-22.....	---	---	2,700	---
UPGRADE MUNITION STORAGE DOORS.....	---	---	1,400	---
DEFENSE-WIDE				
KAISERLAUTERN AB				
SEMBACH ELEMENTARY/MIDDLE SCHOOL REPLACEMENT.....	45,221	45,221	45,221	45,221
RHINE ORDNANCE BARRACKS				
MEDICAL CENTER REPLACEMENT INCR 6.....	58,063	58,063	58,063	58,063
GUAM				
NAVY				
JOINT REGION MARIANAS				
HARDENING OF GUAM POL INFRASTRUCTURE.....	26,975	26,975	26,975	26,975
POWER UPGRADE - HARMON.....	62,210	62,210	62,210	62,210
AIR FORCE				
JOINT REGION MARIANAS				
APR - MUNITIONS STORAGE IGLOOS, PH 2.....	35,300	35,300	35,300	35,300
APR - SATCOM C4I FACILITY.....	14,200	14,200	14,200	14,200
BLOCK 40 MAINTENANCE HANGAR.....	31,158	31,158	31,158	31,158
ICELAND				
NAVY				
KEFLAVIK				
P-8A AIRCRAFT RINSE FACILITY.....	---	---	5,000	---
P-8A HANGAR UPGRADE.....	---	---	14,600	---
JAPAN				
NAVY				
KADENA AB				
AIRCRAFT MAINTENANCE COMPLEX.....	26,489	26,489	26,489	26,489
SASEBO				
SHORE POWER (JULIET PIER).....	16,420	16,420	16,420	16,420
AIR FORCE				
KADENA AB				
APR - REPLACE MUNITIONS STRUCTURES.....	19,815	19,815	19,815	19,815
YOKOTA AB				
C-130J CORROSION CONTROL HANGAR.....	23,777	23,777	23,777	23,777
CONSTRUCT COMBAT ARMS TRAINING & MAINT FAC.....	8,243	8,243	8,243	8,243
DEFENSE-WIDE				
IWAKUNI				
CONSTRUCT TRUCK OFFLOAD & LOADING FACILITIES.....	6,664	6,664	6,664	6,664
KADENA AB				
KADENA ELEMENTARY SCHOOL REPLACEMENT.....	84,918	84,918	84,918	84,918
MEDICAL MATERIEL WAREHOUSE.....	20,881	20,881	20,881	20,881
SOF MAINTENANCE HANGAR.....	42,823	42,823	42,823	42,823
SOF SIMULATOR FACILITY (MC-130).....	12,602	12,602	12,602	12,602
YOKOTA AB				
AIRFIELD APRON.....	41,294	41,294	41,294	41,294
HANGAR/AMU.....	39,466	39,466	39,466	39,466
OPERATIONS AND WAREHOUSE FACILITIES.....	26,710	26,710	26,710	26,710
SIMULATOR FACILITY.....	6,261	6,261	6,261	6,261
KWAJALEIN				
DEFENSE-WIDE				
KWAJALEIN ATOLL				
REPLACE FUEL STORAGE TANKS.....	85,500	85,500	85,500	85,500
LITHUANIA				
AIR FORCE				
SIAULIAI				
MUNITIONS STORAGE.....	---	---	3,000	---

MILITARY CONSTRUCTION  
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE	SENATE	CONFERENCE AGREEMENT
-----				
MARIANA ISLANDS				
AIR FORCE				
UNSPECIFIED LOCATION				
APR - LAND ACQUISITION.....	9,000	9,000	9,000	9,000
POLAND				
AIR FORCE				
LASK AIR BASE				
SQUADRON OPERATIONS FACILITY.....	---	---	4,100	---
POWIDZ				
SQUADRON OPERATIONS FACILITY.....	---	---	4,100	---
ROMANIA				
AIR FORCE				
CAMP TURZII				
MUNITIONS STORAGE AREA.....	---	---	3,000	---
SQUADRON OPERATIONS FACILITY.....	---	---	3,400	---
TWO-BAY HANGAR.....	---	---	6,100	---
EXTEND PARKING APRONS.....	---	---	6,000	---
SPAIN				
NAVY				
ROTA				
COMMUNICATION STATION.....	23,607	23,607	23,607	23,607
TURKEY				
AIR FORCE				
INCIRLIK AB				
AIRFIELD FIRE/CRASH RESCUE STATION.....	13,449	13,449	13,449	13,449
UNITED ARAB EMIRATES				
AIR FORCE				
AL DHAFRA				
LARGE AIRCRAFT MAINTENANCE HANGAR.....	35,400	35,400	35,400	35,400
UNITED KINGDOM				
AIR FORCE				
CROUGHTON RAF				
JIAC CONSOLIDATION - PH 3.....	53,082	53,082	53,082	53,082
MAIN GATE COMPLEX.....	16,500	16,500	16,500	16,500
DEFENSE-WIDE				
CROUGHTON RAF				
CROUGHTON ELEM/MIDDLE/HIGH SCHOOL REPLACEMENT.....	71,424	71,424	71,424	71,424
ROYAL AIR FORCE LAKENHEATH				
CONSTRUCT HYDRANT FUEL SYSTEM.....	13,500	13,500	13,500	13,500
WAKE ISLAND				
DEFENSE-WIDE				
WAKE ISLAND				
TEST SUPPORT FACILITY.....	11,670	11,670	11,670	11,670
VARIOUS WORLDWIDE LOCATIONS				
NAVY				
TRITON FORWARD OPERATING BASE HANGAR.....	41,380	41,380	41,380	41,380
NATO SECURITY INVESTMENT PROGRAM.....	177,932	177,932	177,932	177,932
WORLDWIDE UNSPECIFIED				
ARMY				
HOST NATION SUPPORT.....	18,000	18,000	18,000	18,000
MINOR CONSTRUCTION.....	25,000	25,000	35,000	35,000
PLANNING AND DESIGN.....	80,159	80,159	99,059	80,159

MILITARY CONSTRUCTION  
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE	SENATE	CONFERENCE AGREEMENT
<hr/>				
NAVY				
PLANNING AND DESIGN.....	88,230	88,230	91,030	88,230
MINOR CONSTRUCTION.....	29,790	29,790	29,790	29,790
AIR FORCE				
PLANNING AND DESIGN.....	84,862	84,862	94,802	84,862
PLANNING AND DESIGN - ANDREWS AFB.....	18,720	18,720	18,720	18,720
PLANNING AND DESIGN - HANSCOM AFB.....	40,000	40,000	40,000	40,000
MINOR CONSTRUCTION.....	30,000	30,000	40,000	40,000
DEFENSE-WIDE				
CONTINGENCY CONSTRUCTION.....	10,000	---	---	---
ENERGY CONSERVATION INVESTMENT PROGRAM.....	150,000	150,000	150,000	150,000
PLANNING AND DESIGN				
DEFENSE WIDE.....	23,450	22,649	23,450	23,450
DEPARTMENT OF DEFENSE DEPENDENT EDUCATION.....	23,585	23,585	23,585	23,585
DEFENSE LOGISTICS AGENCY.....	27,660	27,660	27,660	27,660
MDA.....	---	15,000	---	15,000
NATIONAL GEOSPATIAL INTELLIGENCE AGENCY.....	71,647	36,000	71,647	36,000
NATIONAL SECURITY AGENCY.....	24,000	24,000	24,000	24,000
SPECIAL OPERATIONS COMMAND.....	27,653	27,653	27,653	27,653
WASHINGTON HEADQUARTERS SERVICE.....	3,427	3,427	3,427	3,427
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SUBTOTAL, PLANNING AND DESIGN.....	776,183	744,735	817,823	765,536
UNSPECIFIED MINOR CONSTRUCTION				
DEFENSE-WIDE.....	3,000	3,000	3,000	3,000
DEPARTMENT OF DEFENSE DEPENDENT EDUCATION.....	3,000	3,000	3,000	3,000
DEFENSE HEALTH AGENCY.....	8,500	8,500	8,500	8,500
JOINT CHIEFS OF STAFF.....	8,631	8,631	13,631	8,631
MISSILE DEFENSE AGENCY.....	2,414	2,414	2,414	2,414
NATIONAL SECURITY AGENCY.....	3,913	3,913	3,913	3,913
SPECIAL OPERATIONS COMMAND.....	5,994	5,994	5,994	5,994
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SUBTOTAL, UNSPECIFIED MINOR CONSTRUCTION.....	35,452	35,452	40,452	35,452
ARMY NATIONAL GUARD				
PLANNING AND DESIGN.....	8,729	8,729	8,729	8,729
MINOR CONSTRUCTION.....	12,001	12,001	12,001	12,001
AIR NATIONAL GUARD				
PLANNING AND DESIGN.....	10,462	10,462	10,462	10,462
MINOR CONSTRUCTION.....	17,495	17,495	17,495	17,495
ARMY RESERVE				
PLANNING AND DESIGN.....	7,500	7,500	7,500	7,500
MINOR CONSTRUCTION.....	2,830	2,830	2,830	2,830
NAVY RESERVE				
PLANNING AND DESIGN.....	3,783	3,783	3,783	3,783
MINOR CONSTRUCTION.....	---	---	---	---
AIR FORCE RESERVE				
PLANNING AND DESIGN.....	4,500	4,500	4,500	4,500
MINOR CONSTRUCTION.....	1,500	1,500	1,500	1,500
FAMILY HOUSING, ARMY				
KOREA				
CAMP WALKER (DAEGU)				
FAMILY HOUSING NEW CONSTRUCTION (90 UNITS).....	54,554	54,554	54,554	54,554
CAMP HUMPHRIES				
FAMILY HOUSING NEW CONSTRUCTION (216 UNITS).....	143,563	143,563	143,563	100,000

MILITARY CONSTRUCTION  
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE	SENATE	CONFERENCE AGREEMENT
PLANNING AND DESIGN.....	2,618	2,618	2,618	2,618
SUBTOTAL, CONSTRUCTION.....	200,735	200,735	200,735	157,172
OPERATION AND MAINTENANCE				
UTILITIES ACCOUNT.....	55,428	55,428	55,428	55,428
SERVICES ACCOUNT.....	7,993	7,993	7,993	7,993
MANAGEMENT ACCOUNT.....	40,344	40,344	40,344	40,344
MISCELLANEOUS ACCOUNT.....	400	400	400	400
FURNISHINGS ACCOUNT.....	10,178	10,178	10,178	10,178
LEASING.....	131,761	131,761	131,761	131,761
MAINTENANCE OF REAL PROPERTY.....	60,745	60,745	60,745	60,745
PRIVATIZATION SUPPORT COSTS.....	19,146	19,146	19,146	19,146
SUBTOTAL, OPERATION AND MAINTENANCE.....	325,995	325,995	325,995	325,995
FAMILY HOUSING, NAVY AND MARINE CORPS				
GUAM				
NSA ANDERSON				
REPLACEMENT HOUSING PHASE I.....	78,815	78,815	78,815	78,815
JAPAN				
IWAKUNI				
CONSTRUCTION IMPROVEMENTS (36 UNITS).....	11,047	11,047	11,047	11,047
PLANNING AND DESIGN.....	4,149	4,149	4,149	4,149
SUBTOTAL, CONSTRUCTION.....	94,011	94,011	94,011	94,011
OPERATION AND MAINTENANCE				
UTILITIES ACCOUNT.....	56,685	56,685	56,685	56,685
SERVICES ACCOUNT.....	12,855	12,855	12,855	12,855
MANAGEMENT ACCOUNT.....	51,291	51,291	51,291	51,291
MISCELLANEOUS ACCOUNT.....	364	364	364	364
FURNISHINGS ACCOUNT.....	17,457	17,457	17,457	17,457
LEASING.....	54,689	54,689	54,689	54,689
MAINTENANCE OF REAL PROPERTY.....	81,254	81,254	81,254	81,254
PRIVATIZATION SUPPORT COSTS.....	26,320	26,320	26,320	26,320
SUBTOTAL, OPERATION AND MAINTENANCE.....	300,915	300,915	300,915	300,915
FAMILY HOUSING, AIR FORCE				
JAPAN				
KADENA (CAMP FOSTER)				
CONSTRUCTION IMPROVEMENTS (NORTH TOWERS).....	52,307	52,307	52,307	52,307
KADENA				
CONSTRUCTION IMPROVEMENTS (KADENA HEIGHTS).....	4,179	4,179	4,179	4,179
SPAIN				
MORON AB				
CONSTRUCTION IMPROVEMENTS (UNITS 650 AND 658).....	498	498	498	498
PLANNING AND DESIGN.....	4,368	4,368	4,368	4,368
SUBTOTAL, CONSTRUCTION.....	61,352	61,352	61,352	61,352
OPERATION AND MAINTENANCE				
UTILITIES ACCOUNT.....	37,241	37,241	37,241	37,241
MANAGEMENT ACCOUNT.....	42,919	42,919	42,919	42,919
SERVICES ACCOUNT.....	13,026	13,026	13,026	13,026
FURNISHINGS ACCOUNT.....	31,690	31,690	31,690	31,690
MISCELLANEOUS ACCOUNT.....	1,745	1,745	1,745	1,745

MILITARY CONSTRUCTION  
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE	SENATE	CONFERENCE AGREEMENT
LEASING.....	20,530	20,530	20,530	20,530
MAINTENANCE.....	85,469	85,469	85,469	85,469
PRIVATIZATION SUPPORT COSTS.....	41,809	41,809	41,809	41,809
SUBTOTAL, OPERATION AND MAINTENANCE.....	274,429	274,429	274,429	274,429
FAMILY HOUSING, DEFENSE-WIDE				
OPERATION AND MAINTENANCE				
NATIONAL SECURITY AGENCY				
UTILITIES.....	367	367	367	367
FURNISHINGS.....	399	399	399	399
LEASING.....	11,044	11,044	11,044	11,044
MAINTENANCE OF REAL PROPERTY.....	800	800	800	800
DEFENSE INTELLIGENCE AGENCY				
UTILITIES.....	4,100	4,100	4,100	4,100
FURNISHINGS.....	500	500	500	500
LEASING.....	40,984	40,984	40,984	40,984
DEFENSE LOGISTICS AGENCY				
UTILITIES.....	174	174	174	174
FURNISHINGS.....	20	20	20	20
SERVICES.....	32	32	32	32
MANAGEMENT.....	388	388	388	388
MAINTENANCE OF REAL PROPERTY.....	349	349	349	349
SUBTOTAL, OPERATION AND MAINTENANCE.....	59,157	59,157	59,157	59,157
DOD FAMILY HOUSING IMPROVEMENT FUND.....	3,258	3,258	3,258	3,258
DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.....	205,237	230,237	205,237	240,237
MILITARY CONSTRUCTION, ARMY (SEC. 125).....	---	40,500	40,500	40,500
MILITARY CONSTRUCTION, NAVY AND MARINE CORPS (SEC. 125).....	---	293,600	143,000	227,099
MILITARY CONSTRUCTION, AIR FORCE (SEC. 125).....	---	26,000	195,465	149,500
MILITARY CONSTRUCTION, ARMY NATIONAL GUARD (SEC. 125).....	---	67,500	16,500	67,500
MILITARY CONSTRUCTION, ARMY RESERVE (SEC. 125).....	---	86,500	30,000	30,000
MILITARY CONSTRUCTION, DEFENSE-WIDE (S. SEC. 125).....	---	---	64,364	---
MILITARY CONSTRUCTION, AIR NATIONAL GUARD (SEC. 125).....	---	---	11,000	11,000
MILITARY CONSTRUCTION, NAVY AND MARINE CORPS (SEC. 126).....	---	---	---	89,400
FAMILY HOUSING CONSTRUCTION, ARMY (S. SEC. 125).....	---	---	14,400	---
RESCISSIONS FROM PRIOR YEAR UNOBLIGATED BALANCES				
ARMY (SEC. 127).....	---	-25,000	-30,000	-29,602
NAVY AND MARINE CORPS (H. SEC. 126).....	---	-51,848	---	---
AIR FORCE (SEC. 127).....	---	---	-22,340	-51,460
DEFENSE-WIDE (SEC. 127).....	---	-37,377	-132,283	-141,600
DEFENSE-WIDE - PLANNING AND DESIGN (SEC. 127).....	---	---	---	-30,000
AIR NATIONAL GUARD.....	---	---	---	---
42 USC 3374 (SEC. 128).....	---	-25,000	---	-25,000
NATO SECURITY INVESTMENT PROGRAM (SEC. 127).....	---	-30,000	-15,000	-30,000

## TITLE II—DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION—  
COMPENSATION AND PENSIONS  
(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides \$90,119,449,000 for Compensation and Pensions in advance for fiscal year 2018. Of the amount provided, not more than \$17,224,000 is to be transferred to General Operating Expenses, Veterans Benefits Administration (VBA) and Information Technology Systems for reimbursement of necessary expenses in implementing provisions of title 38.

## READJUSTMENT BENEFITS

The conference agreement provides \$13,708,648,000 for Readjustment Benefits in advance for fiscal year 2018.

## VETERANS INSURANCE AND INDEMNITIES

The conference agreement provides \$107,899,000 for Veterans Insurance and Indemnities in advance for fiscal year 2018, as well as an additional \$16,605,000 for fiscal year 2017.

## VETERANS HOUSING BENEFIT PROGRAM FUND

The conference agreement provides such sums as may be necessary for costs associated with direct and guaranteed loans for the Veterans Housing Benefit Program Fund. The agreement limits obligations for direct loans to not more than \$500,000 and provides that \$198,856,000 shall be available for administrative expenses.

VOCATIONAL REHABILITATION LOANS PROGRAM  
ACCOUNT

The conference agreement provides \$36,000 for the cost of direct loans from the Vocational Rehabilitation Loans Program Account, plus \$389,000 to be paid to the appropriation for General Operating Expenses, Veterans Benefits Administration. The agreement provides for a direct loan limitation of \$2,517,000.

NATIVE AMERICAN VETERAN HOUSING LOAN  
PROGRAM ACCOUNT

The conference agreement provides \$1,163,000 for administrative expenses of the Native American Veteran Housing Loan Program Account.

GENERAL OPERATING EXPENSES, VETERANS  
BENEFITS ADMINISTRATION

The conference agreement provides \$2,856,160,000 for General Operating Expenses, Veterans Benefits Administration and makes available not to exceed 5 percent of this funding until the end of fiscal year 2018. The full request for the Veterans Benefits Management System is provided in the agreement, which includes \$37,356,000 from this account and \$143,000,000 from the Information Technology Systems account. The agreement also includes the full budget request of \$26,695,000 for the centralized mail initiative and \$152,924,000 for the Veterans Claim Intake Program (VCIP), which is \$10,000,000 above the request.

The placement of the General Operating Expenses, Veterans Benefits Administration account in the bill has been moved from Departmental Administration to Veterans Benefits Administration to align the administrative expenses of VBA with its program activities.

*Disability claims backlog.*—The conferees commend the Department of Veterans Affairs (VA) on its efforts to reduce the disability claims backlog and increase the accuracy of claims decisions, and is committed to ensuring that VA maintains its goal of processing all claims within 125 days with 98 percent accuracy. The Committees are also committed to ensuring there is not a recurrence of any sizeable backlog or a reduction in accuracy and will continue to assert their

oversight by monitoring on a monthly and quarterly basis each regional office's timeliness and accuracy performance measures.

The conference agreement includes section 228 which requires VBA to submit a quarterly report with the following data from each VBA regional office: (1) the average time to complete a disability compensation claim; (2) the number of claims pending more than 125 days, disaggregated by initial and supplemental claims; (3) error rates; (4) the number of claims personnel; (5) any corrective action taken within the quarter to address poor performance; (6) training programs undertaken; (7) the number and results of Quality Review Team audits; (8) the number of claims completed by each regional office based on the regional office being the station of jurisdiction; and (9) the number of claims completed by each regional office based on the regional office being the station of origin.

*Regional office performance.*—The conferees have been disturbed by repeated reports of manipulation of records and benefit data at several VBA regional offices, as well as irregular personnel practices that have jeopardized sound management of the regional offices. The conferees urge VA to monitor regional office performance to make certain that personnel and claims management activities remain fully transparent and comply with overall VA regulations and handbooks.

*Equitable relief.*—The conferees urge the Secretary to continue to grant or extend equitable relief to eligible veterans initially deemed eligible in instances of administrative error.

*Service satisfaction rates among women veterans.*—The conferees direct VA to provide to the Committees not later than the beginning of fiscal year 2017 an analysis of trends and satisfaction rates among women veterans participating in the Vocational Rehabilitation and Employment program to ensure these services are adapting to the changing demographics of veterans and the needs of women veterans with disabilities.

*Disability benefits questionnaires.*—The conferees expect VA to meet with Members of Congress to explain their plans to develop additional disability benefits questionnaires (DBQs) for chronic multi-system illnesses experienced by veterans for which DBQs do not exist. Moreover, the conferees urge the Department to make permanent the period for filing Gulf War presumptive claims under 38 CFR 3.317.

VETERANS HEALTH ADMINISTRATION—  
MEDICAL SERVICES

The conference agreement provides \$44,886,554,000 in advance for fiscal year 2018 for Medical Services and makes \$1,400,000,000 of the advance available through fiscal year 2019. The agreement also provides \$1,078,993,000 for fiscal year 2017 in addition to the advance appropriation provided last year. The fiscal year 2018 advance funding for medical services is \$6,786,446,000 lower than the fiscal year 2017 advance because of Department projections that increased amounts of medical care will be provided through the Medical Community Care account.

Given that there may be significant unfunded liabilities created by the winding down of the Choice Act, the conference agreement includes bill language in section 232 permitting the transfer of funding from multiple VA appropriations accounts to Medical Services to address unfunded needs.

The conference agreement includes bill language requiring the Secretary to ensure that sufficient amounts are available for the acquisition of prosthetics designed specifically for female veterans and to provide access to therapeutic listening devices to vet-

erans with mental health or substance abuse problems or traumatic brain injury.

*Curing Hepatitis C within the veteran population.*—The Department is to be commended for robustly treating veterans with Hepatitis C (HCV), which is a particular concern because the veteran population is twice as likely to have the virus as the general population. Available HCV drugs have a cure rate of 96 percent, and early, preventative treatments avoid tens of thousands of dollars in future healthcare spending. To that end, the agreement includes funding for the treatment of Hepatitis C of \$1,500,000,000 in fiscal year 2017, which is \$840,000,000 above the President's request. The conferees understand that because of an uneven start to the Hepatitis C campaign due to funding interruptions, VA projects there will be a carryover of fiscal year 2016 funding that will increase the resources available in fiscal year 2017. The conferees are pleased that recent price reductions in the new Hepatitis C drugs will allow VA to treat patients faster and reach their target goal of treating all veterans with Hepatitis C years earlier than projected.

The conferees encourage VA to work to remove any barriers to timely screening and treatment for veterans with Hepatitis C, including maximizing the use of rapid testing techniques. Rapid testing can be especially helpful in reaching veterans who are medically underserved or who live long distances from VA facilities.

To assist in congressional oversight, VA is directed to continue to report to the Committees in quarterly briefings the number of veterans treated to date, the number of veterans treated each week, the number of veterans pronounced cured to date, the projected number of new cases, and the estimate of veterans likely to be cured during the next quarter. VA is also directed to report quarterly to the Committees obligations for funding Hepatitis C treatments as part of the larger crosscutting VA quarterly financial report required in section 218.

*Program priorities.*—The conference agreement provides the following fiscal year 2017 funding for these high priority areas: \$243,483,000 for readjustment counseling at Vet Centers; \$535,400,000 for gender-specific healthcare, which is \$20,000,000 higher than the administration request; \$734,628,000 for the caregivers program, which is \$10,000,000 above the request; \$257,477,000 for the homeless grant and per diem program, which is \$10,000,000 above the request; and \$320,000,000 for the homeless supportive services for low income veterans and families, which is \$20,000,000 above the request.

*Rural healthcare.*—The conference agreement includes the full budget request of \$250,000,000 for the Office of Rural Health (ORH) and the Rural Health Initiative. In addition to any directives contained in the House and Senate reports, the conferees direct that ORH coordinate directly with the Readjustment Counseling Service to develop and implement a strategy to expand the capacity of Vet Centers in order to ensure that the readjustment and psychological counseling needs of veterans in rural and highly rural communities are met. The conferees also direct VA to identify ways to obtain more accurate data on homeless and at-risk veterans in rural areas, as instructed in the Senate report. The conference agreement includes a one-year extension through fiscal year 2017 of the Access Received Closer to Home (ARCH) program, which provides care to veterans in areas without extensive access to VA health facilities. This extension is necessary to maintain veterans' access to healthcare during the transition as VA moves to consolidate its non-VA healthcare programs. The conferees encourage VA to expand its use of telehealth for rural areas

since the technique has proven particularly helpful in mental health and primary care health delivery.

**Mental health.**—The conference agreement provides the full budget request for all VA mental health services and programs, with additional resources within Medical Services provided for the Veterans Crisis Line and the National Centers for Posttraumatic Stress Disorder. The conference agreement includes \$40,000,000 for the National Centers and \$78,572,000 for the Veterans Crisis Line. Overall, the agreement includes \$173,005,000 for suicide prevention outreach. The conference agreement includes bill language in section 238 similar to that contained in the House bill that requires certain professional standards for the suicide hotline.

**Opioid safety.**—To respond to the urgency of the opioid overdose epidemic, the Department is directed to continue to comply with the guidance included in the fiscal year 2016 conference report under the paragraph “Opioid Safety.” VA is also directed to make public the findings of the Office of Accountability Review investigation into accusations of widespread retaliation against whistleblowers at the Tomah VA Medical Center as well as the outside clinical review. The Department is encouraged to utilize the full spectrum of treatment options for dealing with opioid addiction and expand the use of medication-assisted treatment and other clinically appropriate services to achieve and maintain abstinence from all opioids. The conferees believe it is important for the Department to report necessary information to State-run prescription drug monitoring programs as this will ensure VA providers have the tools they need to better identify at-risk veterans.

The conferees are aware that only 14 States require their physicians to take pain management education credits. The conferees urge VA to ensure that healthcare providers learn the latest pain management techniques, understand safe prescribing practices, and be able to spot the signs of potential substance use disorders. The conferees believe that comprehensive training in the proper use of pain management medications is a vital step in combating the opioid problem.

**Choice Program delays.**—VA data indicate that the number of veterans waiting more than 30 days for an appointment is actually higher now than when the Veterans Choice Program was initiated. The conferees are concerned that this well-intentioned program was cobbled together quickly given the time constraints, which has contributed to delays. Further, an often-cited problem with the Choice Program is the lack of clear communications regarding the eligibility requirements of the program to both veterans and non-VA providers. The conferees believe that understanding the obstacles to efficient scheduling of appointments of veterans and swift reimbursement for providers would serve as crucial first steps in resolving some of these issues. The conferees urge VA and its third party providers to address the delays and the communication errors plaguing implementation of the Choice Program.

**Nursing authority.**—The conferees recognize that VA has recently published a proposed rule indicating that it is considering the issue of granting full practice authority to some or all of the four advanced practice nursing disciplines. The proposed rule indicates that decision will be reflected in the final rule, after consideration of all the public comments received. In addition, the Under Secretary for Health has testified that he plans to consider as an important variable whether there are significant shortages of the affiliated physician specialties throughout the VA system, which would validate the

need for full practice authority for those advanced practice nurse specialties. The conferees urge VA to carefully and thoughtfully seek additional input from internal and external stakeholders prior to publishing the final rule. The conferees encourage VA to make all possible outreach efforts to communicate the changes contained in the proposed rule, gather public comments, and collaborate with Congress, affected stakeholders, VA physician and nursing staffs, and external organizations.

**National Veteran Sports Programs.**—The conference agreement includes \$9,005,000, which is the budget request for the Office of the National Veterans Sports Programs and Special Events. The conferees concur with the movement of this office to the Veterans Health Administration (VHA), and the agreement includes necessary bill language in section 257 to permit VHA to carry out the Office’s activities.

**Patient consults.**—The conferees direct VA to report not later than 30 days after the beginning of fiscal year 2017 on specific quality controls that have been implemented to ensure that patient consults are handled in a timely manner.

**Collaboration with historically black health professions schools.**—As described in the House and Senate reports, the conferees urge VA to increase its collaboration with the larger, urban hospitals with historically black health professions schools. The Secretary is directed, as in previous conference reports, to convene a symposium where minority collaboration concerns are discussed and addressed.

**Leveraging private sector programs.**—The conferees encourage VA to integrate into VA settings private sector programs that adapt information technologies and data interoperability capabilities to better coordinate healthcare services for veterans, as described in the House report.

**Medical residency positions.**—The conferees note that, to date, the Department has not submitted to the Committees a report that was directed in the explanatory statement accompanying Public Law 114-113 detailing current coordination with the Direct Graduate Medical Education Program, limitations that may restrict VA’s program and ability to expand to underserved areas, and a plan to more effectively carry out VA’s graduate medical education program within constraints that exist in the Direct Graduate Medical Education program. The conferees understand that the Department is reviewing comments provided by the Department of Health and Human Services’ Center for Medicare and Medicaid Services and direct VA to move as expeditiously as possible in its review and submit the report to the Committees. Further, the conferees direct that VA provide an update to the Committees not later than 15 days after enactment of this Act on the status of this report and a timeline for submission.

**Rehabilitation equipment.**—The conferees are aware that the Department currently purchases or reimburses veterans for recumbent bicycles or hand cycles used for rehabilitative purposes only and does not cover the cost of upright bicycles. Given the many veterans in physical or mental rehabilitation programs who are able to use upright bicycles, the conferees urge the Department to make upright bicycles eligible for reimbursement to qualifying veterans. In addition, the conferees direct the Department to submit to the Committees on Appropriations of both Houses of Congress (hereafter “the Committees”) a report not later than the beginning of fiscal year 2017 outlining the steps needed to be taken to make upright bicycles eligible for reimbursement.

#### MEDICAL COMMUNITY CARE

The conference agreement provides \$7,246,181,000 for Medical Community Care, the account created in the Surface Transportation and Veterans Health Care Choice Improvement Act to consolidate all the VA programs that provide care for veterans in the community from non-VA providers. Section 217 of the conference agreement rescinds an identical amount from the Medical Services account. The agreement also provides \$9,409,118,000 in advance fiscal year 2018 funding for this account. Of the fiscal year 2017 funding, \$2,000,000,000 is made available until the end of fiscal year 2020; of the fiscal year 2018 funding, \$1,500,000,000 is available until the end of fiscal year 2021.

**Extended availability of funding.**—The conferees are aware the Department books obligations for non-VA care upon a veteran receiving authorization to obtain medical care outside of the Veterans Health Administration and not upon that authorization actually being filled and the Department billed by the outside provider. Due to the timing of reconciliation between obligations, authorizations, and the number of those authorizations filled through private providers, this accounting procedure has led to the de-obligation of funds past the life of the budget authority, leading to the expiration of millions of dollars that could have been applied to veterans healthcare programs. Therefore, the conferees have provided flexibility to aid the Department in ensuring all appropriations within this account are able to be obligated before expiration. This extended availability within the new Medical Community Care account should allow VA time to correct this problem; however, the conferees also note this longer period of availability is a temporary solution and will not continue unaltered into the future. The Department is expected to work towards identifying changes in execution that will result in a permanent fix, including discussing with the Office of Management and Budget how best to define the point of obligation for these funds. The conferees expect the Department to keep the Committees apprised of its progress towards a permanent solution and request this issue be addressed within the fiscal year 2019 advance appropriations request for this account.

#### MEDICAL SUPPORT AND COMPLIANCE

The conference agreement provides \$6,654,480,000 in advance for fiscal year 2018 for Medical Support and Compliance and makes \$100,000,000 of the advance funding available through fiscal year 2019.

**Filling senior position vacancies.**—In order for VHA to improve access and increase efficiency within the system, it must fill the critical senior management and clinical vacancies. Therefore, the conferees direct that not less than \$21,000,000, as provided in the budget request, be used to hire medical center directors and employees for other management and clinical positions within the Veterans Health Administration.

**Requirements for the hiring of VA healthcare providers.**—The conferees are deeply troubled by recent reports concerning practicing VA providers whose credentials have not been verified or have been misrepresented, and who have previously entered into settlements or completed disciplinary actions in other States where they may hold a medical license. To protect our Nation’s veterans, the Department must do more to guarantee that VA providers are of the highest quality and are, at the very least, in good standing with each State medical board with which they hold licenses. The conferees believe VA should be in strict compliance with Veterans Health Administration Handbook 1100.19 and Directive 2012-030 which require the Department to obtain any and all information on



medical license violations from each State medical board where a provider holds or has ever held a license and whether the provider has entered into any settlement agreements with a board for disciplinary charges relating to medical practice. The Department is directed to submit a report to the Committees not later than 90 days after the beginning of fiscal year 2017 providing an analysis and an assessment of VA field compliance with Veterans Health Administration Handbook 1100.19 and Directive 2012-030.

*Transmission of VA healthcare providers' information to State medical boards.*—Under current VA policy outlined in Veterans Health Administration Handbook 1100.18, in each instance in which a licensed healthcare professional whose behavior or clinical practice so substantially fails to meet generally-accepted standards of clinical practice as to raise reasonable concern for the safety of patients, the Department is required to provide a report to each State licensure board (SLB) where the professional holds a license.

The conferees are aware, however, that such reports sent to SLBs are typically limited to a generic description of the clinical shortcomings involved, and if the SLB wants more details of the situation it must respond to the report with a formal request for more information. The conferees note SLBs and the Federation of State Medical Boards find it extremely difficult to gain useful information even if they follow VA's exact procedures.

It is critical for VA to improve communication with SLBs and improve transparency surrounding medical practice violations. VA is urged to send promptly to each SLB where a provider holds a license and the SLB in the State where the provider practices, the full information concerning any violations during the provider's practice at VA.

While VA providers do not need to hold a license in the same State where the medical facility resides, the conferees believe such State's medical board should, nonetheless, have access to information about a clinical violation committed at a facility in their State to ensure the board can adequately fulfill its obligation to uphold safe medical practice. The Department is directed to submit a report to the Committees not later than 90 days after the beginning of fiscal year 2017 providing an assessment of VA field compliance with Veterans Health Administration Handbook 1100.18 and its ability to provide full reporting to SLBs in instances where licensed healthcare professionals' behavior or clinical practice so substantially failed to meet generally-accepted standards of clinical practice that it needed to be reported in compliance with Handbook 1100.18.

*Non-VA care provider reviews.*—As the Department continues to increase the scope and size of its non-VA care programs, it is imperative that VA develop policies that ensure that a healthcare provider removed from employment with the Veterans Health Administration due to substandard care, professional misconduct, or violation of the requirements of his or her medical license does not subsequently reemerge as a contracted healthcare provider in the community care programs, including the Choice Program. Therefore, the conferees direct the Department to submit to the Committees not later than the beginning of fiscal year 2017 the current VHA policy on entering into contractual agreements with private providers, either directly or through a third-party administrator, and the provisions of that policy which detail how VA ensures that no healthcare providers removed for misconduct subsequently become providers through the VA's community care programs. In addition, the Department is directed to include, with

the policy, what enforcement mechanisms are currently in place as a safeguard and any legislative authorities needed to ensure that veterans receive the highest quality of care from healthcare providers on contract to VA.

#### MEDICAL FACILITIES

The conference agreement provides \$5,434,880,000 in advance for fiscal year 2018 for Medical Facilities, as well as \$247,668,000 in fiscal year 2017 funding, which is in addition to the advance funding provided last year. Of the advance funding, \$250,000,000 is made available through fiscal year 2019.

*Medical facility inspections for food service and environmental quality.*—The conferees are disturbed by reports of sanitation and insect infestation problems at food service areas and kitchens at VA healthcare facilities, despite existing internal requirements for periodic inspections. In addition, health-threatening mold has been found in some VA facilities, as documented by the VA Inspector General. The conference agreement includes bill language in sections 251 and 252 requiring VA to contract with the Joint Commission on Accreditation of Hospital Organizations to conduct annual inspections of healthcare facility food service areas, with remediation and re-inspection required. Section 252 includes the requirement for the Joint Commission to conduct similar periodic reviews to inspect mold issues in VA medical facilities.

*Improved community-based outpatient clinics (CBOC) capabilities.*—The conferees are concerned that VA needs to improve its planning and contracting practices to allow for future expansion needs of CBOCs. In the case of the recently approved Rochester, New York CBOC (Phase I), the conferees have been informed that options to expand for potential future growth could not be included in the original lease contract, warranting procurement of a second facility. The conferees urge the Department to consider economic benefits when considering locations. Furthermore, the Department is directed to provide a report to the Committees not later than the beginning of fiscal year 2017 addressing the rationale as to why such flexibility cannot be included in lease contracts and identify any barriers, including necessary statutory changes, to ensure such options for flexibility are included in future lease contracts.

*Green energy management program.*—Given congressional concern with some prior wind energy projects, the conferees believe that the Committees need a clearer budget presentation of all green energy projects—wind, solar, geothermal, etc.—proposed to be funded in the fiscal year 2018 budget. Because green energy management funding was used to backfill shortfalls in the Denver hospital construction project, the Committees have difficulty discerning the strategic funding plans that remain for VA green energy management.

*Budget presentation.*—The conferees have found the current budget presentation for Medical Facilities distressingly difficult to interpret. The conferees direct VA in the fiscal year 2018 budget submission and in future years to include a list of the projects that are funded in the request, with the project's Strategic Capital Investment Priorities score identified. Recognizing that the list of funded projects may change during the course of the year, VA is directed to provide quarterly updates to the Committees that identify any changes to the list provided in the budget.

#### MEDICAL AND PROSTHETIC RESEARCH

The conference agreement provides \$675,366,000 for Medical and Prosthetic Research, available until September 30, 2018. Bill language is included to ensure that the

Secretary allocates adequate funding for research on gender-appropriate prosthetics and toxic exposures.

*Gulf War symptoms study.*—The conferees are aware that on March 23, 2015, VA contracted with the Institute of Medicine to fulfill the mandated Gulf War and post-9/11 veterans report as required by Public Law 110-389 and that VA is now in receipt of the report. The conferees direct the Department to review the report in an expeditious manner and transmit it to the appropriate congressional committees of jurisdiction not later than 60 days after the beginning of fiscal year 2017.

*New research areas.*—As indicated in the House report, the conferees encourage VA to create a Center of Innovation for research support and use as candidates for initial research hyperbaric oxygen therapy and magnetic EEG/EKG-guided resonance therapy.

*Study on toxic exposures.*—The conferees are aware the Department is finalizing a contract with the National Academies of Sciences, Engineering, and Medicine (NASEM) to assess the current research available on possible generational health effects that may be the result of toxic exposures experienced by veterans. The conferees are aware NASEM will also assess areas requiring further scientific study on the descendants of veterans with toxic exposures. In addition, NASEM will further assess the scope and methodology required to conduct research on such descendants to identify current or possible health effects in the veterans' descendants. The study will be similar to what is directed in the Senate report. The Committees have been provided a detailed list of the scope of the study and are aware the contract is to be awarded in fiscal year 2017. The conferees intend to monitor the award of this contract closely and expect the Department to finalize the award, as summarized above and presented to the Committees.

#### NATIONAL CEMETERY ADMINISTRATION

The conference agreement provides \$286,193,000 for the National Cemetery Administration (NCA). Of the amount provided, not to exceed 10 percent is available until September 30, 2018.

*Rural veterans burial initiative.*—The Department is directed to submit to the Committees not later than the beginning of fiscal year 2017 a report detailing the progress to date of the Rural Veterans Burial Initiative and the expected timeline for completion of such initiative.

#### DEPARTMENTAL ADMINISTRATION

##### GENERAL ADMINISTRATION

##### (INCLUDING TRANSFER OF FUNDS)

The conference agreement provides \$345,391,000 for General Administration. Of the amount provided, not to exceed 5 percent is available for obligation until September 30, 2018. The agreement continues to include bill language in section 233 permitting the transfer of funds from this account to General Operating Expenses, Veterans Benefits Administration.

The conference agreement provides \$10,545,000 for the Office of the Secretary. The recommendation fully supports and provides the requested amounts in fiscal year 2017 for the Center for Faith-Based and Neighborhood Partnerships, the Center for Minority Veterans, the Center for Women Veterans, and the Office of Survivors Assistance. The Office of Government Relations is funded at \$9,146,000, to include not more than \$5,900,000 for functions previously conducted by the Office of Congressional and Legislative Affairs.

Within the amounts made available for General Administration, not less than an additional \$1,500,000 shall be specifically reserved for the hiring of Veterans Integrated

Service Network (VISN) directors; these amounts shall supplement and not supplant amounts included in the budget request for the hiring of VISN directors. Savings below the requested level for the Office of Congressional and Legislative Affairs function and the immediate Office of the Secretary have been repurposed for this initiative, consistent with direction in the Senate report.

*Improving the veterans' experience at VA.*—The conferees note the Secretary is undertaking a major effort to better understand the myriad of ways veterans and eligible dependents interact with VA and then to measurably improve the veterans experience at the point of service delivery. The current customer experience when interacting with the Department is disjointed, inconsistent, and all too often frustrating for the veteran. For example, the VA has over 500 veteran-facing websites and almost a thousand 1–800 numbers for veterans to contact VA. To make matters worse, there is no consistent, VA-wide performance standard for the many call centers VA operates. In addition, the current process for training and integrating staff at VA is sorely lacking and not on par with commercial equivalents, particularly when it comes to front-line staff who directly interface with veterans. Also, many of VA's business processes (for example, compensation and pension exams) are built to be internal-facing instead of built to put the veteran at the center of the process. The sum of all these limitations has a direct impact on veterans. For example, only 47 percent of veterans surveyed marked “strongly agree or agree” with this statement: “I trust VA to fulfill our country's commitment to veterans.” The conferees believe VA can and should redesign, measure, and improve the way VA provides services to veterans nationwide, and note with interest the recent efforts by the Secretary to do that. The conferees are interested in the metrics and data the Department has promised it can provide that will show an increase in veteran satisfaction resulting from the efforts the Secretary's office has put into place over the past year intending to improve the veteran experience. The Department is directed to report quarterly to the Committees metrics and data that show improvement in customer satisfaction, the veterans experience, and employee training. The conferees did not provide a direct appropriation for this effort in fiscal year 2017; however, the Department is able and expected to continue improving the veterans experience.

*Financial management system.*—The conference agreement includes \$8,000,000 in this account as well as \$44,300,000 in the Information Technology Systems account for development of a new financial management system. The Department has dithered for years in replacing its antiquated legacy system and suffered the consequences of a near meltdown in the hospital system in 2015 when obligations could not be correctly reported. The conferees urge VA to make a decision in fiscal year 2016 to replace its inadequate system with a 21st century product so that the Committees can rely on financial information from VA and VA can manage its obligations.

*VA Patient Protection Act of 2016.*—The conferees remain concerned about reports of retaliation against whistleblowers within the Department across the Nation. VA has promised to foster a culture of openness by encouraging employees to report cases of wrongdoing, yet there continue to be reports that after bringing to light cases of wrongdoing, the whistleblowers become subjects of retaliation. The conferees note VA must create an environment that allows employees to openly and safely advocate on behalf of veterans, consistent with direction in the Sen-

ate report. The conference agreement includes bill language in section 247 that comprehensively addresses the creation of a formal process for whistleblowers to file disclosures when operations within the Department fail to meet the high standards of care and service veterans deserve. Section 247 establishes a Central Whistleblower Office designed as an independent investigatory body to process VA employee complaints, which will ensure whistleblower disclosures receive the prompt, impartial attention deserved. Section 247 defines what actions constitute prohibited retaliation against whistleblowers, sets forth a process under which supervisors will be punished for handling disclosures inappropriately, and requires VA supervisors to be evaluated on their handling of whistleblower complaints. Further, section 247 requires the Department to report annually to the Committees on the number of whistleblower complaints received and their outcomes and to provide the results of Office of Special Counsel investigations related to whistleblower complaints.

*Quarterly reporting.*—In section 218 of the conference agreement, the conferees continue to direct VA to provide on a quarterly basis, not later than 30 days after the end of each quarter, a quarterly financial status report that includes, at a minimum, the information identified in this paragraph. Such information shall include:

1. VHA obligations and collections for the four Medical Care accounts, Nonrecurring Maintenance (as a non-add), Medical Research, the VA-DOD Facility Demonstration Fund, and Medical Care Collections Fund (MCCF) collections—actual to date versus plan;
2. Updated ‘VA Medical Care Obligations by Program’ chart displayed in the fiscal year 2017 budget justification;
3. Choice Act obligations for sections 801 and 802—actual to date versus plan;
4. Hepatitis C obligations, amounts funded through appropriations versus Choice Act, both sources actual to date versus plan;
5. Cumulative tracking of all transfers made under any authority, including each transfer within the Medical Care appropriations accounts;
6. General Administration obligations—personal services versus all other—actual to date versus plan;
7. Board of Veterans Appeals obligations—personal services versus all other—actual to date versus plan;
8. VBA, GOE obligations—personal services versus all other—actual to date versus plan;
9. Compensation and Pensions, Readjustment Benefits, and Veterans Insurance and Indemnities—obligations year-to-date versus plan;
10. NCA obligations—personal services versus all other—actual to date versus plan;
11. Information Technology Systems obligations—personal services versus all other—actual to date versus plan;
12. Major and Minor Construction obligations—actual to date versus plan;
13. Obligations to date for each Major Construction project, broken into design versus construction; and
14. Status of VA full-time equivalent employment—by Administration/IT and revolving funds—by quarter, actual versus plan.

#### BOARD OF VETERANS APPEALS

The conference agreement provides \$156,096,000 for the Board of Veterans Appeals (BVA), of which not to exceed 10 percent shall remain available until September 30, 2018. Bill language is included in section 233 permitting VA to transfer funding between this account and the General Operating Expenses, Veterans Benefits Administration account if needed to align funding with the ap-

propriate account to hire staff to address the appeals backlog.

The conference agreement provides the full budget request in recognition of the growing backlog in resolving appeals. However, the conferees are skeptical that, without the necessary legislative changes proposed by the Administration, VA will be able to make a significant dent in the backlog. As one step, the conferees urge the Board to hire additional BVA board members.

*Legal assistance.*—The conferees request the Board to provide a report not later than 90 days after the beginning of fiscal year 2017 about the possible need for legal assistance by veterans who are appealing their ruling from the Veterans Benefits Administration. The report should include information about: (1) the percentage of appellants who receive free legal counsel from veterans service organizations or others versus those who represent themselves or have paid legal counsel; (2) the Board's estimate of unmet legal need among appellants; (3) possible mechanisms to provide free legal assistance to veterans who do not have and are unable to afford legal assistance; and (4) the legal assistance program provided through the U.S. Court of Appeals for Veterans Claims and whether such a program would be appropriate for the Board, including a description of program structure and cost.

#### INFORMATION TECHNOLOGY SYSTEMS (INCLUDING TRANSFER OF FUNDS)

The conference agreement provides \$4,278,259,000 for Information Technology (IT) Systems. The agreement identifies separately in bill language the funding available for pay (\$1,272,548,000); operations and maintenance (\$2,534,442,000); and systems development, modernization, and enhancement (\$471,269,000). The agreement makes \$37,100,000 of pay funding available until the end of fiscal year 2018; \$180,200,000 of operations and maintenance funding available until the end of fiscal year 2018; and all IT systems development, modernization and enhancement funding available until the end of fiscal year 2018.

The conference agreement includes \$259,874,000 for VistA Evolution, the modernization of the interoperable electronic health record (EHR) or any successor program; \$143,000,000 in information technology funding for the Veterans Benefits Management System which processes disability claims; \$19,100,000 for the claims appeals modernization effort; \$20,000,000 for Section 508 compliance efforts; \$44,300,000 for development of a new VA financial management system; and \$370,067,000 for the VA information security program, including \$125,000,000 for the Cybersecurity Strategy Implementation program.

As with the fiscal year 2013–2016 appropriations Acts, the fiscal year 2017 agreement includes a prohibition on obligation or expenditure of more than 25 percent of fiscal year 2017 funds provided for development, modernization, and enhancement of the VistA Evolution EHR or a successor program until the Department meets reporting and accountability requirements contained in the conference bill language.

The conference agreement includes language prohibiting the obligation of IT development, modernization, and enhancement funding until VA submits a certification of the amounts to be obligated, in part or in full, for each development project.

The conference agreement includes language permitting funding to be transferred among the three IT subaccounts, subject to approval from the Committees.

The conference agreement includes language providing that funding may be transferred among development projects or to new

projects subject to the Committees' approval.

The conference agreement provides funding for IT development, modernization, and enhancement for the projects and in the amounts specified in the following table:

**INFORMATION TECHNOLOGY DEVELOPMENT PROJECTS**  
(in thousands of dollars)

Project	Conference
Electronic Health Record Interoperability/VLER Health .....	17,322
Vista Evolution or successor EHR program .....	63,339
Veterans Benefits Management System (VBMS) .....	85,288
Virtual Lifetime Electronic Record (VLER) .....	17,857
Veteran Customer Experience .....	73,624
VHA Research IT Support Development .....	15,066
Other IT Systems Development .....	198,773
<b>Total, All Development .....</b>	<b>\$471,269</b>

This table is intended to serve as the Department's approved list of development projects; any requested changes are subject to reprogramming requirements.

**Appointment scheduling.**—For more than a decade, VA has spent millions in an attempt to replace its antiquated scheduling system. VA has begun to fix some of the worst problems in the system with its rollout of VistA Scheduling Enhancement (VSE). But further efforts to modernize scheduling have been put on hold until VA makes a decision about what direction to take with modernizing the electronic health record. The conferees understand the need to align the two systems, but are distressed about the further delays in the implementation of both. The conferees expect that VA will finalize its strategic approach for both the electronic health record and scheduling before the end of fiscal year 2016.

**Expenditure plan.**—The conference agreement directs the Department to continue to provide an IT expenditure plan to the Committees not later than the start of fiscal year 2017, as indicated in both the House and Senate reports. This plan should be in the same format as the table above.

**Periodic briefings.**—The conferees continue to require VA to provide quarterly briefings to the Committees regarding schedule, milestones, and obligations for VistA Evolution or any successor program. The conferees also require quarterly briefings from the DOD/VA Interagency Program Office on the EHR interoperability project.

**Data matching with the Department of Education.**—The conferees urge VA to establish a matching program with the Department of Education to identify veterans who are unemployable due to a service-connected disability. Under current law, veterans who have been determined by VA to be unemployable due to a service-connected disability are also eligible for student loan forgiveness. However, given the complexity of the loan discharge process and the seeming lack of communication between the Departments of Veterans Affairs and Education, disabled veterans would stand to benefit from greater coordination between the two Departments.

**OFFICE OF INSPECTOR GENERAL**

The conference agreement provides \$160,106,000 for the Office of Inspector General (OIG). Of the amount provided, not to exceed 10 percent is available for obligation until September 30, 2018. The conference agreement directs that the OIG should post publicly any report or audit not later than 3 days after it is submitted to the Secretary in final form.

**CONSTRUCTION, MAJOR PROJECTS**

The conference agreement provides \$528,110,000 for Construction, Major Projects, which is the same as the budget request. The agreement makes this funding available for five years, except that \$50,000,000 is made available until expended.

**Outside project management.**—To ensure the Department will never again mishandle public funds on a construction project in the manner and to the degree the Denver VA Medical Center in Aurora, CO, was mismanaged, the conference agreement directs that \$222,620,000 for Veterans Health Administration major construction projects shall not be available until the Department enters into an agreement with a non-Department of Veterans Affairs Federal entity to serve as the design and/or construction agent for each major construction project with a total estimated cost of \$100,000,000 or above. The conference agreement makes the funding available for obligation for each project only after VA certifies that the agreement with the non-Department Federal entity is in effect for that project. The two VHA projects affected by the fencing provision are in Reno, Nevada, and Long Beach, California. The requirement to contract with an outside agent for major construction projects was also mandated in Section 502 of the Department of Veterans Affairs Expiring Authorities Act of 2015 (Public Law 114-58), enacted on September 30, 2015. The law contemplates that the non-Department Federal entity will provide management over all or part of the project design, acquisition, construction, and appropriate contract changes, and the Department will reimburse the entity for all appropriate costs associated with the provision of such services.

The conference agreement funds the following items as requested in the budget submission:

**CONSTRUCTION, MAJOR PROJECTS**  
(in thousands of dollars)

Location and description	Conference Agreement
<b>Veterans Health Admin. (VHA):</b>	
Long Beach, CA, seismic corrections for mental health and community living center .....	\$30,200
Reno, NV, upgrade seismic, life safety, utilities, and expand clinical services .....	192,420
Advance Planning and Design Fund—various locations .....	65,000
Major Construction staff—various locations .....	24,000
Claims Analysis—various locations .....	5,000
Hazardous Waste—various locations .....	10,000
Judgment Fund—various locations .....	9,000
Non-Dept. Fed. Entity Project Management Support .....	49,490
<b>Total VHA .....</b>	<b>385,110</b>
<b>National Cemetery Admin. (NCA):</b>	
Elmira, NY—new national cemetery—Western NY .....	36,000
Las Animas, CO—new national cemetery—South-ern CO .....	36,000
Jacksonville, FL—gravesite expansion .....	24,000
South Florida, FL—gravesite expansion .....	31,000
Advance Planning and Design Fund—various loca-tions .....	10,000
<b>Total NCA .....</b>	<b>137,000</b>
<b>General Admin.:</b>	
Staff Offices Advance Planning Fund .....	6,000
<b>Major Construction total .....</b>	<b>\$528,110</b>

**Major construction budget justification docu-ments.**—The conferees reiterate their concerns regarding the budget justifications submitted for projects funded in this account. The congressional budget justifica-tion materials that accompany the Presi-dent's Budget require a greater level of detail to enhance oversight of the Depart-ment's major construction projects. There-fore, the conference agreement includes a new administrative provision section 258, re-quiring the Department to submit enhanced budget justification documents for projects for which funds are requested. Pursuant to section 258, such justifications shall include, at a minimum, the following elements for all major construction projects:

1. Project description, to include phases (if applicable) delineated by fiscal year, and detailing for each phase by fiscal year, and a detailed description of what that funding procures;
2. Project justification and analysis of ben-efits;

3. A comparison of budget authority with the prior year's President's Budget for bud-get authority already received and needed in future years;

4. A justification of any cost, schedule, or design change from prior years;

5. Total estimated cost with a detailed breakout by design, construction (differen-tiated by primary and support facilities), and operating costs;

6. A complete project schedule to include dates indicating design start, 35 percent de-sign completion, award of construction docu-ments, design completion, award of construc-tion contract, and estimated construction com-pletion;

7. Design contract type;

8. An analysis of alternatives with associat-ed costs;

9. Demographic data; and

10. Workload data.

The Department is directed to submit this information in a format resembling the De-partment of Defense form 1391 (DD 1391). In addition, language is included requiring the Department to submit a proposed budget jus-tification template that complies with this requirement to the Committees within 45 days of enactment of this Act.

**Alternative sources of construction funding.**—The conferees are aware of the budget chal-lenges with new facility construction at VA. The conferees are pleased that VA has begun to work with the private sector in developing public-private partnerships (P3). P3 projects take advantage of readily available private sector investment capital, expertise, and en-terpreneurial discipline. Where private sec-tor financing has already been identified, and where practical, the conferees urge VA to use a P3 model on future VA construction projects.

**CONSTRUCTION, MINOR PROJECTS**

The conference agreement provides \$372,069,000 for Construction, Minor Projects. The agreement makes this funding available for five years. Included within the total is \$285,000,000 for the Veterans Health Adminis-tration; \$56,890,000 for the National Cemetery Administration; \$20,000,000 for the Veterans Benefits Administration; and \$10,179,000 for General Administration—Staff Offices.

**Expenditure Plan.**—The conference agree-ment includes a directive for the Depart-ment to provide an expenditure plan not later than 30 days after the beginning of the fiscal year, as provided in the Senate report. This expenditure plan shall include a com-plete list of minor construction projects to be supported with the fiscal year 2017 appro-priation. The plan shall be updated six months and twelve months after enactment.

**GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES**

The conference agreement provides \$90,000,000 for Grants for Construction of State Extended Care Facilities, to remain available until expended.

**GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES**

The conference agreement provides \$45,000,000 for Grants for Construction of Veter-ans Cemeteries, to remain available until expended.

**ADMINISTRATIVE PROVISIONS**

**(INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)**

The conference agreement includes section 201 allowing for transfer of funds among the three mandatory accounts.

The conference agreement includes section 202 allowing for the transfer of funds among the four medical accounts.

The conference agreement includes section 203 allowing salaries and expenses funds to be used for related authorized purposes.

The conference agreement includes section 204 restricting the accounts that may be used for the acquisition of land or the construction of any new hospital or home.

The conference agreement includes section 205 limiting the use of funds in the Medical Services account only for entitled beneficiaries unless reimbursement is made to the Department.

The conference agreement includes section 206 allowing for the use of certain mandatory appropriations accounts for payment of prior year accrued obligations for those accounts.

The conference agreement includes section 207 allowing the use of appropriations available in this title to pay prior year obligations.

The conference agreement includes section 208 allowing the Department to use surplus earnings from the National Service Life Insurance Fund, the Veterans' Special Life Insurance Fund, and the United States Government Life Insurance Fund to administer these programs.

The conference agreement includes section 209 allowing the Department to cover the administrative expenses of enhanced-use leases and provides authority to obligate these reimbursements in the year in which the proceeds are received.

The conference agreement includes section 210 limiting the amount of reimbursement the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication can charge other offices of the Department for services provided.

The conference agreement includes section 211 requiring the Department to collect third-party payer information for persons treated for a non-service-connected disability.

The conference agreement includes section 212 allowing for the use of enhanced-use leasing revenues for Construction, Major Projects and Construction, Minor Projects.

The conference agreement includes section 213 outlining authorized uses for Medical Services funds.

The conference agreement includes section 214 allowing for funds deposited into the Medical Care Collections Fund to be transferred to the Medical Services and Medical Community Care accounts.

The conference agreement includes section 215 which allows Alaskan veterans to use medical facilities of the Indian Health Service or tribal organizations.

The conference agreement includes section 216 permitting the transfer of funds from the Department of Veterans Affairs Capital Asset Fund to the Construction, Major Projects and Construction, Minor Projects accounts and makes those funds available until expended.

The conference agreement includes section 217 rescinding \$7,246,181,000 of fiscal year 2017 Medical Services funds that were provided in advance. This funding is now provided through the Medical Community Care account.

The conference agreement includes section 218 requiring the Secretary to submit financial status quarterly reports for each of the Administrations in the Department. The specific data requested is similar to that requested in the fiscal year 2016 conference report.

The conference agreement includes section 219 requiring the Department to notify and receive approval from the Committees of any proposed transfer of funding to or from the Information Technology Systems account and limits the aggregate annual increase in the account to no more than 10 percent of the funding appropriated to the account in this Act.

The conference agreement includes section 220 prohibiting any funds from being used in

a manner that is inconsistent with statutory limitations on outsourcing.

The conference agreement includes section 221 providing up to \$274,731,000 of fiscal year 2017 funds for transfer to the Joint DOD-VA Medical Facility Demonstration Fund.

The conference agreement includes section 222 which permits up to \$280,802,000 of fiscal year 2018 medical care funding provided in advance to be transferred to the Joint DOD-VA Medical Facility Demonstration Fund.

The conference agreement includes section 223 which authorizes transfers from the Medical Care Collections Fund to the Joint DOD-VA Medical Facility Demonstration Fund.

The conference agreement includes section 224 which transfers at least \$15,000,000 from VA medical accounts to the DOD-VA Health Care Sharing Incentive Fund.

The conference agreement includes section 225 prohibiting funds available to the Department in this or any other Act from being used to replace the current system by which VISNs select and contract for diabetes monitoring supplies and equipment.

The conference agreement includes section 226 requiring that the Department notify the Committees of bid savings in a major construction project of at least \$5,000,000, or 5 percent, whichever is less, 14 days prior to the obligation of the bid savings and their anticipated use.

The conference agreement includes section 227 which prohibits VA from increasing the scope of work for a major construction project above the scope specified in the original budget request unless the Secretary receives approval from the Committees.

The conference agreement includes section 228 requiring a quarterly report from each VBA regional office on pending disability claims, both initial and supplemental; error rates; the number of claims processing personnel; corrective actions taken; training programs; and review team audit results.

The conference agreement includes section 229 limiting the funding from the Medical Services and Medical Support and Compliance accounts for the electronic health record and electronic health record interoperability projects.

The conference agreement includes section 230 requiring VA to notify the Committees 15 days prior to any staff office relocations within VA of 25 or more FTE.

The conference agreement includes section 231 requiring the Secretary to report to the Committees each quarter about any single national outreach and awareness marketing campaign exceeding \$2,000,000.

The conference agreement includes section 232 permitting the transfer to the Medical Services account of fiscal year discretionary 2017 funds appropriated in this Act or available from advance fiscal year 2017 funds already appropriated, except for funds appropriated to General Operating Expenses, VBA, to address possible unmet, high priority needs in Medical Services. Such unanticipated demands may result from circumstances such as a greater than projected number of enrollees or higher intensity of use of benefits. Any such transfer requires the approval of the Committees.

The conference agreement includes section 233 permitting the transfer of funding between the General Operating Expenses, Veterans Benefits Administration account and the Board of Veterans Appeals account if necessary to permit the hiring of staffing at the appropriate stage of the appeals process to address mounting claims appeals workload. Any such transfer requires the approval of the Committees.

The conference agreement includes section 234 prohibiting the Secretary from reprogramming funds in excess of \$5,000,000 among major construction projects or pro-

grams unless the reprogramming is approved by the Committees.

The conference agreement includes section 235 rescinding \$40,000,000 in unobligated balances in the DOD-VA Health Care Sharing Incentive Fund.

The conference agreement includes sections 236 and 237 making general rescissions of \$169,000,000 in fiscal year 2017 advance appropriations and reductions of \$23,000,000 in fiscal year 2017 current funded appropriations.

The conference agreement includes section 238 mandating certain professional standards for the veterans crisis hotline.

The conference agreement includes section 239 pertaining to certification of marriage and family therapists.

The conference agreement includes section 240 restricting funds from being used to close certain medical facilities in the absence of a national realignment strategy.

The conference agreement includes section 241 which prohibits funds from being used to transfer funding from the Filipino Veterans Equity Compensation Fund to any other VA account.

The conference agreement includes section 242 which provides an extension through fiscal year 2017 of the Access Received Closer to Home (ARCH) program.

The conference agreement includes section 243 which ends a co-payment requirement for opioid antagonists and supports education on the use of opioid antagonists.

The conference agreement includes section 244 requiring the VA Inspector General to make public all work products.

The conference agreement includes section 245 permitting funding to be used in fiscal years 2017 and 2018 to carry out and expand the child care pilot program authorized by section 205 of Public Law 111-163.

The conference agreement includes section 246 making mandatory the reporting to State prescription drug monitoring programs.

The conference agreement includes section 247 which includes the text of the VA Patient Protection Act of 2016 addressing protections for VA whistleblowers.

The conference agreement includes section 248 identifying information which may be used to verify the status of coastwise merchant seamen who served during World War II for the purposes of eligibility for medals, ribbons, or other military decorations.

The conference agreement includes section 249 providing monthly assistance allowances for disabled veterans competing on United States Olympic teams.

The conference agreement includes section 250 which provides coverage under the VA beneficiary travel program for certain types of special disabilities rehabilitation.

The conference agreement includes section 251 which requires VA to conduct annual inspections of kitchens and food service areas of each medical facility, through the Joint Commission on Accreditation of Hospital Organizations, with required remediation if necessary.

The conference agreement includes section 252 which requires VA to conduct periodic inspections of mold issues at VA medical facilities through the Joint Commission on Accreditation of Hospital Organizations, along with required remediation if necessary.

The conference agreement includes section 253 reinstating the requirement for a report on the capacity of VA to provide for specialized treatment and rehabilitative needs of disabled veterans.

The conference agreement includes section 254 permitting the Secretary to use appropriated funds to ensure particular ratios of veterans to full-time employment equivalents within any VA program of rehabilitation.

The conference agreement includes section 255 indicating that no funds available in the Act may be used to deny the Inspector General timely access to Department records and documents over which the Inspector General has responsibilities under the Inspector General Act of 1978.

The conference agreement includes section 256 forbidding funds to be used to enter into a settlement that would restrict an individual's freedom to speak to Members of Congress or their staff.

The conference agreement includes section 257 providing authority for the Veterans Health Administration to administer the National Veterans Sports Program.

The conference agreement includes section 258 requiring certain data to be included in budget justifications for Major Construction projects.

The conference agreement includes section 259 which authorizes 8 VA major construction projects that were funded in fiscal year 2016.

The conference agreement includes section 260 allowing the use of Medical Services funding for fertility treatment and adoption reimbursement for veterans and their spouses if the veteran has a service-connected disability that results in being unable to procreate without such fertility treatment.

The Secretary of Veterans Affairs shall develop and publish implementing guidance within 120 days of enactment of this Act. The implementing guidance developed by the Secretary shall not be materially different from, and in no way more expansive than, the implementing guidance promulgated by the Department of Defense in the April 3, 2012 memorandum from the Assistant Secretary of Defense (Health Affairs) entitled "Policy for Assisted Reproductive Services for the Benefit of Seriously or Severely Ill/Injured (Category II or III) Active Duty Service Members".

#### TITLE III—RELATED AGENCIES

##### AMERICAN BATTLE MONUMENTS COMMISSION SALARIES AND EXPENSES

The conference agreement includes \$75,100,000 for Salaries and Expenses of the American Battle Monuments Commission (ABMC), as requested.

The conferees appreciate and support the meaningful work of the ABMC to preserve commemorative and historical sites and to educate the public about the United States Armed Forces. The conferees further recognize the critical role that African Americans and other minorities played during World War II. The conferees urge the ABMC to partner with Department of Defense historians to ensure that these servicemembers and support staff are properly recognized at ABMC sites. Further, the conferees direct the ABMC to appropriately incorporate the contributions of African Americans and other minorities into ABMC's interpretive exhibits and on the ABMC website.

##### FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

The conference agreement includes such sums as necessary for the Foreign Currency

Fluctuations Account. However, due to favorable exchange rates, no funds are expected to be required in fiscal year 2017.

##### UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS SALARIES AND EXPENSES

The conference agreement includes \$30,945,000 for Salaries and Expenses for the United States Court of Appeals for Veterans Claims, as requested.

##### DEPARTMENT OF DEFENSE—CIVIL CEMETERIAL EXPENSES, ARMY SALARIES AND EXPENSES

The conference agreement includes \$70,800,000 for Cemeterial Expenses, Army—Salaries and Expenses, as requested. Within that amount, up to \$15,000,000 in funding is available until September 30, 2019.

##### ARMED FORCES RETIREMENT HOME TRUST FUND

The conference agreement includes a total of \$64,300,000 for the Armed Forces Retirement Home (AFRH), as requested, but does not provide the funds in the manner requested. The agreement does not include the indefinite transfer of an estimated \$22,000,000 in funds from the Department of Defense (DOD), Operations and Maintenance, Defense-Wide Account, as requested. Instead, the conference agreement directs that \$42,300,000 be derived from the Trust Fund and \$22,000,000 be provided from the General Fund to support AFRH operations.

*Trust Fund Solvency.*—The conferees are disappointed the Department of Defense did not include with the fiscal year 2017 budget request legislative proposals and administrative actions that can be taken under current law in order to achieve Trust Fund solvency in spite of clear direction to do so in the Explanatory Statement accompanying Public Law 114–113, the Consolidated Appropriations Act, 2016. Both legislative and administrative actions are necessary to improve Trust Fund solvency, eliminate AFRH's reliance on the General Fund, and maintain the high-quality services provided to AFRH residents. The conferees again direct DOD, working with AFRH, to take appropriate administrative action and to develop and submit proposed authorizing language with the fiscal year 2018 budget request that addresses the issue of Trust Fund solvency. In addition, AFRH is directed to regularly report to the Committees on efforts to stabilize the Trust Fund and to lease its property at the Washington, D.C. facility.

*Study Findings and Proposals.*—AFRH's budget request notes that DOD has undertaken an in-depth study to develop mid-term and long-term plans to improve Trust Fund solvency. The study also includes an analysis of AFRH operations to include benchmarking and to identify potential legislative changes to revise AFRH's funding model. The Committees request further information from DOD regarding the study, including a report on its cost, scope of work, deliverables, and timeline, and requests a briefing on the findings and resulting proposals. The conferees are troubled that the study's statement of work seems to be fo-

cused on cuts to core AFRH operations as a means of achieving Trust Fund solvency. The conference agreement directs that AFRH and the Department of Defense submit by October 1, 2016, a proposal that ensures the long-term sustainability of the Trust Fund by replenishing the Trust Fund's revenues, not by cutting core AFRH operations.

#### ADMINISTRATIVE PROVISIONS

The conference agreement includes section 301 permitting funds to be provided to Arlington County, Virginia, for the relocation of a water main located on the Arlington National Cemetery property.

The conference agreement includes section 302 allowing Arlington National Cemetery to deposit and use funds derived from concessions.

#### TITLE IV—OVERSEAS CONTINGENCY OPERATIONS

##### DEPARTMENT OF DEFENSE

The conference agreement includes title IV, Overseas Contingency Operations, for military construction projects related to the Global War on Terrorism, the European Reassurance Initiative and Counterterrorism Support that were requested by the Administration in the Fiscal Year 2017 Overseas Contingency Operations budget request.

##### MILITARY CONSTRUCTION, ARMY

The conference agreement includes \$18,900,000 for "Military Construction, Army", as requested in the Fiscal Year 2017 Overseas Contingency Operations budget request, for planning and design in support of the European Reassurance Initiative.

##### MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

The conference agreement includes \$59,809,000 for "Military Construction, Navy and Marine Corps", as requested in the Fiscal Year 2017 Overseas Contingency Operations budget request, of which \$21,400,000 is in support of the European Reassurance Initiative and \$38,409,000 is in support of Overseas Contingency Operations.

##### MILITARY CONSTRUCTION, AIR FORCE

The conference agreement includes \$88,291,000 for "Military Construction, Air Force", as requested in the Fiscal Year 2017 Overseas Contingency Operations budget request, of which \$68,280,000 is in support of the European Reassurance Initiative, \$11,440,000 is in support of Overseas Contingency Operations, and \$8,571,000 is in support of counterterrorism efforts.

##### MILITARY CONSTRUCTION, DEFENSE-WIDE

The conference agreement includes \$5,000,000 for "Military Construction, Defense-Wide", as requested in the Fiscal Year 2017 Overseas Contingency Operations budget request, for unspecified minor military construction for the Joint Staff in support of the European Reassurance Initiative.

##### ADMINISTRATIVE PROVISION

The conference agreement includes section 401 regarding emergency designation for the Overseas Contingency Operations accounts.

OVERSEAS CONTINGENCY OPERATIONS  
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE	SENATE	CONFERENCE AGREEMENT
-----				
FY 2017 OVERSEAS CONTINGENCY OPERATIONS				
OVERSEAS CONTINGENCY OPERATIONS				
WORLDWIDE UNSPECIFIED				
NAVY				
PLANNING AND DESIGN.....	1,000	1,000	---	1,000
AIR FORCE				
PLANNING AND DESIGN.....	940	940	---	940
DJIBOUTI				
NAVY				
CAMP LEMONIER				
MEDICAL/DENTAL FACILITY.....	37,409	37,409	---	37,409
AIR FORCE				
CHABELLEY AIRFIELD				
ACCESS ROAD.....	3,600	3,600	---	3,600
PARKING APRON AND TAXIWAY.....	6,900	6,900	---	6,900
EUROPEAN REASSURANCE INITIATIVE				
BULGARIA				
AIR FORCE				
GRAF IGNATIEVO				
SQUADRON OPERATIONS/OPERATION ALERT FACILITY.....	3,800	3,800	---	3,800
FIGHTER RAMP EXTENSION.....	7,000	7,000	---	7,000
UPGRADE MUNITIONS STORAGE.....	2,600	2,600	---	---
ESTONIA				
AIR FORCE				
AMARI AB				
BULK FUEL STORAGE.....	6,500	6,500	---	6,500
GERMANY				
AIR FORCE				
SPANGDAHLEM AB				
HIGH CAPACITY TRIM PAD AND HUSH HOUSE.....	1,000	1,000	---	---
F/A-22 LOW OBSERVABLE/COMPOSITE REPAIR FACILITY.....	12,000	12,000	---	18,000
F/A-22 UPGRADE				
INFRASTRUCTURE/COMMUNICATIONS/UTILITIES.....	1,600	1,600	---	580
UPGRADE HARDENED AIRCRAFT SHELTERS FOR F/A-22.....	2,700	2,700	---	2,700
UPGRADE MUNITION STORAGE DOORS.....	1,400	1,400	---	---
ICELAND				
NAVY				
KEFLAVIK				
P-8A AIRCRAFT RINSE FACILITY.....	5,000	5,000	---	5,000
P-8A HANGAR UPGRADE.....	14,600	14,600	---	14,600
LITHUANIA				
AIR FORCE				
SIAULIAI				
MUNITIONS STORAGE.....	3,000	3,000	---	3,000
POLAND				
AIR FORCE				
LASK AIR BASE				
SQUADRON OPERATIONS FACILITY.....	4,100	4,100	---	4,100
POWIDZ				
SQUADRON OPERATIONS FACILITY.....	4,100	4,100	---	4,100

OVERSEAS CONTINGENCY OPERATIONS  
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE	SENATE	CONFERENCE AGREEMENT
-----				
ROMANIA				
AIR FORCE				
CAMP TURZII				
MUNITIONS STORAGE AREA.....	3,000	3,000	---	3,000
SQUADRON OPERATIONS FACILITY.....	3,400	3,400	---	3,400
TWO-BAY HANGAR.....	6,100	6,100	---	6,100
EXTEND PARKING APRONS.....	6,000	6,000	---	6,000
WORLDWIDE UNSPECIFIED				
ARMY				
PLANNING AND DESIGN.....	18,900	18,900	---	18,900
NAVY				
PLANNING AND DESIGN.....	1,800	1,800	---	1,800
DEFENSE-WIDE				
UNSPECIFIED MINOR CONSTRUCTION				
THE JOINT STAFF.....	5,000	5,000	---	5,000
COUNTERTERRORISM SUPPORT				
WORLDWIDE UNSPECIFIED				
AIR FORCE				
PLANNING AND DESIGN.....	9,000	8,551	---	8,571

NOTE: FUNDING FOR OVERSEAS CONTINGENCY OPERATIONS  
MILITARY CONSTRUCTION WAS REQUESTED AND IS DISPLAYED  
IN TITLE IV. THE SENATE PROVIDED FUNDING FOR THESE  
PROJECTS IN TITLE I.

TITLE V—GENERAL PROVISIONS

The conference agreement includes section 501 prohibiting the obligation of funds in this Act beyond the current fiscal year unless expressly so provided.

The conference agreement includes section 502 prohibiting the use of the funds in this Act for programs, projects, or activities not in compliance with Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

The conference agreement includes section 503 encouraging all Departments to expand their use of “E Commerce.”

The conference agreement includes section 504 specifying the congressional committees that are to receive all reports and notifications.

The conference agreement includes section 505 prohibiting the transfer of funds to any instrumentality of the United States Gov-

ernment without authority from an appropriations Act.

The conference agreement includes section 506 prohibiting the use of funds for a project or program named for a serving Member, Delegate, or Resident Commissioner of the United States House of Representatives.

The conference agreement includes section 507 requiring all reports submitted to Congress to be posted on official web sites of the submitting agency.

The conference agreement includes section 508 prohibiting the use of funds to establish or maintain a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, except for law enforcement investigation, prosecution, or adjudication activities.

The conference agreement includes section 509 prohibiting the use of funds for the pay-

ment of first-class air travel by an employee of the executive branch.

The conference agreement includes section 510 prohibiting the use of funds in this Act for any contract where the contractor has not complied with E-Verify requirements.

The conference agreement includes section 511 prohibiting the use of funds in this Act by the Department of Defense or the Department of Veterans Affairs for the purchase or lease of a new vehicle except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

The conference agreement includes section 512 prohibiting the use of funds in this Act for the renovation, expansion, or construction of any facility in the continental United States for the purpose of housing any individual who has been detained at the United States Naval Station, Guantanamo Bay, Cuba.



DIVISION A, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED  
AGENCIES APPROPRIATIONS ACT, 2017 (H.R. 4974, H.R. 2577)  
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	House	Senate	Conference Agreement	Conference vs Enacted	Conference vs Request
-----							
TITLE I - DEPARTMENT OF DEFENSE							
Military Construction, Army.....	663,245	503,459	503,459	532,359	513,459	-149,786	+10,000
Military Construction, Navy and Marine Corps.....	1,669,239	1,027,763	1,021,580	1,087,572	1,021,580	-647,659	-6,183
Military Construction, Air Force.....	1,389,185	1,481,058	1,398,758	1,579,798	1,491,058	+101,873	+10,000
Military Construction, Defense-Wide.....	2,242,867	2,056,091	2,024,643	2,038,980	2,025,444	-217,423	-30,647
-----							
Total, Active components.....	5,964,536	5,068,371	4,948,440	5,238,709	5,051,541	-912,995	-16,830
-----							
Military Construction, Army National Guard.....	197,237	232,930	232,930	232,930	232,930	+35,693	---
Military Construction, Air National Guard.....	138,738	143,957	143,957	143,957	143,957	+5,219	---
Military Construction, Army Reserve.....	113,595	68,230	68,230	68,230	68,230	-45,365	---
Military Construction, Navy Reserve.....	36,078	38,597	38,597	38,597	38,597	+2,519	---
Military Construction, Air Force Reserve.....	65,021	188,950	188,950	188,950	188,950	+123,929	---
-----							
Total, Reserve components.....	550,669	672,664	672,664	672,664	672,664	+121,995	---
-----							
North Atlantic Treaty Organization Security Investment Program.....	135,000	177,932	177,932	177,932	177,932	+42,932	---
Department of Defense Base Closure Account.....	266,334	205,237	230,237	205,237	240,237	-26,097	+35,000
=====							
Total, Military Construction.....	6,916,539	6,124,204	6,029,273	6,294,542	6,142,374	-774,165	+18,170
=====							
Family Housing Construction, Army.....	108,695	200,735	200,735	200,735	157,172	+48,477	-43,563
Family Housing Operation and Maintenance, Army.....	375,611	325,995	325,995	325,995	325,995	-49,616	---
Family Housing Construction, Navy and Marine Corps....	16,541	94,011	94,011	94,011	94,011	+77,470	---

DIVISION A, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED  
 AGENCIES APPROPRIATIONS ACT, 2017 (H.R. 4974, H.R. 2577)  
 (Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	House	Senate	Conference Agreement	Conference vs Enacted	Conference vs Request
-----							
Family Housing Operation and Maintenance, Navy and Marine Corps.....	353,036	300,915	300,915	300,915	300,915	-52,121	---
Family Housing Construction, Air Force.....	160,498	61,352	61,352	61,352	61,352	-99,146	---
Family Housing Operation and Maintenance, Air Force...	331,232	274,429	274,429	274,429	274,429	-56,803	---
Family Housing Operation and Maintenance, Defense-Wide	58,668	59,157	59,157	59,157	59,157	+489	---
Department of Defense Family Housing Improvement Fund.....	---	3,258	3,258	3,258	3,258	+3,258	---
	=====	=====	=====	=====	=====	=====	=====
Total, Family Housing.....	1,404,281	1,319,852	1,319,852	1,319,852	1,276,289	-127,992	-43,563
	=====	=====	=====	=====	=====	=====	=====
<b>ADMINISTRATIVE PROVISIONS</b>							
Military Construction, Army (Sec. 127) (rescission)...	-86,420	---	-25,000	-30,000	-29,602	+56,818	-29,602
Military Construction, Navy and Marine Corps (H. Sec. 126) (rescission).....	---	---	-51,848	---	---	---	---
Defense Access Roads (Sec. 132).....	30,000	---	---	---	---	-30,000	---
Military Construction, Air Force (Sec. 127) (rescission).....	-46,400	---	---	-22,340	-51,460	-5,060	-51,460
Military Construction, Defense-Wide (Sec. 127) (rescission).....	-134,000	---	-37,377	-132,283	-141,600	-7,600	-141,600
Military Construction, Defense-Wide - Planning and Design (Sec. 127).....	---	---	---	---	-30,000	-30,000	-30,000
Military Construction, Army (Sec. 125).....	34,500	---	40,500	40,500	40,500	+6,000	+40,500
Military Construction, Navy and Marine Corps (Sec. 125).....	34,500	---	293,600	143,000	227,099	+192,599	+227,099
Military Construction, Army National Guard (Sec. 125).	51,300	---	67,500	16,500	67,500	+16,200	+67,500

DIVISION A, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED  
AGENCIES APPROPRIATIONS ACT, 2017 (H.R. 4974, H.R. 2577)  
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	House	Senate	Conference Agreement	Conference vs Enacted	Conference vs Request
Military Construction, Army Reserve (Sec. 125).....	34,200	---	86,500	30,000	30,000	-4,200	+30,000
NATO Security Investment Program (Sec. 127) (rescission).....	---	---	-30,000	-15,000	-30,000	-30,000	-30,000
42 USC 3374 (Sec. 128).....	-105,000	---	-25,000	---	-25,000	+80,000	-25,000
Military Construction, Air Force (Sec. 125).....	21,000	---	26,000	195,465	149,500	+128,500	+149,500
Military Construction, Defense-Wide (S. Sec. 125).....	---	---	---	64,364	---	---	---
Military Construction, Air National Guard (Sec. 125)..	6,100	---	---	11,000	11,000	+4,900	+11,000
Military Construction, Navy and Marine Corps (Sec. 126).....	---	---	---	---	89,400	+89,400	+89,400
Military Construction, Air Force Reserve.....	10,400	---	---	---	---	-10,400	---
Family Housing, Army (S. Sec. 125).....	---	---	---	14,400	---	---	---
	=====	=====	=====	=====	=====	=====	=====
Total, Administrative Provisions.....	-149,820	---	344,875	315,606	307,337	+457,157	+307,337
Appropriations.....	(222,000)	---	(514,100)	(515,229)	(614,999)	(+392,999)	(+614,999)
Rescissions.....	(-371,820)	---	(-169,225)	(-199,623)	(-307,662)	(+64,158)	(-307,662)
General Provisions							
Arlington Cemetery Defense Access Road (FY 2016) (S. Sec. 130).....	---	---	---	30,000	---	---	---

DIVISION A. MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017 (H.R. 4974, H.R. 2577)  
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	House	Senate	Conference Agreement	Conference vs Enacted	Conference vs Request
(FY 2016, rescission) (S. Sec. 130).....	---	---	---	-30,000	---	---	---
<b>Total, General Provisions.....</b>	<b>---</b>	<b>---</b>	<b>---</b>	<b>---</b>	<b>---</b>	<b>---</b>	<b>---</b>
<b>Total, title I, Department of Defense.....</b>	<b>8,171,000</b>	<b>7,444,056</b>	<b>7,694,000</b>	<b>7,930,000</b>	<b>7,726,000</b>	<b>-445,000</b>	<b>+281,944</b>
Appropriations.....	(8,542,820)	(7,444,056)	(7,863,225)	(8,129,623)	(8,033,662)	(-509,158)	(+589,606)
Rescissions.....	(-371,820)	---	(-169,225)	(-199,623)	(-307,662)	(+64,158)	(-307,662)
<b>TITLE II - DEPARTMENT OF VETERANS AFFAIRS</b>							
<b>Veterans Benefits Administration</b>							
<b>Compensation and pensions:</b>							
Advance from prior year.....	---	(86,083,128)	(86,083,128)	(86,083,128)	(86,083,128)	(+86,083,128)	---
Current year request.....	76,865,545	---	---	---	---	-76,865,545	---
Subtotal, current year.....	76,865,545	86,083,128	86,083,128	86,083,128	86,083,128	+9,217,583	---
Advance appropriation, FY 2018.....	86,083,128	90,119,449	90,119,449	90,119,449	90,119,449	+4,036,321	---
<b>Readjustment benefits:</b>							
Advance from prior year.....	---	(16,340,828)	(16,340,828)	(16,340,828)	(16,340,828)	(+16,340,828)	---
Current year request.....	14,313,357	---	---	---	---	-14,313,357	---
Subtotal.....	14,313,357	16,340,828	16,340,828	16,340,828	16,340,828	+2,027,471	---

DIVISION A, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED  
 AGENCIES APPROPRIATIONS ACT, 2017 (H.R. 4974, H.R. 2577)  
 (Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	House	Senate	Conference Agreement	Conference vs Enacted	Conference vs Request
Advance appropriation, FY 2018.....	16,340,828	13,708,648	13,708,648	13,708,648	13,708,648	-2,632,180	---
Veterans insurance and indemnities:							
Advance from prior year.....	---	(91,920)	(91,920)	(91,920)	(91,920)	(+91,920)	---
Current year request.....	77,160	16,605	16,605	16,605	16,605	-60,555	---
Subtotal.....	77,160	108,525	108,525	108,525	108,525	+31,365	---
Advance appropriation, FY 2018.....	91,920	107,899	107,899	107,899	107,899	+15,979	---
Veterans housing benefit program fund:							
(indefinite).....	---	---	---	---	---	---	---
(Limitation on direct loans).....	(500)	(500)	(500)	(500)	(500)	---	---
Administrative expenses.....	164,558	198,856	167,612	198,856	198,856	+34,298	---
Vocational rehabilitation loans program account.....	31	36	36	36	36	+5	---
(Limitation on direct loans).....	(2,952)	(2,517)	(2,517)	(2,517)	(2,517)	(-435)	---
Administrative expenses.....	367	389	389	389	389	+22	---
Native American veteran housing loan program account..	1,134	1,163	1,163	1,163	1,163	+29	---
General operating expenses, VBA.....	2,707,734	2,826,160	2,826,160	2,856,160	2,856,160	+148,426	+30,000
<b>Total, Veterans Benefits Administration.....</b>	<b>196,645,762</b>	<b>106,979,205</b>	<b>106,947,961</b>	<b>107,009,205</b>	<b>107,009,205</b>	<b>-89,636,557</b>	<b>+30,000</b>
Appropriations.....	(94,129,886)	(3,043,209)	(3,011,965)	(3,073,209)	(3,073,209)	(-91,056,677)	(+30,000)
Advance appropriations, FY 2018.....	(102,515,876)	(103,935,996)	(103,935,996)	(103,935,996)	(103,935,996)	(+1,420,120)	---
Advances from prior year appropriations.....	---	(102,515,876)	(102,515,876)	(102,515,876)	(102,515,876)	(+102,515,876)	---

DIVISION A, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED  
 AGENCIES APPROPRIATIONS ACT, 2017 (H.R. 4974, H.R. 2577)  
 (Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	House	Senate	Conference Agreement	Conference vs Enacted	Conference vs Request
<b>Veterans Health Administration</b>							
<b>Medical services:</b>							
Advance from prior year.....	(47,603,202)	(51,673,000)	(51,673,000)	(51,673,000)	(51,673,000)	(+4,069,798)	---
Current year request.....	2,369,158	1,078,993	864,000	1,078,993	1,078,993	-1,290,165	---
<b>Subtotal.....</b>	<b>49,972,360</b>	<b>52,751,993</b>	<b>52,537,000</b>	<b>52,751,993</b>	<b>52,751,993</b>	<b>+2,779,633</b>	<b>---</b>
Advance appropriation, FY 2018.....	51,673,000	44,886,554	44,886,554	44,886,554	44,886,554	-6,786,446	---
<b>Medical community care:</b>							
Advance appropriation, FY 2018.....	---	9,409,118	9,409,118	9,409,118	9,409,118	+9,409,118	---
Transfer from medical care accounts.....	---	(7,246,181)	(7,246,181)	---	---	---	(-7,246,181)
Current year request.....	---	---	---	7,246,181	7,246,181	+7,246,181	+7,246,181
<b>Subtotal.....</b>	<b>---</b>	<b>16,655,299</b>	<b>16,655,299</b>	<b>16,655,299</b>	<b>16,655,299</b>	<b>+16,655,299</b>	<b>---</b>
<b>Medical support and compliance:</b>							
Advance from prior year.....	(6,144,000)	(6,524,000)	(6,524,000)	(6,524,000)	(6,524,000)	(+380,000)	---
Current year request.....	---	---	---	---	---	---	---
<b>Subtotal.....</b>	<b>6,144,000</b>	<b>6,524,000</b>	<b>6,524,000</b>	<b>6,524,000</b>	<b>6,524,000</b>	<b>+380,000</b>	<b>---</b>
Advance appropriation, FY 2018.....	6,524,000	6,654,480	6,654,480	6,654,480	6,654,480	+130,480	---

DIVISION A, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED  
AGENCIES APPROPRIATIONS ACT, 2017 (H.R. 4974, H.R. 2577)  
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	House	Senate	Conference Agreement	Conference vs Enacted	Conference vs Request
-----							
Medical facilities:							
Advance from prior year.....	(4,915,000)	(5,074,000)	(5,074,000)	(5,074,000)	(5,074,000)	(+159,000)	---
Current year request.....	105,132	649,000	---	495,100	247,668	+142,536	-401,332
Subtotal.....	5,020,132	5,723,000	5,074,000	5,569,100	5,321,668	+301,536	-401,332
Advance appropriation, FY 2018.....	5,074,000	5,434,880	5,434,880	5,434,880	5,434,880	+360,880	---
Medical and prosthetic research.....	630,735	663,366	663,366	675,366	675,366	+44,631	+12,000
Medical care cost recovery collections:							
Offsetting collections.....	-2,445,000	-2,637,000	-2,637,000	-2,637,000	-2,637,000	-192,000	---
Appropriations (indefinite).....	2,445,000	2,637,000	2,637,000	2,637,000	2,637,000	+192,000	---
Subtotal.....	---	---	---	---	---	---	---
DoD-VA Joint Medical Funds (transfers out).....	(-286,000)	(-274,731)	(-274,731)	(-274,731)	(-274,731)	(+11,269)	---
DoD-VA Joint Medical Funds (by transfer).....	(286,000)	(274,731)	(274,731)	(274,731)	(274,731)	(-11,269)	---
DoD-VA Health Care Sharing Incentive Fund (Transfer out).....	(-15,000)	(-15,000)	(-15,000)	(-15,000)	(-15,000)	---	---
DoD-VA Health Care Sharing Incentive Fund (by transfer).....	(15,000)	(15,000)	(15,000)	(15,000)	(15,000)	---	---
Total, Veterans Health Administration.....	66,376,025	68,776,391	67,912,398	75,880,672	75,633,240	+9,257,215	+6,856,849
Appropriations.....	(3,105,025)	(2,391,359)	(1,527,366)	(9,495,640)	(9,248,208)	(+6,143,183)	(+6,856,849)
(By transfer).....	(301,000)	(7,535,912)	(7,535,912)	(289,731)	(289,731)	(-11,269)	(-7,246,181)
Advance appropriations, FY 2018.....	(63,271,000)	(66,385,032)	(66,385,032)	(66,385,032)	(66,385,032)	(+3,114,032)	---
=====							

DIVISION A, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED  
 AGENCIES APPROPRIATIONS ACT, 2017 (H.R. 4974, H.R. 2577)  
 (Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	House	Senate	Conference Agreement	Conference vs Enacted	Conference vs Request
Advances from prior year appropriations.....	(58,662,202)	(63,271,000)	(63,271,000)	(63,271,000)	(63,271,000)	(+4,608,798)	---
<b>National Cemetery Administration</b>							
National Cemetery Administration.....	271,220	286,193	271,220	286,193	286,193	+14,973	---
<b>Departmental Administration</b>							
General administration.....	336,659	417,959	316,159	417,959	345,391	+8,732	-72,568
Board of Veterans Appeals.....	109,884	156,096	156,096	156,096	156,096	+46,212	---
Information technology systems.....	4,133,363	4,278,259	4,225,869	4,278,259	4,278,259	+144,896	---
Office of Inspector General.....	136,766	160,106	160,106	160,106	160,106	+23,340	---
Construction, major projects.....	1,243,800	528,110	528,110	528,110	528,110	-715,690	---
Construction, minor projects.....	406,200	372,069	372,069	372,069	372,069	-34,131	---
Grants for construction of State extended care facilities.....	120,000	80,000	80,000	90,000	90,000	-30,000	+10,000
Grants for the construction of veterans cemeteries....	46,000	45,000	45,000	45,000	45,000	-1,000	---
<b>Total, Departmental Administration.....</b>	<b>6,532,672</b>	<b>6,037,599</b>	<b>5,883,409</b>	<b>6,047,599</b>	<b>5,975,031</b>	<b>-557,641</b>	<b>-62,568</b>
<b>Administrative Provisions</b>							
<b>Section 226 (FY16)</b>							
Medical services.....	1,400,000	---	---	---	---	-1,400,000	---
(Rescission).....	-1,400,000	---	---	---	---	+1,400,000	---



DIVISION A, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED  
 AGENCIES APPROPRIATIONS ACT, 2017 (H.R. 4974, H.R. 2577)  
 (Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	House	Senate	Conference Agreement	Conference vs Enacted	Conference vs Request
Medical support and compliance.....	100,000	---	---	---	---	-100,000	---
(Rescission).....	-100,000	---	---	---	---	+100,000	---
Medical facilities.....	250,000	---	---	---	---	-250,000	---
(Rescission).....	-250,000	---	---	---	---	+250,000	---
JIF rescission (Sec. 235).....	-30,000	---	-30,000	-52,000	-40,000	-10,000	-40,000
General rescission (Sec. 236).....	---	---	-337,382	---	-169,000	-169,000	-169,000
General reduction (Sec. 237).....	---	---	-46,618	---	-23,000	-23,000	-23,000
Medical Services (Sec. 217) (rescission).....	---	---	---	-7,246,181	-7,246,181	-7,246,181	-7,246,181
<b>Total. Administrative Provisions.....</b>	<b>-30,000</b>	<b>---</b>	<b>-414,000</b>	<b>-7,298,181</b>	<b>-7,478,181</b>	<b>-7,448,181</b>	<b>-7,478,181</b>
<b>Total, title II.....</b>	<b>269,795,679</b>	<b>182,079,388</b>	<b>180,600,988</b>	<b>181,925,488</b>	<b>181,425,488</b>	<b>-88,370,191</b>	<b>-653,900</b>
Appropriations.....	(105,788,803)	(11,758,360)	(10,647,342)	(11,656,460)	(11,313,460)	(-94,475,343)	(-444,900)
Rescissions.....	(-1,780,000)	---	(-367,382)	(-52,000)	(-209,000)	(+1,571,000)	(-209,000)
(By transfer).....	(301,000)	(7,535,912)	(7,535,912)	(289,731)	(289,731)	(-11,269)	(-7,246,181)
<b>Advance Appropriations, FY 2018:</b>							
Mandatory.....	(102,515,876)	(103,935,996)	(103,935,996)	(103,935,996)	(103,935,996)	(+1,420,120)	---
Discretionary.....	(63,271,000)	(66,385,032)	(66,385,032)	(66,385,032)	(66,385,032)	(+3,114,032)	---
<b>Advances from prior year appropriations:</b>							
Mandatory.....	---	(102,515,876)	(102,515,876)	(102,515,876)	(102,515,876)	(+102,515,876)	---
Discretionary.....	(58,662,202)	(63,271,000)	(63,271,000)	(63,271,000)	(63,271,000)	(+4,608,798)	---
(Limitation on direct loans).....	(3,452)	(3,017)	(3,017)	(3,017)	(3,017)	(-435)	---
Discretionary.....	(76,023,741)	(78,126,787)	(76,648,387)	(77,972,887)	(77,472,887)	(+1,449,146)	(-653,900)

DIVISION A, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED  
 AGENCIES APPROPRIATIONS ACT, 2017 (H.R. 4974, H.R. 2577)  
 (Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	House	Senate	Conference Agreement	Conference vs Enacted	Conference vs Request
Advances from prior year less FY 2018 advances	(-4,608,798)	(-3,114,032)	(-3,114,032)	(-3,114,032)	(-3,114,032)	(+1,494,766)	---
Net discretionary.....	(71,414,943)	(75,012,755)	(73,534,355)	(74,858,855)	(74,358,855)	(+2,943,912)	(-653,900)
Mandatory.....	(193,771,938)	(103,952,601)	(103,952,601)	(103,952,601)	(103,952,601)	(-89,819,337)	---
Advances from prior year less FY 2018 advances	(-102,515,876)	(-1,420,120)	(-1,420,120)	(-1,420,120)	(-1,420,120)	(+101,095,756)	---
Net mandatory.....	(91,256,062)	(102,532,481)	(102,532,481)	(102,532,481)	(102,532,481)	(+11,276,419)	---
Total mandatory and discretionary.....	162,671,005	177,545,236	176,066,836	177,391,336	176,891,336	+14,220,331	-653,900
TITLE III - RELATED AGENCIES							
American Battle Monuments Commission							
Salaries and expenses.....	105,100	75,100	75,100	75,100	75,100	-30,000	---
Foreign currency fluctuations account.....	2,000	---	---	---	---	-2,000	---
Total, American Battle Monuments Commission.....	107,100	75,100	75,100	75,100	75,100	-32,000	---
U.S. Court of Appeals for Veterans Claims							
Salaries and expenses.....	32,141	30,945	30,945	30,945	30,945	-1,196	---

DIVISION A, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED  
 AGENCIES APPROPRIATIONS ACT, 2017 (H.R. 4974, H.R. 2577)  
 (Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	House	Senate	Conference Agreement	Conference vs Enacted	Conference vs Request
-----							
Department of Defense - Civil							
Cemeterial Expenses, Army							
Salaries and expenses.....	79,516	70,800	70,800	70,800	70,800	-8,716	---
Armed Forces Retirement Home - Trust Fund							
Operation and maintenance.....	43,300	63,300	41,300	41,300	41,300	-2,000	-22,000
Capital program.....	1,000	1,000	1,000	1,000	1,000	---	---
Payment from General Fund.....	20,000	---	22,000	22,000	22,000	+2,000	+22,000
Total, Armed Forces Retirement Home.....	64,300	64,300	64,300	64,300	64,300	---	---
=====							
Total, title III.....	283,057	241,145	241,145	241,145	241,145	-41,912	---
=====							
TITLE IV - OVERSEAS CONTINGENCY OPERATIONS							
Overseas Contingency Operations							
Navy.....	---	38,409	38,409	---	38,409	+38,409	---
Air Force.....	---	11,440	11,440	---	11,440	+11,440	---
Subtotal.....	---	49,849	49,849	---	49,849	+49,849	---

DIVISION A, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED  
 AGENCIES APPROPRIATIONS ACT, 2017 (H.R. 4974, H.R. 2577)  
 (Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	House	Senate	Conference Agreement	Conference vs Enacted	Conference vs Request
<b>European Reassurance Initiative</b>							
Army.....	---	18,900	18,900	---	18,900	+18,900	---
Navy.....	---	21,400	21,400	---	21,400	+21,400	---
Air Force.....	---	68,300	68,300	---	68,280	+68,280	-20
Defense-Wide.....	---	5,000	5,000	---	5,000	+5,000	---
Subtotal.....	---	113,600	113,600	---	113,580	+113,580	-20
<b>Counterterrorism Support</b>							
Air Force.....	---	9,000	8,551	---	8,571	+8,571	-429
Total, title IV.....	---	172,449	172,000	---	172,000	+172,000	-449
Grand total.....	278,249,736	189,937,038	188,708,133	190,096,633	189,564,633	-88,685,103	-372,405
Appropriations.....	(114,614,680)	(19,443,561)	(18,751,712)	(20,027,228)	(19,588,267)	(-95,026,413)	(+144,706)
Rescissions.....	(-2,151,820)	---	(-536,607)	(-251,623)	(-516,662)	(+1,635,158)	(-516,662)
Advance appropriations, FY 2018.....	(165,786,876)	(170,321,028)	(170,321,028)	(170,321,028)	(170,321,028)	(+4,534,152)	---
Overseas contingency operations.....	---	(172,449)	(172,000)	---	(172,000)	(+172,000)	(-449)
Advances from prior year appropriations.....	(58,662,202)	(165,786,876)	(165,786,876)	(165,786,876)	(165,786,876)	(+107,124,674)	---

DIVISION A, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED  
 AGENCIES APPROPRIATIONS ACT, 2017 (H.R. 4974, H.R. 2577)  
 (Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	House	Senate	Conference Agreement	Conference vs Enacted	Conference vs Request
(By transfer).....	(301,000)	(7,535,912)	(7,535,912)	(289,731)	(289,731)	(-11,269)	(-7,246,181)
(Transfer out).....	(-301,000)	(-289,731)	(-289,731)	(-289,731)	(-289,731)	(+11,269)	---
(Limitation on direct loans).....	(3,452)	(3,017)	(3,017)	(3,017)	(3,017)	(-435)	---

DIVISION B—ZIKA RESPONSE AND  
PREPAREDNESS APPROPRIATIONS

The conference agreement includes \$1,108,094,000 in fiscal year 2016 appropriations for Zika response and preparedness. These funds will provide the Department of Health and Human Services and Department of State, and the U.S. Agency for International Development, with additional resources to combat the Zika virus. In addition, the conference agreement includes a re-

scission of \$10,000,000 from unobligated balances of Ebola response and preparedness funds under Operating Expenses of the U.S. Agency for International Development.

Within the funds provided for Centers for Disease Control and Prevention (CDC), the conferees intend a robust level of funding to support mosquito control efforts conducted by State, county, or municipal programs, including mosquito control districts. CDC should consider the risk of active or local

transmission of the Zika virus when allocating such funds. The conferees also encourage the Secretary to update the Healthcare Common Procedure Coding System to account for specific coding requirements and adequate reimbursement rates for Zika diagnostic tests recognized by the Food and Drug Administration.

A table displaying additional detail for the funding in division B follows.

DIVISION B: ZIKA RESPONSE AND PREPAREDNESS APPROPRIATIONS ACT, 2016  
(Amounts in Thousands)

	FY 2016 Request	House	Senate	Conference	Conference vs. Request
-----					
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Food and Drug Administration					
Salaries and Expenses (emergency).....	10,000	---	---	---	-10,000
TITLE I					
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Health Resources and Services Administration					
Primary Health Care (emergency).....	---	---	40,000	---	---
Health Workforce (emergency).....	---	---	6,000	---	---
Maternal and Child Health (emergency).....	---	---	5,000	---	---
	-----				
Total, Health Resources and Services.....	---	---	51,000	---	---

DIVISION B: ZIKA RESPONSE AND PREPAREDNESS APPROPRIATIONS ACT, 2016  
(Amounts in Thousands)

	FY 2016 Request	House	Senate	Conference	Conference vs. Request
<b>Centers for Disease Control and Prevention</b>					
CDC-Wide Activities and Program Support.....	---	170,000	---	---	---
(emergency).....	828,000	---	449,000	476,000	-352,000
Subtotal, CDC-Wide activities and programs.....	828,000	170,000	449,000	476,000	-352,000
<b>National Institutes of Health</b>					
National Institute of Allergy and Infectious Diseases (emergency).....	130,000	230,000	200,000	230,000	+100,000
<b>Office of the Secretary</b>					
Public Health and Social Services Emergency Fund (emergency) 1/ .....	295,000	103,000	150,000	227,000	-68,000

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DIVISION B: ZIKA RESPONSE AND PREPAREDNESS APPROPRIATIONS ACT, 2016  
(Amounts in Thousands)

	FY 2016 Request	House	Senate	Conference	Conference vs. Request
-----					
General Provisions					
Centers for Medicare and Medicaid Services: Emergency Increase in Territorial Medicaid FMAP (CBO estimate)2/.....	157,000	---	---	---	-157,000
	=====	=====	=====	=====	=====
Total, Title I.....	1,410,000	503,000	850,000	933,000	-477,000
	=====	=====	=====	=====	=====

TITLE II

DEPARTMENT OF STATE

Administration of Foreign Affairs

Diplomatic and Consular Programs (emergency).....	14,594	9,100	14,594	14,594	---
Emergencies in the Diplomatic and Consular Service (emergency).....	4,000	---	4,000	4,000	---
Repatriation Loans Program Account, Direct loans subsidy (emergency).....	1,000	---	1,000	1,000	---

DIVISION B: ZIKA RESPONSE AND PREPAREDNESS APPROPRIATIONS ACT, 2016  
(Amounts in Thousands)

	FY 2016 Request	House	Senate	Conference	Conference vs. Request
-----					
UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT					
Funds Appropriated to the President					
Operating Expenses, USAID (emergency).....	10,000	10,000	10,000	10,000	---
BILATERAL ECONOMIC ASSISTANCE					
Funds Appropriated to the President					
Global Health Programs.....	---	100,000	---	---	---
(emergency).....	325,000	---	211,000	145,500	-179,500
Subtotal, Global health programs.....	325,000	100,000	211,000	145,500	-179,500
International Security Assistance					
Nonproliferation, Anti-terrorism, Demining, and Related Programs (emergency).....	8,000	---	4,000	---	-8,000
Multilateral Assistance					
International Organizations and Programs (emergency)..	13,500	---	13,500	---	-13,500

DIVISION B: ZIKA RESPONSE AND PREPAREDNESS APPROPRIATIONS ACT, 2016  
(Amounts in Thousands)

	FY 2016 Request	House	Senate	Conference	Conference vs. Request
<b>General Provisions--This Title</b>					
USAID Operating expenses (rescission) (emergency).....	---	---	-10,000	-10,000	-10,000
<b>Total, Title II.....</b>	<b>376,094</b>	<b>119,100</b>	<b>248,094</b>	<b>165,094</b>	<b>-211,000</b>
<b>GENERAL PROVISIONS - THIS ACT</b>					
Unobligated balances (Public Law 113-235) (rescission) (emergency) .....	---	-352,100	---	---	---
Nonrecurring expenses fund unobligated balances (Public Law 110-161) (rescission) .....	---	-270,000	---	---	---
<b>Total, General Provisions.....</b>	<b>---</b>	<b>-622,100</b>	<b>---</b>	<b>---</b>	<b>---</b>
<b>GRAND TOTAL.....</b>	<b>1,796,094</b>	<b>---</b>	<b>1,098,094</b>	<b>1,098,094</b>	<b>-698,000</b>
Appropriations.....	---	(270,000)	---	---	---
Emergency appropriations.....	(1,796,094)	(352,100)	(1,108,094)	(1,108,094)	(-688,000)
Rescissions.....	---	(-622,100)	---	---	---
Rescissions of Emergency funding.....	---	(-352,100)	(-10,000)	(-10,000)	(-10,000)

1/ Includes \$46M for Primary Health Services in Puerto Rico and other territories, of which \$6M is used for the National Health Service Corps

2/ OMB estimate is \$246M. FMAP is Federal Medical Assistance Percentage

DIVISION C—ZIKA VECTOR CONTROL ACT

The conference agreement includes the “Zika Vector Control Act” as division C.

DIVISION D—RESCISSIONS OF FUNDS

The conference agreement includes \$750,000,000 in budgetary savings for fiscal year 2016, as follows:

- \$543,000,000 are rescinded from amounts available under section 1323(c)(1) of the Patient Protection and Affordable Care Act;
- \$100,000,000 are rescinded from the Non-recurring expenses fund of the Department of Health and Human Services; and
- \$107,000,000 are rescinded from the unobligated balances of Ebola response and preparedness funds under the Economic Support Fund heading.

HAROLD ROGERS,  
TOM COLE,  
KAY GRANGER,  
CHARLES W. DENT,  
JEFF FORTENBERRY,  
THOMAS J. ROONEY,  
MARTHA ROBY,  
DAVID G. VALADAO,

*Managers on the Part of the House.*

THAD COCHRAN,  
MARK KIRK,  
MITCH MCCONNELL,  
LISA MURKOWSKI,  
JOHN HOEVEN,  
SUSAN COLLINS,  
JOHN BOOZMAN,  
SHELLEY MOORE CAPITO,  
ROY BLUNT,  
LINDSEY GRAHAM,

*Managers on the Part of the Senate.*

DISAPPROVING DEPARTMENT OF LABOR RULE RELATED TO DEFINITION OF THE TERM “FIDUCIARY”—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER. Pursuant to the order of the House of June 8, 2016, the unfinished business is the further consideration of the veto message of the President on joint resolution (H.J. Res. 88) disapproving the rule submitted by the Department of Labor relating to the definition of the term “Fiduciary”.

The Clerk read the title of the joint resolution.

The SPEAKER. The question is, Will the House, on reconsideration, pass the joint resolution, the objections of the President to the contrary notwithstanding?

(For veto message, see proceedings of the House of June 8, 2016, at page H3537.)

The SPEAKER. The gentleman from Minnesota (Mr. KLINE) is recognized for 1 hour.

Mr. KLINE. Mr. Speaker, I urge my colleagues to stand with the American people today and protect access to affordable retirement advice by voting to override the President’s veto.

I yield back the balance of my time, and I move the previous question.

The SPEAKER. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. KLINE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER. Pursuant to clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by a 5-minute vote on passing the joint resolution, the objections of the President to the contrary notwithstanding.

The vote was taken by electronic device, and there were—ayes 229, noes 175, answered “present” 2, not voting 28, as follows:

[Roll No. 337]

AYES—229

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Hanna  
Babin  
Hardy  
Harper  
Harris  
Hartzer  
Heck (NV)  
Hensarling  
Hice, Jody B.  
Hill  
Holding  
Hudson  
Bost  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurd (TX)  
Hurt (VA)  
Buchanan  
Buck  
Bucshon  
Burgess  
Byrne  
Johnson (OH)  
Johnson, Sam  
Jolly  
Jones  
Jordan  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kline  
Knight  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
LoBiondo  
Long  
Loudermilk  
Lucas  
Luetkemeyer  
Lummis  
MacArthur  
Marchant  
Massie  
McCarthy  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Newhouse  
Noem  
Nugent  
Nunes  
Olson  
Palazzo

Adams  
Aguilar  
Ashford  
Bass  
Beatty  
Becerra  
Bera  
Beyer  
Bishop (GA)  
Bonamici  
Boyle, Brendan F.  
Brady (PA)  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael F.  
Duckworth  
Edwards  
Ellison  
Engel  
Eshoo  
Esty  
Frankel (FL)  
Fudge

NOES—175

Gabbard  
Gallego  
Garamendi  
Graham  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hahn  
Hastings  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Honda  
Hoyer  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
Kuster  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lee  
Levin  
Lewis  
Lieu, Ted  
Lipinski  
Loebsock  
Lofgren  
Lowenthal  
Lowe  
Lujan Grisham (NM)  
Luján, Ben Ray (NM)  
Lynch  
Maloney,  
Carolyn  
Maloney, Sean  
Matsui  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton

Murphy (FL)  
Nadler  
Napolitano  
Neal  
Nolan  
Norcross  
O’Rourke  
Pallone  
Pascrell  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Price (NC)  
Quigley  
Rangel  
Rice (NY)  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda T.  
Sarbanes  
Schakowsky  
Schiff  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Vislousky  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

ANSWERED “PRESENT”—2

Blumenauer  
Foster

NOT VOTING—28

Bishop (UT)  
Brady (TX)  
Clawson (FL)  
Cuellar  
Farr  
Fattah  
Fincher  
Franks (AZ)  
Granger  
Herrera Beutler

Joyce  
Kirkpatrick  
Love  
Marino  
McCaul  
Paulsen  
Polis  
Rogers (AL)  
Sanchez, Loretta  
Schrader

□ 2221

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. SIMPSON). The question is, Will the House, on reconsideration, pass the joint resolution, the objections of the President to the contrary notwithstanding?

Under the Constitution, the vote must be by the yeas and nays.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 239, nays 180, not voting 15, as follows: