

In the House of Representatives, U. S.,

May 26, 2016.

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 2577) entitled “An Act 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.”, with the following

HOUSE AMENDMENT TO SENATE AMENDMENT:

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

1 ***DIVISION A—MILITARY CONSTRUCTION***
2 ***AND VETERANS AFFAIRS AND RE-***
3 ***LATED AGENCIES***

4 *The following sums are appropriated, out of any money in*
5 *the Treasury not otherwise appropriated, for military con-*
6 *struction, the Department of Veterans Affairs, and related*
7 *agencies for the fiscal year ending September 30, 2017, and*
8 *for other purposes, namely:*

9 ***TITLE I***
10 ***DEPARTMENT OF DEFENSE***
11 ***MILITARY CONSTRUCTION, ARMY***

12 *For acquisition, construction, installation, and equip-*
13 *ment of temporary or permanent public works, military in-*

1 *stallations, facilities, and real property for the Army as*
2 *currently authorized by law, including personnel in the*
3 *Army Corps of Engineers and other personal services nec-*
4 *essary for the purposes of this appropriation, and for con-*
5 *struction and operation of facilities in support of the func-*
6 *tions of the Commander in Chief, \$503,459,000, to remain*
7 *available until September 30, 2021: Provided, That, of this*
8 *amount, not to exceed \$98,159,000 shall be available for*
9 *study, planning, design, architect and engineer services,*
10 *and host nation support, as authorized by law, unless the*
11 *Secretary of the Army determines that additional obliga-*
12 *tions are necessary for such purposes and notifies the Com-*
13 *mittees on Appropriations of both Houses of Congress of the*
14 *determination and the reasons therefor.*

15 *MILITARY CONSTRUCTION, NAVY AND MARINE CORPS*

16 *For acquisition, construction, installation, and equip-*
17 *ment of temporary or permanent public works, naval in-*
18 *stallations, facilities, and real property for the Navy and*
19 *Marine Corps as currently authorized by law, including*
20 *personnel in the Naval Facilities Engineering Command*
21 *and other personal services necessary for the purposes of this*
22 *appropriation, \$1,021,580,000, to remain available until*
23 *September 30, 2021: Provided, That, of this amount, not*
24 *to exceed \$88,230,000 shall be available for study, planning,*
25 *design, and architect and engineer services, as authorized*

1 *by law, unless the Secretary of the Navy determines that*
2 *additional obligations are necessary for such purposes and*
3 *notifies the Committees on Appropriations of both Houses*
4 *of Congress of the determination and the reasons therefor.*

5 *MILITARY CONSTRUCTION, AIR FORCE*

6 *For acquisition, construction, installation, and equip-*
7 *ment of temporary or permanent public works, military in-*
8 *stallations, facilities, and real property for the Air Force*
9 *as currently authorized by law, \$1,398,758,000, to remain*
10 *available until September 30, 2021: Provided, That of this*
11 *amount, not to exceed \$143,582,000 shall be available for*
12 *study, planning, design, and architect and engineer serv-*
13 *ices, as authorized by law, unless the Secretary of the Air*
14 *Force determines that additional obligations are necessary*
15 *for such purposes and notifies the Committees on Appro-*
16 *priations of both Houses of Congress of the determination*
17 *and the reasons therefor: Provided further, That none of the*
18 *funds made available under this heading shall be for con-*
19 *struction of the Joint Intelligence Analysis Complex Con-*
20 *solidation, Phase 3, at Royal Air Force Croughton, United*
21 *Kingdom, unless authorized in an Act authorizing appro-*
22 *priations for fiscal year 2017 for military construction.*

1 *MILITARY CONSTRUCTION, DEFENSE-WIDE*2 *(INCLUDING TRANSFER OF FUNDS)*

3 *For acquisition, construction, installation, and equip-*
4 *ment of temporary or permanent public works, installa-*
5 *tions, facilities, and real property for activities and agen-*
6 *cies of the Department of Defense (other than the military*
7 *departments), as currently authorized by law,*
8 *\$2,024,643,000 (reduced by \$801,000) (increased by*
9 *\$801,000), to remain available until September 30, 2021:*
10 *Provided, That such amounts of this appropriation as may*
11 *be determined by the Secretary of Defense may be trans-*
12 *ferred to such appropriations of the Department of Defense*
13 *available for military construction or family housing as the*
14 *Secretary may designate, to be merged with and to be avail-*
15 *able for the same purposes, and for the same time period,*
16 *as the appropriation or fund to which transferred: Provided*
17 *further, That of the amount appropriated, not to exceed*
18 *\$201,422,000 shall be available for study, planning, design,*
19 *and architect and engineer services, as authorized by law,*
20 *unless the Secretary of Defense determines that additional*
21 *obligations are necessary for such purposes and notifies the*
22 *Committees on Appropriations of both Houses of Congress*
23 *of the determination and the reasons therefor.*

1 *MILITARY CONSTRUCTION, ARMY NATIONAL GUARD*

2 *For construction, acquisition, expansion, rehabilita-*
3 *tion, and conversion of facilities for the training and ad-*
4 *ministration of the Army National Guard, and contribu-*
5 *tions therefor, as authorized by chapter 1803 of title 10,*
6 *United States Code, and Military Construction Authoriza-*
7 *tion Acts, \$232,930,000, to remain available until Sep-*
8 *tember 30, 2021: Provided, That, of the amount appro-*
9 *priated, not to exceed \$8,729,000 shall be available for*
10 *study, planning, design, and architect and engineer serv-*
11 *ices, as authorized by law, unless the Director of the Army*
12 *National Guard determines that additional obligations are*
13 *necessary for such purposes and notifies the Committees on*
14 *Appropriations of both Houses of Congress of the determina-*
15 *tion and the reasons therefor.*

16 *MILITARY CONSTRUCTION, AIR NATIONAL GUARD*

17 *For construction, acquisition, expansion, rehabilita-*
18 *tion, and conversion of facilities for the training and ad-*
19 *ministration of the Air National Guard, and contributions*
20 *therefor, as authorized by chapter 1803 of title 10, United*
21 *States Code, and Military Construction Authorization Acts,*
22 *\$143,957,000, to remain available until September 30,*
23 *2021: Provided, That, of the amount appropriated, not to*
24 *exceed \$10,462,000 shall be available for study, planning,*
25 *design, and architect and engineer services, as authorized*

1 *by law, unless the Director of the Air National Guard deter-*
2 *mines that additional obligations are necessary for such*
3 *purposes and notifies the Committees on Appropriations of*
4 *both Houses of Congress of the determination and the rea-*
5 *sons therefor.*

6 *MILITARY CONSTRUCTION, ARMY RESERVE*

7 *For construction, acquisition, expansion, rehabilita-*
8 *tion, and conversion of facilities for the training and ad-*
9 *ministration of the Army Reserve as authorized by chapter*
10 *1803 of title 10, United States Code, and Military Con-*
11 *struction Authorization Acts, \$68,230,000, to remain avail-*
12 *able until September 30, 2021: Provided, That, of the*
13 *amount appropriated, not to exceed \$7,500,000 shall be*
14 *available for study, planning, design, and architect and en-*
15 *gineer services, as authorized by law, unless the Chief of*
16 *the Army Reserve determines that additional obligations*
17 *are necessary for such purposes and notifies the Committees*
18 *on Appropriations of both Houses of Congress of the deter-*
19 *mination and the reasons therefor.*

20 *MILITARY CONSTRUCTION, NAVY RESERVE*

21 *For construction, acquisition, expansion, rehabilita-*
22 *tion, and conversion of facilities for the training and ad-*
23 *ministration of the reserve components of the Navy and Ma-*
24 *rine Corps as authorized by chapter 1803 of title 10, United*
25 *States Code, and Military Construction Authorization Acts,*

1 \$38,597,000, to remain available until September 30, 2021:
2 *Provided, That, of the amount appropriated, not to exceed*
3 *\$3,783,000 shall be available for study, planning, design,*
4 *and architect and engineer services, as authorized by law,*
5 *unless the Secretary of the Navy determines that additional*
6 *obligations are necessary for such purposes and notifies the*
7 *Committees on Appropriations of both Houses of Congress*
8 *of the determination and the reasons therefor.*

9 *MILITARY CONSTRUCTION, AIR FORCE RESERVE*

10 *For construction, acquisition, expansion, rehabilita-*
11 *tion, and conversion of facilities for the training and ad-*
12 *ministration of the Air Force Reserve as authorized by*
13 *chapter 1803 of title 10, United States Code, and Military*
14 *Construction Authorization Acts, \$188,950,000, to remain*
15 *available until September 30, 2021: Provided, That, of the*
16 *amount appropriated, not to exceed \$4,500,000 shall be*
17 *available for study, planning, design, and architect and en-*
18 *gineer services, as authorized by law, unless the Chief of*
19 *the Air Force Reserve determines that additional obliga-*
20 *tions are necessary for such purposes and notifies the Com-*
21 *mittees on Appropriations of both Houses of Congress of the*
22 *determination and the reasons therefor.*

1 *NORTH ATLANTIC TREATY ORGANIZATION*2 *SECURITY INVESTMENT PROGRAM*

3 *For the United States share of the cost of the North*
4 *Atlantic Treaty Organization Security Investment Pro-*
5 *gram for the acquisition and construction of military facili-*
6 *ties and installations (including international military*
7 *headquarters) and for related expenses for the collective de-*
8 *fense of the North Atlantic Treaty Area as authorized by*
9 *section 2806 of title 10, United States Code, and Military*
10 *Construction Authorization Acts, \$177,932,000, to remain*
11 *available until expended.*

12 *FAMILY HOUSING CONSTRUCTION, ARMY*

13 *For expenses of family housing for the Army for con-*
14 *struction, including acquisition, replacement, addition, ex-*
15 *pansion, extension, and alteration, as authorized by law,*
16 *\$200,735,000, to remain available until September 30,*
17 *2021.*

18 *FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY*

19 *For expenses of family housing for the Army for oper-*
20 *ation and maintenance, including debt payment, leasing,*
21 *minor construction, principal and interest charges, and in-*
22 *surance premiums, as authorized by law, \$325,995,000.*

1 *and insurance premiums, as authorized by law,*
2 *\$274,429,000.*

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

5 *For expenses of family housing for the activities and*
6 *agencies of the Department of Defense (other than the mili-*
7 *tary departments) for operation and maintenance, leasing,*
8 *and minor construction, as authorized by law, \$59,157,000.*

9 *DEPARTMENT OF DEFENSE FAMILY HOUSING*
10 *IMPROVEMENT FUND*

11 *For the Department of Defense Family Housing Im-*
12 *provement Fund, \$3,258,000, to remain available until ex-*
13 *pended, for family housing initiatives undertaken pursuant*
14 *to section 2883 of title 10, United States Code, providing*
15 *alternative means of acquiring and improving military*
16 *family housing and supporting facilities.*

17 *DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT*

18 *For deposit into the Department of Defense Base Clo-*
19 *sure Account, established by section 2906(a) of the Defense*
20 *Base Closure and Realignment Act of 1990 (10 U.S.C. 2687*
21 *note), \$230,237,000, to remain available until expended.*

22 *ADMINISTRATIVE PROVISIONS*

23 *SEC. 101. None of the funds made available in this*
24 *title shall be expended for payments under a cost-plus-a-*
25 *fixed-fee contract for construction, where cost estimates ex-*

1 *ceed \$25,000, to be performed within the United States, ex-*
2 *cept Alaska, without the specific approval in writing of the*
3 *Secretary of Defense setting forth the reasons therefor.*

4 *SEC. 102. Funds made available in this title for con-*
5 *struction shall be available for hire of passenger motor vehi-*
6 *cles.*

7 *SEC. 103. Funds made available in this title for con-*
8 *struction may be used for advances to the Federal Highway*
9 *Administration, Department of Transportation, for the con-*
10 *struction of access roads as authorized by section 210 of*
11 *title 23, United States Code, when projects authorized there-*
12 *in are certified as important to the national defense by the*
13 *Secretary of Defense.*

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

18 *SEC. 105. None of the funds made available in this*
19 *title shall be used for purchase of land or land easements*
20 *in excess of 100 percent of the value as determined by the*
21 *Army Corps of Engineers or the Naval Facilities Engineer-*
22 *ing Command, except: (1) where there is a determination*
23 *of value by a Federal court; (2) purchases negotiated by*
24 *the Attorney General or the designee of the Attorney Gen-*
25 *eral; (3) where the estimated value is less than \$25,000; or*

1 *(4) as otherwise determined by the Secretary of Defense to*
2 *be in the public interest.*

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

9 *SEC. 107. None of the funds made available in this*
10 *title for minor construction may be used to transfer or relo-*
11 *cate any activity from one base or installation to another,*
12 *without prior notification to the Committees on Appropria-*
13 *tions of both Houses of Congress.*

14 *SEC. 108. None of the funds made available in this*
15 *title may be used for the procurement of steel for any con-*
16 *struction project or activity for which American steel pro-*
17 *ducers, fabricators, and manufacturers have been denied the*
18 *opportunity to compete for such steel procurement.*

19 *SEC. 109. None of the funds available to the Depart-*
20 *ment of Defense for military construction or family housing*
21 *during the current fiscal year may be used to pay real prop-*
22 *erty taxes in any foreign nation.*

23 *SEC. 110. None of the funds made available in this*
24 *title may be used to initiate a new installation overseas*

1 *without prior notification to the Committees on Appropria-*
2 *tions of both Houses of Congress.*

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

11 *SEC. 112. None of the funds made available in this*
12 *title for military construction in the United States terri-*
13 *ories and possessions in the Pacific and on Kwajalein*
14 *Atoll, or in countries bordering the Arabian Gulf, may be*
15 *used to award any contract estimated by the Government*
16 *to exceed \$1,000,000 to a foreign contractor: Provided, That*
17 *this section shall not be applicable to contract awards for*
18 *which the lowest responsive and responsible bid of a United*
19 *States contractor exceeds the lowest responsive and respon-*
20 *sible bid of a foreign contractor by greater than 20 percent:*
21 *Provided further, That this section shall not apply to con-*
22 *tract awards for military construction on Kwajalein Atoll*
23 *for which the lowest responsive and responsible bid is sub-*
24 *mitted by a Marshallese contractor.*

1 *SEC. 113. The Secretary of Defense shall inform the*
2 *appropriate committees of both Houses of Congress, includ-*
3 *ing the Committees on Appropriations, of plans and scope*
4 *of any proposed military exercise involving United States*
5 *personnel 30 days prior to its occurring, if amounts ex-*
6 *pended for construction, either temporary or permanent,*
7 *are anticipated to exceed \$100,000.*

8 *SEC. 114. Funds appropriated to the Department of*
9 *Defense for construction in prior years shall be available*
10 *for construction authorized for each such military depart-*
11 *ment by the authorizations enacted into law during the cur-*
12 *rent session of Congress.*

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

19 *SEC. 116. Notwithstanding any other provision of law,*
20 *any funds made available to a military department or de-*
21 *fense agency for the construction of military projects may*
22 *be obligated for a military construction project or contract,*
23 *or for any portion of such a project or contract, at any*
24 *time before the end of the fourth fiscal year after the fiscal*
25 *year for which funds for such project were made available,*

1 *if the funds obligated for such project: (1) are obligated from*
2 *funds available for military construction projects; and (2)*
3 *do not exceed the amount appropriated for such project,*
4 *plus any amount by which the cost of such project is in-*
5 *creased pursuant to law.*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *SEC. 117. Subject to 30 days prior notification, or 14*
8 *days for a notification provided in an electronic medium*
9 *pursuant to sections 480 and 2883 of title 10, United States*
10 *Code, to the Committees on Appropriations of both Houses*
11 *of Congress, such additional amounts as may be determined*
12 *by the Secretary of Defense may be transferred to: (1) the*
13 *Department of Defense Family Housing Improvement Fund*
14 *from amounts appropriated for construction in “Family*
15 *Housing” accounts, to be merged with and to be available*
16 *for the same purposes and for the same period of time as*
17 *amounts appropriated directly to the Fund; or (2) the De-*
18 *partment of Defense Military Unaccompanied Housing Im-*
19 *provement Fund from amounts appropriated for construc-*
20 *tion of military unaccompanied housing in “Military Con-*
21 *struction” accounts, to be merged with and to be available*
22 *for the same purposes and for the same period of time as*
23 *amounts appropriated directly to the Fund: Provided, That*
24 *appropriations made available to the Funds shall be avail-*
25 *able to cover the costs, as defined in section 502(5) of the*

1 *Congressional Budget Act of 1974, of direct loans or loan*
2 *guarantees issued by the Department of Defense pursuant*
3 *to the provisions of subchapter IV of chapter 169 of title*
4 *10, United States Code, pertaining to alternative means of*
5 *acquiring and improving military family housing, military*
6 *unaccompanied housing, and supporting facilities.*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *SEC. 118. In addition to any other transfer authority*
9 *available to the Department of Defense, amounts may be*
10 *transferred from the Department of Defense Base Closure*
11 *Account to the fund established by section 1013(d) of the*
12 *Demonstration Cities and Metropolitan Development Act of*
13 *1966 (42 U.S.C. 3374) to pay for expenses associated with*
14 *the Homeowners Assistance Program incurred under 42*
15 *U.S.C. 3374(a)(1)(A). Any amounts transferred shall be*
16 *merged with and be available for the same purposes and*
17 *for the same time period as the fund to which transferred.*

18 *SEC. 119. Notwithstanding any other provision of law,*
19 *funds made available in this title for operation and mainte-*
20 *nance of family housing shall be the exclusive source of*
21 *funds for repair and maintenance of all family housing*
22 *units, including general or flag officer quarters: Provided,*
23 *That not more than \$35,000 per unit may be spent annu-*
24 *ally for the maintenance and repair of any general or flag*
25 *officer quarters without 30 days prior notification, or 14*

1 *days for a notification provided in an electronic medium*
2 *pursuant to sections 480 and 2883 of title 10, United States*
3 *Code, to the Committees on Appropriations of both Houses*
4 *of Congress, except that an after-the-fact notification shall*
5 *be submitted if the limitation is exceeded solely due to costs*
6 *associated with environmental remediation that could not*
7 *be reasonably anticipated at the time of the budget submis-*
8 *sion: Provided further, That the Under Secretary of Defense*
9 *(Comptroller) is to report annually to the Committees on*
10 *Appropriations of both Houses of Congress all operation*
11 *and maintenance expenditures for each individual general*
12 *or flag officer quarters for the prior fiscal year.*

13 *SEC. 120. Amounts contained in the Ford Island Im-*
14 *provement Account established by subsection (h) of section*
15 *2814 of title 10, United States Code, are appropriated and*
16 *shall be available until expended for the purposes specified*
17 *in subsection (i)(1) of such section or until transferred pur-*
18 *suant to subsection (i)(3) of such section.*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *SEC. 121. During the 5-year period after appropria-*
21 *tions available in this Act to the Department of Defense*
22 *for military construction and family housing operation and*
23 *maintenance and construction have expired for obligation,*
24 *upon a determination that such appropriations will not be*
25 *necessary for the liquidation of obligations or for making*

1 *authorized adjustments to such appropriations for obliga-*
2 *tions incurred during the period of availability of such ap-*
3 *propriations, unobligated balances of such appropriations*
4 *may be transferred into the appropriation “Foreign Cur-*
5 *rency Fluctuations, Construction, Defense”, to be merged*
6 *with and to be available for the same time period and for*
7 *the same purposes as the appropriation to which trans-*
8 *ferred.*

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

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

17 *(2) is located at a military installation at which*
18 *the total number of civilian employees of the Depart-*
19 *ment of the Army and Army contractor personnel em-*
20 *ployed exceeds 10 percent of the total number of mem-*
21 *bers of the regular and reserve components of the*
22 *Army assigned to the installation.*

23 *(b) EXCEPTION.—Subsection (a) shall not apply if the*
24 *Secretary of the Army certifies to the congressional defense*
25 *committees that in proposing the relocation of the unit of*

1 *of both Houses of Congress an expenditure plan for funds*
2 *provided under this section.*

3 *SEC. 129. For an additional amount for “Military*
4 *Construction, Navy and Marine Corps”, \$293,600,000, to*
5 *remain available until September 30, 2021: Provided, That*
6 *such funds may only be obligated to carry out construction*
7 *projects, in priority order, identified in the Department of*
8 *the Navy’s Unfunded Priority List for Fiscal Year 2017*
9 *submitted by the Secretary of Defense to Congress: Provided*
10 *further, That such funding is subject to authorization prior*
11 *to obligation and expenditure of funds: Provided further,*
12 *That, not later than 30 days after enactment of this Act,*
13 *the Secretary of the Navy shall submit to the Committees*
14 *on Appropriations of both Houses of Congress an expendi-*
15 *ture plan for funds provided under this section.*

16 *SEC. 130. For an additional amount for “Military*
17 *Construction, Army National Guard”, \$67,500,000, to re-*
18 *main available until September 30, 2021: Provided, That*
19 *such funds may only be obligated to carry out construction*
20 *projects, in priority order, identified in the Department of*
21 *the Army’s Unfunded Priority List for Fiscal Year 2017*
22 *submitted by the Secretary of Defense to Congress: Provided*
23 *further, That such funding is subject to authorization prior*
24 *to obligation and expenditure of funds: Provided further,*
25 *That, not later than 30 days after enactment of this Act,*

1 *the Secretary of the Army shall submit to the Committees*
2 *on Appropriations of both Houses of Congress an expendi-*
3 *ture plan for funds provided under this section.*

4 *SEC. 131. For an additional amount for “Military*
5 *Construction, Army Reserve”, \$86,500,000, to remain*
6 *available until September 30, 2021: Provided, That such*
7 *funds may only be obligated to carry out construction*
8 *projects, in priority order, identified in the Department of*
9 *the Army’s Unfunded Priority List for Fiscal Year 2017*
10 *submitted by the Secretary of Defense to Congress: Provided*
11 *further, That such funding is subject to authorization prior*
12 *to obligation and expenditure of funds: Provided further,*
13 *That, not later than 30 days after enactment of this Act,*
14 *the Secretary of the Army shall submit to the Committees*
15 *on Appropriations of both Houses of Congress an expendi-*
16 *ture plan for funds provided under this section.*

17 *SEC. 132. For an additional amount for “Military*
18 *Construction, Air Force”, \$26,000,000, to remain available*
19 *until September 30, 2021: Provided, That such funds may*
20 *only be obligated to carry out construction projects, in pri-*
21 *ority order, identified in the Department of the Air Force’s*
22 *Unfunded Priority List for Fiscal Year 2017 submitted by*
23 *the Secretary of Defense to Congress: Provided further, That*
24 *such funding is subject to authorization prior to obligation*
25 *and expenditure of funds: Provided further, That not later*

1 *than 30 days after enactment of this Act, the Secretary of*
2 *the Air Force shall submit to the Committees on Appropria-*
3 *tions of both Houses of Congress an expenditure plan for*
4 *funds provided under this section.*

5 *(RESCISSION OF FUNDS)*

6 *SEC. 133. Of the unobligated balances made available*
7 *in prior appropriation Acts for the fund established in sec-*
8 *tion 1013(d) of the Demonstration Cities and Metropolitan*
9 *Development Act of 1966 (42 U.S.C. 3374) (other than ap-*
10 *propriations designated by law as being for contingency op-*
11 *erations directly related to the global war on terrorism or*
12 *as an emergency requirement), \$25,000,000 are hereby re-*
13 *scinded.*

14 *SEC. 134. For the purposes of this Act, the term “con-*
15 *gressional defense committees” means the Committees on*
16 *Armed Services of the House of Representatives and the*
17 *Senate, the Subcommittee on Military Construction and*
18 *Veterans Affairs of the Committee on Appropriations of the*
19 *Senate, and the Subcommittee on Military Construction*
20 *and Veterans Affairs of the Committee on Appropriations*
21 *of the House of Representatives.*

22 *(RESCISSION OF FUNDS)*

23 *SEC. 135. Of the unobligated balances available for*
24 *“NATO Security Investment Program”, from prior appro-*
25 *priations Acts (other than appropriations designated by*

1 *law as being for contingency operations directly related to*
2 *the global war on terrorism or as an emergency require-*
3 *ment), \$30,000,000 are hereby rescinded.*

4 *SEC. 136. None of the funds made available by this*
5 *Act may be used to carry out the closure or realignment*
6 *of the United States Naval Station, Guantánamo Bay,*
7 *Cuba.*

8 *TITLE II*

9 *DEPARTMENT OF VETERANS AFFAIRS*

10 *VETERANS BENEFITS ADMINISTRATION*

11 *COMPENSATION AND PENSIONS*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For the payment of compensation benefits to or on be-*
14 *half of veterans and a pilot program for disability examina-*
15 *tions as authorized by section 107 and chapters 11, 13, 18,*
16 *51, 53, 55, and 61 of title 38, United States Code; pension*
17 *benefits to or on behalf of veterans as authorized by chapters*
18 *15, 51, 53, 55, and 61 of title 38, United States Code; and*
19 *burial benefits, the Reinstated Entitlement Program for*
20 *Survivors, emergency and other officers' retirement pay, ad-*
21 *justed-service credits and certificates, payment of premiums*
22 *due on commercial life insurance policies guaranteed under*
23 *the provisions of title IV of the Servicemembers Civil Relief*
24 *Act (50 U.S.C. App. 541 et seq.) and for other benefits as*
25 *authorized by sections 107, 1312, 1977, and 2106, and*

1 chapters 23, 51, 53, 55, and 61 of title 38, United States
2 Code, \$90,119,449,000, to remain available until expended
3 and to become available on October 1, 2017: Provided, That
4 not to exceed \$17,224,000 of the amount made available for
5 fiscal year 2018 under this heading shall be reimbursed to
6 “General Operating Expenses, Veterans Benefits Adminis-
7 tration”, and “Information Technology Systems” for nec-
8 essary expenses in implementing the provisions of chapters
9 51, 53, and 55 of title 38, United States Code, the funding
10 source for which is specifically provided as the “Compensa-
11 tion and Pensions” appropriation: Provided further, That
12 such sums as may be earned on an actual qualifying pa-
13 tient basis, shall be reimbursed to “Medical Care Collections
14 Fund” to augment the funding of individual medical facili-
15 ties for nursing home care provided to pensioners as author-
16 ized.

17 *READJUSTMENT BENEFITS*

18 *For the payment of readjustment and rehabilitation*
19 *benefits to or on behalf of veterans as authorized by chapters*
20 *21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of*
21 *title 38, United States Code, \$13,708,648,000, to remain*
22 *available until expended and to become available on October*
23 *1, 2017: Provided, That expenses for rehabilitation program*
24 *services and assistance which the Secretary is authorized*
25 *to provide under subsection (a) of section 3104 of title 38,*

1 *United States Code, other than under paragraphs (1), (2),*
2 *(5), and (11) of that subsection, shall be charged to this*
3 *account.*

4 *VETERANS INSURANCE AND INDEMNITIES*

5 *For military and naval insurance, national service life*
6 *insurance, servicemen's indemnities, service-disabled vet-*
7 *erans insurance, and veterans mortgage life insurance as*
8 *authorized by chapters 19 and 21, title 38, United States*
9 *Code, \$124,504,000, to remain available until expended, of*
10 *which \$107,899,000 shall become available on October 1,*
11 *2017.*

12 *VETERANS HOUSING BENEFIT PROGRAM FUND*

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

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

1 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

2 *For the cost of direct loans, \$36,000, as authorized by*
3 *chapter 31 of title 38, United States Code: Provided, That*
4 *such costs, including the cost of modifying such loans, shall*
5 *be as defined in section 502 of the Congressional Budget*
6 *Act of 1974: Provided further, That funds made available*
7 *under this heading are available to subsidize gross obliga-*
8 *tions for the principal amount of direct loans not to exceed*
9 *\$2,517,000.*

10 *In addition, for administrative expenses necessary to*
11 *carry out the direct loan program, \$389,000, which may*
12 *be paid to the appropriation for “General Operating Ex-*
13 *penses, Veterans Benefits Administration”.*

14 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM

15 ACCOUNT

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

19 VETERANS HEALTH ADMINISTRATION

20 MEDICAL SERVICES

21 *For necessary expenses for furnishing, as authorized*
22 *by law, inpatient and outpatient care and treatment to*
23 *beneficiaries of the Department of Veterans Affairs and vet-*
24 *erans described in section 1705(a) of title 38, United States*
25 *Code, including care and treatment in facilities not under*

1 *the jurisdiction of the Department, and including medical*
2 *supplies and equipment, bioengineering services, food serv-*
3 *ices, and salaries and expenses of healthcare employees*
4 *hired under title 38, United States Code, aid to State homes*
5 *as authorized by section 1741 of title 38, United States*
6 *Code, assistance and support services for caregivers as au-*
7 *thorized by section 1720G of title 38, United States Code,*
8 *loan repayments authorized by section 604 of the Caregivers*
9 *and Veterans Omnibus Health Services Act of 2010 (Public*
10 *Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note), and*
11 *hospital care and medical services authorized by section*
12 *1787 of title 38, United States Code; \$850,000,000 (in-*
13 *creased by \$4,000,000) (reduced by \$10,000,000) (increased*
14 *by \$10,000,000), which shall be in addition to funds pre-*
15 *viously appropriated under this heading that became avail-*
16 *able on October 1, 2016; and, in addition, \$44,886,554,000,*
17 *plus reimbursements, shall become available on October 1,*
18 *2017, and shall remain available until September 30, 2018:*
19 *Provided, That, of the amount made available on October*
20 *1, 2017, under this heading, \$1,400,000,000 shall remain*
21 *available until September 30, 2019: Provided further, That,*
22 *notwithstanding any other provision of law, the Secretary*
23 *of Veterans Affairs shall establish a priority for the provi-*
24 *sion of medical treatment for veterans who have service-con-*
25 *nected disabilities, lower income, or have special needs: Pro-*

1 *vided further, That, notwithstanding any other provision*
2 *of law, the Secretary of Veterans Affairs shall give priority*
3 *funding for the provision of basic medical benefits to vet-*
4 *erans in enrollment priority groups 1 through 6: Provided*
5 *further, That, notwithstanding any other provision of law,*
6 *the Secretary of Veterans Affairs may authorize the dis-*
7 *pending of prescription drugs from Veterans Health Admin-*
8 *istration facilities to enrolled veterans with privately writ-*
9 *ten prescriptions based on requirements established by the*
10 *Secretary: Provided further, That the implementation of the*
11 *program described in the previous proviso shall incur no*
12 *additional cost to the Department of Veterans Affairs.*

13 *MEDICAL COMMUNITY CARE*

14 *For necessary expenses for furnishing health care to*
15 *individuals pursuant to chapter 17 of title 38, United*
16 *States Code, at non-Department facilities, \$7,246,181,000,*
17 *plus reimbursements, to be derived from amounts appro-*
18 *priated in title II of division J of Public Law 114–113*
19 *under the headings “Medical Services”, “Medical Support*
20 *and Compliance”, or “Medical Facilities” which became*
21 *available on October 1, 2016; and, in addition,*
22 *\$9,409,118,000 shall become available on October 1, 2017,*
23 *and shall remain available until September 30, 2018: Pro-*
24 *vided, That, of the amount made available on October 1,*

1 2017, under this heading, \$1,500,000,000 shall remain
2 available until September 30, 2019.

3 *MEDICAL SUPPORT AND COMPLIANCE*

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

18 *MEDICAL FACILITIES*

19 *For necessary expenses for the maintenance and oper-*
20 *ation of hospitals, nursing homes, domiciliary facilities,*
21 *and other necessary facilities of the Veterans Health Admin-*
22 *istration; for administrative expenses in support of plan-*
23 *ning, design, project management, real property acquisition*
24 *and disposition, construction, and renovation of any facil-*
25 *ity under the jurisdiction or for the use of the Department;*

1 *for oversight, engineering, and architectural activities not*
2 *charged to project costs; for repairing, altering, improving,*
3 *or providing facilities in the several hospitals and homes*
4 *under the jurisdiction of the Department, not otherwise pro-*
5 *vided for, either by contract or by the hire of temporary*
6 *employees and purchase of materials; for leases of facilities;*
7 *and for laundry services, \$5,434,880,000, plus reimburse-*
8 *ments, shall become available on October 1, 2017, and shall*
9 *remain available until September 30, 2018: Provided, That,*
10 *of the amount made available on October 1, 2017, under*
11 *this heading, \$250,000,000 shall remain available until*
12 *September 30, 2019.*

13 *MEDICAL AND PROSTHETIC RESEARCH*

14 *For necessary expenses in carrying out programs of*
15 *medical and prosthetic research and development as author-*
16 *ized by chapter 73 of title 38, United States Code,*
17 *\$663,366,000, plus reimbursements, shall remain available*
18 *until September 30, 2018.*

19 *NATIONAL CEMETERY ADMINISTRATION*

20 *For necessary expenses of the National Cemetery Ad-*
21 *ministration for operations and maintenance, not otherwise*
22 *provided for, including uniforms or allowances therefor;*
23 *cemeterial expenses as authorized by law; purchase of one*
24 *passenger motor vehicle for use in cemeterial operations;*
25 *hire of passenger motor vehicles; and repair, alteration or*

1 *improvement of facilities under the jurisdiction of the Na-*
 2 *tional Cemetery Administration, \$271,220,000, of which*
 3 *not to exceed \$26,600,000 shall remain available until Sep-*
 4 *tember 30, 2018.*

5 *DEPARTMENTAL ADMINISTRATION*

6 *GENERAL ADMINISTRATION*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For necessary operating expenses of the Department of*
 9 *Veterans Affairs, not otherwise provided for, including ad-*
 10 *ministrative expenses in support of Department-wide cap-*
 11 *ital planning, management and policy activities, uniforms,*
 12 *or allowances therefor; not to exceed \$25,000 for official re-*
 13 *ception and representation expenses; hire of passenger*
 14 *motor vehicles; and reimbursement of the General Services*
 15 *Administration for security guard services, \$336,659,000*
 16 *(reduced by \$5,500,000) (reduced by \$1,500,000) (increased*
 17 *by \$1,500,000) (reduced by \$5,000,000) (reduced by*
 18 *\$1,000,000) (increased by \$1,000,000), of which not to ex-*
 19 *ceed \$10,000,000 shall remain available until September*
 20 *30, 2018: Provided, That funds provided under this heading*
 21 *may be transferred to “General Operating Expenses, Vet-*
 22 *erans Benefits Administration”.*

23 *BOARD OF VETERANS APPEALS*

24 *For necessary operating expenses of the Board of Vet-*
 25 *erans Appeals, \$156,096,000, of which not to exceed*

1 \$15,610,000 shall remain available until September 30,
2 2018.

3 *GENERAL OPERATING EXPENSES, VETERANS BENEFITS*

4 *ADMINISTRATION*

5 *For necessary operating expenses of the Veterans Bene-*
6 *fits Administration, not otherwise provided for, including*
7 *hire of passenger motor vehicles, reimbursement of the Gen-*
8 *eral Services Administration for security guard services,*
9 *and reimbursement of the Department of Defense for the*
10 *cost of overseas employee mail, \$2,826,160,000 (reduced by*
11 *\$5,000,000) (increased by \$5,000,000): Provided, That ex-*
12 *penses for services and assistance authorized under para-*
13 *graphs (1), (2), (5), and (11) of section 3104(a) of title 38,*
14 *United States Code, that the Secretary of Veterans Affairs*
15 *determines are necessary to enable entitled veterans: (1) to*
16 *the maximum extent feasible, to become employable and to*
17 *obtain and maintain suitable employment; or (2) to achieve*
18 *maximum independence in daily living, shall be charged*
19 *to this account: Provided further, That, of the funds made*
20 *available under this heading, not to exceed \$141,000,000*
21 *shall remain available until September 30, 2018.*

22 *INFORMATION TECHNOLOGY SYSTEMS*

23 *(INCLUDING TRANSFER OF FUNDS)*

24 *For necessary expenses for information technology sys-*
25 *tems and telecommunications support, including develop-*

1 *mental information systems and operational information*
2 *systems; for pay and associated costs; and for the capital*
3 *asset acquisition of information technology systems, includ-*
4 *ing management and related contractual costs of said ac-*
5 *quisitions, including contractual costs associated with oper-*
6 *ations authorized by section 3109 of title 5, United States*
7 *Code, \$4,220,869,000 (increased by \$5,000,000), plus reim-*
8 *bursements: Provided, That \$1,247,548,000 shall be for pay*
9 *and associated costs, of which not to exceed \$36,300,000*
10 *shall remain available until September 30, 2018: Provided*
11 *further, That \$2,502,052,000 shall be for operations and*
12 *maintenance, of which not to exceed \$177,900,000 shall re-*
13 *main available until September 30, 2018: Provided further,*
14 *That \$471,269,000 (increased by \$5,000,000) shall be for*
15 *information technology systems development, moderniza-*
16 *tion, and enhancement, and shall remain available until*
17 *September 30, 2018: Provided further, That amounts made*
18 *available for information technology systems development,*
19 *modernization, and enhancement may not be obligated or*
20 *expended until the Secretary of Veterans Affairs or the Chief*
21 *Information Officer of the Department of Veterans Affairs*
22 *submits to the Committees on Appropriations of both*
23 *Houses of Congress a certification of the amounts, in parts*
24 *or in full, to be obligated and expended for each development*
25 *project: Provided further, That amounts made available for*

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

1 *made available by the preceding proviso may be obligated*
2 *or expended for such program or any successor until the*
3 *Secretary of Veterans Affairs: (1) certifies to the Committees*
4 *on Appropriations of both Houses of Congress that the De-*
5 *partment of Veterans Affairs has deployed modernized elec-*
6 *tronic health record software supporting clinicians of the*
7 *Department of Veterans Affairs and the Department of De-*
8 *fense no later than December 31, 2016, while ensuring con-*
9 *tinued support and compatibility with the interoperability*
10 *platform and full standards-based interoperability, as stip-*
11 *ulated by the National Defense Authorization Act of Fiscal*
12 *Year 2014 (Public Law 113–66); (2) submits to the Com-*
13 *mittees on Appropriations of both Houses of Congress the*
14 *VistA Evolution Business Case and supporting documents*
15 *regarding continuation of VistA Evolution or alternatives*
16 *to VistA Evolution, including an analysis of necessary or*
17 *desired capabilities, technical and security requirements,*
18 *the plan for modernizing the platform framework, and all*
19 *associated costs; and (3) submits to the Committees on Ap-*
20 *propriations of both Houses of Congress, and such Commit-*
21 *tees approve, the following: a report that describes a stra-*
22 *tegic plan for VistA Evolution, or any successor, and the*
23 *associated implementation plan including metrics and*
24 *timelines; a master schedule and lifecycle cost estimate for*
25 *VistA Evolution or any successor; and an implementation*

1 *plan for the transition from the Project Management Ac-*
2 *countability System (PMAS) to the new project delivery*
3 *framework (the Veteran-focused Integration Process (VIP))*
4 *that includes the methodology by which projects will be*
5 *tracked, progress measured, and deliverables evaluated: Pro-*
6 *vided further, That the funds made available under this*
7 *heading for information technology systems development,*
8 *modernization, and enhancement, shall be for the projects,*
9 *and in the amounts, specified under this heading in the*
10 *report accompanying this Act.*

11 *OFFICE OF INSPECTOR GENERAL*

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

17 *CONSTRUCTION, MAJOR PROJECTS*

18 *For constructing, altering, extending, and improving*
19 *any of the facilities, including parking projects, under the*
20 *jurisdiction or for the use of the Department of Veterans*
21 *Affairs, or for any of the purposes set forth in sections 316,*
22 *2404, 2406 and chapter 81 of title 38, United States Code,*
23 *not otherwise provided for, including planning, architec-*
24 *tural and engineering services, construction management*
25 *services, maintenance or guarantee period services costs as-*

1 sociated with equipment guarantees provided under the
2 project, services of claims analysts, offsite utility and storm
3 drainage system construction costs, and site acquisition,
4 where the estimated cost of a project is more than the
5 amount set forth in section 8104(a)(3)(A) of title 38, United
6 States Code, or where funds for a project were made avail-
7 able in a previous major project appropriation,
8 \$528,110,000, of which \$494,310,000 shall remain available
9 until September 30, 2021, and of which \$33,800,000 shall
10 remain available until expended: Provided, That except for
11 advance planning activities, including needs assessments
12 which may or may not lead to capital investments, and
13 other capital asset management related activities, including
14 portfolio development and management activities, and in-
15 vestment strategy studies funded through the advance plan-
16 ning fund and the planning and design activities funded
17 through the design fund, including needs assessments which
18 may or may not lead to capital investments, and salaries
19 and associated costs of the resident engineers who oversee
20 those capital investments funded through this account and
21 contracting officers who manage specific major construction
22 projects, and funds provided for the purchase of land, secu-
23 rity, and maintenance for the National Cemetery Adminis-
24 tration through the land acquisition line item, none of the
25 funds made available under this heading shall be used for

1 *any project which has not been approved by the Congress*
2 *in the budgetary process: Provided further, That funds*
3 *made available under this heading for fiscal year 2017, for*
4 *each approved project shall be obligated: (1) by the award-*
5 *ing of a construction documents contract by September 30,*
6 *2017; and (2) by the awarding of a construction contract*
7 *by September 30, 2018: Provided further, That the Sec-*
8 *retary of Veterans Affairs shall promptly submit to the*
9 *Committees on Appropriations of both Houses of Congress*
10 *a written report on any approved major construction*
11 *project for which obligations are not incurred within the*
12 *time limitations established above: Provided further, That,*
13 *of the amount made available under this heading,*
14 *\$222,620,000 for Veterans Health Administration major*
15 *construction projects shall not be available until the Depart-*
16 *ment of Veterans Affairs—*

17 *(1) enters into an agreement with an appro-*
18 *priate non-Department of Veterans Affairs Federal*
19 *entity to serve as the design and/or construction agent*
20 *for any Veterans Health Administration major con-*
21 *struction project with a Total Estimated Cost of*
22 *\$100,000,000 or above by providing full project man-*
23 *agement services, including management of the project*
24 *design, acquisition, construction, and contract*

1 *changes, consistent with section 502 of Public Law*
2 *114–58; and*

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

9 *CONSTRUCTION, MINOR PROJECTS*

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

1 *struction, Minor Projects” appropriations which are hereby*
2 *made available for any project where the estimated cost is*
3 *equal to or less than the amount set forth in such section:*
4 *Provided, That funds made available under this heading*
5 *shall be for: (1) repairs to any of the nonmedical facilities*
6 *under the jurisdiction or for the use of the Department*
7 *which are necessary because of loss or damage caused by*
8 *any natural disaster or catastrophe; and (2) temporary*
9 *measures necessary to prevent or to minimize further loss*
10 *by such causes.*

11 *GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE*

12 *FACILITIES*

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

20 *GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES*

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

1 *ADMINISTRATIVE PROVISIONS*
2 *(INCLUDING TRANSFER OF FUNDS)*

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

13 *(INCLUDING TRANSFER OF FUNDS)*

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

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

13 *SEC. 203. Appropriations available in this title for sal-*
14 *aries and expenses shall be available for services authorized*
15 *by section 3109 of title 5, United States Code; hire of pas-*
16 *senger motor vehicles; lease of a facility or land or both;*
17 *and uniforms or allowances therefore, as authorized by sec-*
18 *tions 5901 through 5902 of title 5, United States Code.*

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

24 *SEC. 205. No appropriations in this title shall be*
25 *available for hospitalization or examination of any persons*

1 *(except beneficiaries entitled to such hospitalization or ex-*
2 *amination under the laws providing such benefits to vet-*
3 *erans, and persons receiving such treatment under sections*
4 *7901 through 7904 of title 5, United States Code, or the*
5 *Robert T. Stafford Disaster Relief and Emergency Assist-*
6 *ance Act (42 U.S.C. 5121 et seq.)), unless reimbursement*
7 *of the cost of such hospitalization or examination is made*
8 *to the “Medical Services” account at such rates as may be*
9 *fixed by the Secretary of Veterans Affairs.*

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

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

23 *(INCLUDING TRANSFER OF FUNDS)*

24 *SEC. 208. Notwithstanding any other provision of law,*
25 *during fiscal year 2017, the Secretary of Veterans Affairs*

1 *shall, from the National Service Life Insurance Fund under*
2 *section 1920 of title 38, United States Code, the Veterans’*
3 *Special Life Insurance Fund under section 1923 of title 38,*
4 *United States Code, and the United States Government Life*
5 *Insurance Fund under section 1955 of title 38, United*
6 *States Code, reimburse the “General Operating Expenses,*
7 *Veterans Benefits Administration” and “Information Tech-*
8 *nology Systems” accounts for the cost of administration of*
9 *the insurance programs financed through those accounts:*
10 *Provided, That reimbursement shall be made only from the*
11 *surplus earnings accumulated in such an insurance pro-*
12 *gram during fiscal year 2017 that are available for divi-*
13 *dends in that program after claims have been paid and ac-*
14 *tuarially determined reserves have been set aside: Provided*
15 *further, That if the cost of administration of such an insur-*
16 *ance program exceeds the amount of surplus earnings accu-*
17 *mulated in that program, reimbursement shall be made*
18 *only to the extent of such surplus earnings: Provided fur-*
19 *ther, That the Secretary shall determine the cost of adminis-*
20 *tration for fiscal year 2017 which is properly allocable to*
21 *the provision of each such insurance program and to the*
22 *provision of any total disability income insurance included*
23 *in that insurance program.*

24 *SEC. 209. Amounts deducted from enhanced-use lease*
25 *proceeds to reimburse an account for expenses incurred by*

1 *that account during a prior fiscal year for providing en-*
2 *hanced-use lease services, may be obligated during the fiscal*
3 *year in which the proceeds are received.*

4 *(INCLUDING TRANSFER OF FUNDS)*

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

20 *SEC. 211. No funds of the Department of Veterans Af-*
21 *fairs shall be available for hospital care, nursing home care,*
22 *or medical services provided to any person under chapter*
23 *17 of title 38, United States Code, for a non-service-con-*
24 *nected disability described in section 1729(a)(2) of such*
25 *title, unless that person has disclosed to the Secretary of*

1 *Veterans Affairs, in such form as the Secretary may require,*
2 *current, accurate third-party reimbursement information*
3 *for purposes of section 1729 of such title: Provided, That*
4 *the Secretary may recover, in the same manner as any other*
5 *debt due the United States, the reasonable charges for such*
6 *care or services from any person who does not make such*
7 *disclosure as required: Provided further, That any amounts*
8 *so recovered for care or services provided in a prior fiscal*
9 *year may be obligated by the Secretary during the fiscal*
10 *year in which amounts are received.*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *SEC. 212. Notwithstanding any other provision of law,*
13 *proceeds or revenues derived from enhanced-use leasing ac-*
14 *tivities (including disposal) may be deposited into the*
15 *“Construction, Major Projects” and “Construction, Minor*
16 *Projects” accounts and be used for construction (including*
17 *site acquisition and disposition), alterations, and improve-*
18 *ments of any medical facility under the jurisdiction or for*
19 *the use of the Department of Veterans Affairs. Such sums*
20 *as realized are in addition to the amount provided for in*
21 *“Construction, Major Projects” and “Construction, Minor*
22 *Projects”.*

23 *SEC. 213. Amounts made available under “Medical*
24 *Services” are available—*

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

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

6 (INCLUDING TRANSFER OF FUNDS)

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

13 SEC. 215. The Secretary of Veterans Affairs may enter
14 into agreements with Indian tribes and tribal organizations
15 which are party to the Alaska Native Health Compact with
16 the Indian Health Service, and Indian tribes and tribal
17 organizations serving rural Alaska which have entered into
18 contracts with the Indian Health Service under the Indian
19 Self Determination and Educational Assistance Act, to pro-
20 vide healthcare, including behavioral health and dental
21 care. The Secretary shall require participating veterans and
22 facilities to comply with all appropriate rules and regula-
23 tions, as established by the Secretary. The term “rural Alas-
24 ka” shall mean those lands sited within the external bound-
25 aries of the Alaska Native regions specified in sections

1 7(a)(1)–(4) and (7)–(12) of the Alaska Native Claims Set-
2 tlement Act, as amended (43 U.S.C. 1606), and those lands
3 within the Alaska Native regions specified in sections
4 7(a)(5) and 7(a)(6) of the Alaska Native Claims Settlement
5 Act, as amended (43 U.S.C. 1606), which are not within
6 the boundaries of the municipality of Anchorage, the Fair-
7 banks North Star Borough, the Kenai Peninsula Borough
8 or the Matanuska Susitna Borough.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 216. Such sums as may be deposited to the De-
11 partment of Veterans Affairs Capital Asset Fund pursuant
12 to section 8118 of title 38, United States Code, may be
13 transferred to the “Construction, Major Projects” and “Con-
14 struction, Minor Projects” accounts, to remain available
15 until expended for the purposes of these accounts.

16 SEC. 217. None of the funds made available in this
17 title may be used to implement any policy prohibiting the
18 Directors of the Veterans Integrated Services Networks from
19 conducting outreach or marketing to enroll new veterans
20 within their respective Networks.

21 SEC. 218. Not later than 30 days after the end of each
22 fiscal quarter, the Secretary of Veterans Affairs shall submit
23 to the Committees on Appropriations of both Houses of Con-
24 gress a report on the financial status of the Department
25 of Veterans Affairs for the preceding quarter: Provided,

1 *That, at a minimum, the report shall include the direction*
2 *contained in the explanatory statement described in section*
3 *4 in the matter preceding division A of the Consolidated*
4 *Appropriations Act, 2016, Public Law 114–113 in title II*
5 *of Division J of the consolidated Act in the paragraph enti-*
6 *tled “Quarterly Report”, under the heading “General Ad-*
7 *ministration”.*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *SEC. 219. Amounts made available under the “Medical*
10 *Services”, “Medical Community Care”, “Medical Support*
11 *and Compliance”, “Medical Facilities”, “General Oper-*
12 *ating Expenses, Veterans Benefits Administration”, “Gen-*
13 *eral Administration”, and “National Cemetery Adminis-*
14 *tration” accounts for fiscal year 2017 may be transferred*
15 *to or from the “Information Technology Systems” account:*
16 *Provided, That such transfers may not result in a more*
17 *than 10 percent aggregate increase in the total amount*
18 *made available by this Act for the “Information Technology*
19 *Systems” account: Provided further, That, before a transfer*
20 *may take place, the Secretary of Veterans Affairs shall re-*
21 *quest from the Committees on Appropriations of both*
22 *Houses of Congress the authority to make the transfer and*
23 *an approval is issued.*

1 (INCLUDING TRANSFER OF FUNDS)

2 *SEC. 220. Of the amounts appropriated to the Depart-*
3 *ment of Veterans Affairs for fiscal year 2017 for “Medical*
4 *Services”, “Medical Support and Compliance”, “Medical*
5 *Facilities”, “Construction, Minor Projects”, and “Informa-*
6 *tion Technology Systems”, up to \$274,731,000, plus reim-*
7 *bursements, may be transferred to the Joint Department of*
8 *Defense-Department of Veterans Affairs Medical Facility*
9 *Demonstration Fund, established by section 1704 of the Na-*
10 *tional Defense Authorization Act for Fiscal Year 2010 (Pub-*
11 *lic Law 111–84; 123 Stat. 3571) and may be used for oper-*
12 *ation of the facilities designated as combined Federal med-*
13 *ical facilities as described by section 706 of the Duncan*
14 *Hunter National Defense Authorization Act for Fiscal Year*
15 *2009 (Public Law 110–417; 122 Stat. 4500): Provided,*
16 *That additional funds may be transferred from accounts*
17 *designated in this section to the Joint Department of De-*
18 *fense-Department of Veterans Affairs Medical Facility*
19 *Demonstration Fund upon written notification by the Sec-*
20 *retary of Veterans Affairs to the Committees on Appropria-*
21 *tions of both Houses of Congress: Provided further, That sec-*
22 *tion 223 of title II of Division J of Public Law 114–113*
23 *is repealed.*

1 (INCLUDING TRANSFER OF FUNDS)

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

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 222. Such sums as may be deposited to the Med-
24 ical Care Collections Fund pursuant to section 1729A of
25 title 38, United States Code, for healthcare provided at fa-

1 *cilities designated as combined Federal medical facilities as*
2 *described by section 706 of the Duncan Hunter National*
3 *Defense Authorization Act for Fiscal Year 2009 (Public*
4 *Law 110–417; 122 Stat. 4500) shall also be available: (1)*
5 *for transfer to the Joint Department of Defense-Department*
6 *of Veterans Affairs Medical Facility Demonstration Fund,*
7 *established by section 1704 of the National Defense Author-*
8 *ization Act for Fiscal Year 2010 (Public Law 111–84; 123*
9 *Stat. 3571); and (2) for operations of the facilities des-*
10 *ignated as combined Federal medical facilities as described*
11 *by section 706 of the Duncan Hunter National Defense Au-*
12 *thorization Act for Fiscal Year 2009 (Public Law 110–417;*
13 *122 Stat. 4500).*

14 *(INCLUDING TRANSFER OF FUNDS)*

15 *SEC. 223. Of the amounts available in this title for*
16 *“Medical Services”, “Medical Community Care”, “Medical*
17 *Support and Compliance”, and “Medical Facilities”, a*
18 *minimum of \$15,000,000 shall be transferred to the DOD–*
19 *VA Health Care Sharing Incentive Fund, as authorized by*
20 *section 8111(d) of title 38, United States Code, to remain*
21 *available until expended, for any purpose authorized by sec-*
22 *tion 8111 of title 38, United States Code.*

23 *SEC. 224. The Secretary of Veterans Affairs shall no-*
24 *tify the Committees on Appropriations of both Houses of*
25 *Congress of all bid savings in a major construction project*

1 *that total at least \$5,000,000, or 5 percent of the pro-*
2 *grammed amount of the project, whichever is less: Provided,*
3 *That such notification shall occur within 14 days of a con-*
4 *tract identifying the programmed amount: Provided fur-*
5 *ther, That the Secretary shall notify the Committees on Ap-*
6 *propriations of both Houses of Congress 14 days prior to*
7 *the obligation of such bid savings and shall describe the an-*
8 *ticipated use of such savings.*

9 *SEC. 225. None of the funds made available for “Con-*
10 *struction, Major Projects” may be used for a project in ex-*
11 *cess of the scope specified for that project in the original*
12 *justification data provided to the Congress as part of the*
13 *request for appropriations unless the Secretary of Veterans*
14 *Affairs receives approval from the Committees on Appro-*
15 *priations of both Houses of Congress.*

16 *SEC. 226. Of the funds provided to the Department of*
17 *Veterans Affairs for fiscal year 2017 for “Medical Support*
18 *and Compliance”, a maximum of \$40,000,000 may be obli-*
19 *gated from the “Medical Support and Compliance” account*
20 *for the VistA Evolution and electronic health record inter-*
21 *operability projects: Provided, That funds in addition to*
22 *these amounts may be obligated for the VistA Evolution and*
23 *electronic health record interoperability projects upon writ-*
24 *ten notification by the Secretary of Veterans Affairs to the*
25 *Committees on Appropriations of both Houses of Congress.*

1 *is in addition to any other transfer authority provided by*
2 *law: Provided further, That no amounts may be transferred*
3 *from amounts that were designated by Congress as an emer-*
4 *gency requirement pursuant to a concurrent resolution on*
5 *the budget or the Balanced Budget and Emergency Deficit*
6 *Control Act of 1985: Provided further, That such authority*
7 *to transfer may not be used unless for higher priority items,*
8 *based on emergent healthcare requirements, than those for*
9 *which originally appropriated and in no case where the*
10 *item for which funds are requested has been denied by Con-*
11 *gress: Provided further, That, upon determination that all*
12 *or part of the funds transferred from an appropriation are*
13 *not necessary, such amounts may be transferred back to that*
14 *appropriation and shall be available for the same purposes*
15 *as originally appropriated: Provided further, That before*
16 *a transfer may take place, the Secretary of Veterans Affairs*
17 *shall request from the Committees on Appropriations of*
18 *both Houses of Congress the authority to make the transfer*
19 *and receive approval of that request.*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *SEC. 230. Amounts made available for the Department*
22 *of Veterans Affairs for fiscal year 2017, under the “Board*
23 *of Veterans Appeals” and the “General Operating Expenses,*
24 *Veterans Benefits Administration” accounts may be trans-*
25 *ferred between such accounts: Provided, That before a trans-*

1 *fer may take place, the Secretary of Veterans Affairs shall*
2 *request from the Committees on Appropriations of both*
3 *Houses of Congress the authority to make the transfer and*
4 *receive approval from such Committees for such request.*

5 *SEC. 231. The Secretary of Veterans Affairs may not*
6 *reprogram funds among major construction projects or pro-*
7 *grams if such instance of reprogramming will exceed*
8 *\$5,000,000, unless such reprogramming is approved by the*
9 *Committees on Appropriations of both Houses of Congress.*

10 *(RESCISSION OF FUNDS)*

11 *SEC. 232. Of the unobligated balances available within*
12 *the “DOD–VA Health Care Sharing Incentive Fund”,*
13 *\$30,000,000 are hereby rescinded.*

14 *(RESCISSIONS OF FUNDS)*

15 *SEC. 233. Of the discretionary funds made available*
16 *in Public Law 114–113 for the Department of Veterans Af-*
17 *fairs for fiscal year 2017, \$266,760,000 are rescinded from*
18 *“Medical Services”, \$52,031,000 are rescinded from “Med-*
19 *ical Support and Compliance”, and \$18,591,000 are re-*
20 *scinded from “Medical Facilities”.*

21 *SEC. 234. The amounts otherwise made available by*
22 *this Act for the following accounts of the Department of Vet-*
23 *erans Affairs are hereby reduced by the following amounts:*

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

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

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

5 (4) “*Departmental Administration—Board of*
6 *Veterans Appeals*”, \$1,214,000.

7 (5) “*Departmental Administration—General*
8 *Operating Expenses, Veterans Benefits Administra-*
9 *tion*”, \$24,849,000.

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

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

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

17 (1) *provides to individuals who contact the hot-*
18 *line immediate assistance from a trained professional;*
19 *and*

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

22 *SEC. 236. (a) The Secretary of Veterans Affairs shall*
23 *treat a marriage and family therapist described in sub-*
24 *section (b) as qualified to serve as a marriage and family*
25 *therapist in the Department of Veterans Affairs, regardless*

1 of any requirements established by the Commission on Ac-
2 creditation for Marriage and Family Therapy Education.

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

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

9 (2) Is licensed as a marriage and family thera-
10 pist in a State (as defined in section 101(20) of title
11 38, United States Code) and possesses the highest level
12 of licensure offered from the State.

13 (3) Has passed the Association of Marital and
14 Family Therapy Regulatory Board Examination in
15 Marital and Family Therapy.

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

20 SEC. 238. None of the funds made available by this
21 Act may be used to end, suspend, or relocate hospital-based
22 services with respect to a health care facility of the Depart-
23 ment of Veterans Affairs that is—

1 *may be necessary, to remain available until expended, for*
2 *purposes authorized by section 2109 of title 36, United*
3 *States Code.*

4 *UNITED STATES COURT OF APPEALS FOR VETERANS*

5 *CLAIMS*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses for the operation of the United*
8 *States Court of Appeals for Veterans Claims as authorized*
9 *by sections 7251 through 7298 of title 38, United States*
10 *Code, \$30,945,000: Provided, That \$2,500,000 shall be*
11 *available for the purpose of providing financial assistance*
12 *as described, and in accordance with the process and report-*
13 *ing procedures set forth, under this heading in Public Law*
14 *102-229.*

15 *DEPARTMENT OF DEFENSE—CIVIL*

16 *CEMETERIAL EXPENSES, ARMY*

17 *SALARIES AND EXPENSES*

18 *For necessary expenses for maintenance, operation,*
19 *and improvement of Arlington National Cemetery and Sol-*
20 *diers' and Airmen's Home National Cemetery, including*
21 *the purchase or lease of passenger motor vehicles for replace-*
22 *ment on a one-for-one basis only, and not to exceed \$1,000*
23 *for official reception and representation expenses,*
24 *\$70,800,000, of which not to exceed \$15,000,000 shall re-*
25 *main available until September 30, 2019. In addition, such*

1 *sums as may be necessary for parking maintenance, repairs*
2 *and replacement, to be derived from the “Lease of Depart-*
3 *ment of Defense Real Property for Defense Agencies” ac-*
4 *count.*

5 *ARMED FORCES RETIREMENT HOME*

6 *TRUST FUND*

7 *For expenses necessary for the Armed Forces Retire-*
8 *ment Home to operate and maintain the Armed Forces Re-*
9 *tirement Home—Washington, District of Columbia, and the*
10 *Armed Forces Retirement Home—Gulfport, Mississippi, to*
11 *be paid from funds available in the Armed Forces Retire-*
12 *ment Home Trust Fund, \$64,300,000, of which \$1,000,000*
13 *shall remain available until expended for construction and*
14 *renovation of the physical plants at the Armed Forces Re-*
15 *tirement Home—Washington, District of Columbia, and the*
16 *Armed Forces Retirement Home—Gulfport, Mississippi:*
17 *Provided, That of the amounts made available under this*
18 *heading from funds available in the Armed Forces Retire-*
19 *ment Home Trust Fund, \$22,000,000 shall be paid from*
20 *the general fund of the Treasury to the Trust Fund.*

21 *ADMINISTRATIVE PROVISIONS*

22 *SEC. 301. Funds appropriated in this Act under the*
23 *heading “Department of Defense—Civil, Cemeterial Ex-*
24 *penses, Army”, may be provided to Arlington County, Vir-*
25 *ginia, for the relocation of the federally owned water main*

1 *at Arlington National Cemetery, making additional land*
2 *available for ground burials.*

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

7 *TITLE IV*

8 *OVERSEAS CONTINGENCY OPERATIONS*

9 *DEPARTMENT OF DEFENSE*

10 *MILITARY CONSTRUCTION, ARMY*

11 *For an additional amount for “Military Construction,*
12 *Army”, \$18,900,000, to remain available until September*
13 *30, 2021, for projects outside of the United States: Provided,*
14 *That such amount is designated by the Congress for Over-*
15 *seas Contingency Operations/Global War on Terrorism pur-*
16 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*
17 *and Emergency Deficit Control Act of 1985.*

18 *MILITARY CONSTRUCTION, NAVY AND MARINE CORPS*

19 *For an additional amount for “Military Construction,*
20 *Navy and Marine Corps”, \$59,809,000, to remain available*
21 *until September 30, 2021, for projects outside of the United*
22 *States: Provided, That such amount is designated by the*
23 *Congress for Overseas Contingency Operations/Global War*
24 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*

1 *Balanced Budget and Emergency Deficit Control Act of*
2 *1985.*

3 *MILITARY CONSTRUCTION, AIR FORCE*

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

11 *MILITARY CONSTRUCTION, DEFENSE-WIDE*

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

19 *TITLE V*

20 *GENERAL PROVISIONS*

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

24 *SEC. 502. None of the funds made available in this*
25 *Act may be used for any program, project, or activity, when*

1 *it is made known to the Federal entity or official to which*
2 *the funds are made available that the program, project, or*
3 *activity is not in compliance with any Federal law relating*
4 *to risk assessment, the protection of private property rights,*
5 *or unfunded mandates.*

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

11 *SEC. 504. Unless stated otherwise, all reports and noti-*
12 *fications required by this Act shall be submitted to the Sub-*
13 *committee on Military Construction and Veterans Affairs,*
14 *and Related Agencies of the Committee on Appropriations*
15 *of the House of Representatives and the Subcommittee on*
16 *Military Construction and Veterans Affairs, and Related*
17 *Agencies of the Committee on Appropriations of the Senate.*

18 *SEC. 505. None of the funds made available in this*
19 *Act may be transferred to any department, agency, or in-*
20 *strumentality of the United States Government except pur-*
21 *suant to a transfer made by, or transfer authority provided*
22 *in, this or any other appropriations Act.*

23 *SEC. 506. None of the funds made available in this*
24 *Act may be used for a project or program named for an*

1 *individual serving as a Member, Delegate, or Resident Com-*
2 *missioner of the United States House of Representatives.*

3 *SEC. 507. (a) Any agency receiving funds made avail-*
4 *able in this Act, shall, subject to subsections (b) and (c),*
5 *post on the public Web site of that agency any report re-*
6 *quired to be submitted by the Congress in this or any other*
7 *Act, upon the determination by the head of the agency that*
8 *it shall serve the national interest.*

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

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

12 *(2) the report contains confidential or propri-*
13 *etary information.*

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

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

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

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

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

10 *SEC. 511. None of the funds made available by this*
11 *Act may be used by the Department of Defense or the De-*
12 *partment of Veterans Affairs to lease or purchase new light*
13 *duty vehicles for any executive fleet, or for an agency’s fleet*
14 *inventory, except in accordance with Presidential Memo-*
15 *randum—Federal Fleet Performance, dated May 24, 2011.*

16 *SEC. 512. (a) IN GENERAL.—None of the funds appro-*
17 *priated or otherwise made available to the Department of*
18 *Defense in this Act may be used to construct, renovate, or*
19 *expand any facility in the United States, its territories, or*
20 *possessions to house any individual detained at United*
21 *States Naval Station, Guantánamo Bay, Cuba, for the pur-*
22 *poses of detention or imprisonment in the custody or under*
23 *the control of the Department of Defense.*

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

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

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

9 (2) *is—*

10 (A) *in the custody or under the effective*
11 *control of the Department of Defense; or*

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

14 *SEC. 513. Unobligated balances of amounts appro-*
15 *priated under title VI of the Departments of Labor, Health*
16 *and Human Services, Education and Related Agencies Ap-*
17 *propriations Act, 2015 (division G of Public Law 113–235)*
18 *and title IX of the Department of State, Foreign Oper-*
19 *ations, and Related Programs Appropriations Act, 2015*
20 *(division J of Public Law 113–235) shall also be available*
21 *for necessary expenses to prevent, prepare for, and respond*
22 *to Zika virus, domestically and internationally: Provided,*
23 *That such amounts are designated by the Congress as an*
24 *emergency requirement pursuant to section 251(b)(2)(A)(i)*
25 *of the Balanced Budget and Emergency Deficit Control Act*

1 of 1985, except that such amounts shall be available only
2 if the President subsequently so designates such amounts
3 and transmits such designation to the Congress.

4 *SPENDING REDUCTION ACCOUNT*

5 *SEC. 514. The amount by which the applicable alloca-*
6 *tion of new budget authority made by the Committee on*
7 *Appropriations of the House of Representatives under sec-*
8 *tion 302(b) of the Congressional Budget Act of 1974 exceeds*
9 *the amount of proposed new budget authority is \$0.*

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

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

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

1 *bribery, falsification or destruction of records, making*
2 *false statements, tax evasion, violating Federal crimi-*
3 *nal tax laws, or receiving stolen property;*

4 *(2) are presently indicted for, or otherwise crimi-*
5 *nally or civilly charged by a governmental entity*
6 *with, commission of any of the offenses enumerated*
7 *above in paragraph (1); or*

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

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

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

16 *(1) carry out the memorandum from the Vet-*
17 *erans Benefit Administration known as Fast Letter*
18 *13–10, issued on May 20, 2013; or*

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

23 *SEC. 519. (a) For an additional amount for “Veterans*
24 *Health Administration—Medical Services” for grants to*
25 *States under subchapter III of chapter 81 of title 38, United*

1 *States Code, to expand, remodel, or alter existing buildings*
2 *for furnishing nursing home care to veterans in State homes*
3 *that are former nursing home facilities of the Department*
4 *of Veterans Affairs, as authorized by section 8133 of such*
5 *subchapter, there is hereby appropriated, and the amount*
6 *otherwise provided by this Act for “Departmental Adminis-*
7 *tration—General Administration” is hereby reduced by,*
8 *\$10,000,000.*

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

14 *SEC. 520. None of the funds made available by this*
15 *Act may be used in contravention of sections 575.106 or*
16 *575.206 of title 5, Code of Federal Regulations.*

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

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

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

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

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

17 *This division may be cited as the “Military Construc-*
18 *tion and Veterans Affairs and Related Agencies Appropria-*
19 *tions Act, 2017”.*

20 ***DIVISION B—ZIKA RESPONSE***

21 ***APPROPRIATIONS***

22 *The following sums are appropriated, out of any*
23 *money in the Treasury not otherwise appropriated, for the*
24 *fiscal year ending September 30, 2016, and for other pur-*
25 *poses, namely:*

1 *priated under this heading, up to \$50,000,000 may be*
2 *transferred to, and merged with, funds appropriated under*
3 *the heading “Health Resources and Services Administra-*
4 *tion—Maternal and Child Health” for an additional*
5 *amount for the Maternal and Child Health Services Block*
6 *Grant Program only for the following activities related to*
7 *patient care associated with the Zika virus: prenatal care,*
8 *delivery care, postpartum care, newborn health assessments,*
9 *and care for infants with special health care needs: Pro-*
10 *vided further, That such transfer authority is in addition*
11 *to any other transfer authority provided by law: Provided*
12 *further, That such transferred funds may be awarded not-*
13 *withstanding section 502 of the Social Security Act: Pro-*
14 *vided further, That such transferred funds may be awarded*
15 *for special projects of regional and national significance to*
16 *States, Puerto Rico, other Territories, Indian Tribes, Tribal*
17 *Organizations and Urban Indian Organizations authorized*
18 *under title V of such Act: Provided further, That no funding*
19 *provided by a grant from funds in the fifth proviso may*
20 *be used to make a grant to any other organization or indi-*
21 *vidual.*

1 *NATIONAL INSTITUTES OF HEALTH*
2 *NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS*
3 *DISEASES*
4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For an additional amount for “National Institute of*
6 *Allergy and Infectious Diseases”, \$230,000,000, which shall*
7 *become available upon enactment of this Act and remain*
8 *available until September 30, 2016, for preclinical and*
9 *clinical development of vaccines for the Zika virus: Pro-*
10 *vided, That such funds may be transferred by the Director*
11 *of the National Institutes of Health (“NIH”) to other ac-*
12 *counts of the NIH for the purposes provided in this para-*
13 *graph: Provided further, That such transfer authority is in*
14 *addition to any other transfer authority provided by law:*
15 *Provided further, That such amount is designated by the*
16 *Congress as an emergency requirement pursuant to section*
17 *251(b)(2)(A)(i) of the Balanced Budget and Emergency*
18 *Deficit Control Act of 1985, except that such amount shall*
19 *be available only if the President subsequently so designates*
20 *such amount and transmits such designation to the Con-*
21 *gress.*

1 *amount is designated by the Congress as an emergency re-*
2 *quirement pursuant to section 251(b)(2)(A)(i) of the Bal-*
3 *anced Budget and Emergency Deficit Control Act of 1985,*
4 *except that such amount shall be available only if the Presi-*
5 *dent subsequently so designates such amount and transmits*
6 *such designation to the Congress.*

7 **GENERAL PROVISIONS—THIS TITLE**

8 **NOTIFICATION REQUIREMENT**

9 *SEC. 101. Funds appropriated by this title shall only*
10 *be available for obligation if the Secretary of Health and*
11 *Human Services notifies the Committees on Appropriations*
12 *in writing at least 15 days in advance of such obligation:*
13 *Provided, That the requirement of this section may be*
14 *waived if failure to do so would pose a substantial risk to*
15 *human health or welfare: Provided further, That in case*
16 *of any such waiver, notification to such Committees shall*
17 *be provided as early as practicable, but in no event later*
18 *than 3 days after taking the action to which such notifica-*
19 *tion requirement was applicable: Provided further, That*
20 *any notification provided pursuant to such a waiver shall*
21 *contain an explanation of the emergency circumstances.*

22 **REPORTING REQUIREMENT**

23 *SEC. 102. Not later than 30 days after enactment of*
24 *this Act the Secretary of Health and Human Services shall*
25 *submit to the Committees on Appropriations a consolidated*

1 *report on the proposed uses of funds appropriated by this*
2 *title for which the obligation of funds is anticipated: Pro-*
3 *vided, That such report shall be updated and submitted to*
4 *such Committees every 30 days until all funds have been*
5 *fully expended.*

6 *OVERSIGHT*

7 *SEC. 103. Of the funds appropriated by this title under*
8 *the heading “Centers for Disease Control and Prevention”,*
9 *up to—*

10 *(1) \$500,000 shall be transferred to, and merged*
11 *with, funds available under the heading “Office of In-*
12 *spector General”, and shall remain available until ex-*
13 *pended, for oversight of activities supported with*
14 *funds appropriated by this title: Provided, That the*
15 *transfer authority provided by this paragraph is in*
16 *addition to any other transfer authority provided by*
17 *law; and*

18 *(2) \$500,000 shall be made available to the*
19 *Comptroller General of the United States, and shall*
20 *remain available until expended, for oversight of ac-*
21 *tivities supported with funds appropriated by the*
22 *title: Provided, That the Secretary of Health and*
23 *Human Services shall consult with the Committees on*
24 *Appropriations prior to obligating such funds.*

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TITLE II

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for “Diplomatic and Consular Programs”, \$9,100,000, which shall become available upon enactment of this Act and remain available until September 30, 2016, for necessary expenses to support the cost of medical evacuations and other response efforts related to the Zika virus and health conditions directly associated with the Zika virus: 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, except that such amount shall be available only if the President subsequently so designates such amount and transmits such designation to the Congress.

UNITED STATES AGENCY FOR INTERNATIONAL

DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For an additional amount for “Operating Expenses”, \$10,000,000, which shall become available upon enactment of this Act and remain available until September 30, 2016, for necessary expenses to support response efforts related to

1 *the Zika virus and health conditions directly associated*
 2 *with the Zika virus: Provided, That such amount is des-*
 3 *ignated by the Congress as an emergency requirement pur-*
 4 *suant to section 251(b)(2)(A)(i) of the Balanced Budget and*
 5 *Emergency Deficit Control Act of 1985, except that such*
 6 *amount shall be available only if the President subsequently*
 7 *so designates such amount and transmits such designation*
 8 *to the Congress.*

9 *BILATERAL ECONOMIC ASSISTANCE*

10 *FUNDS APPROPRIATED TO THE PRESIDENT*

11 *GLOBAL HEALTH PROGRAMS*

12 *For an additional amount for “Global Health Pro-*
 13 *grams”, \$100,000,000, which shall become available upon*
 14 *enactment of this Act and remain available until September*
 15 *30, 2016, for vector control activities to prevent, prepare*
 16 *for, and respond to the Zika virus internationally.*

17 *GENERAL PROVISIONS—THIS TITLE*

18 *TRANSFER AUTHORITIES*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *SEC. 201. (a) Of the funds appropriated by this title*
 21 *under the heading “Diplomatic and Consular Programs”,*
 22 *up to—*

23 *(1) \$1,350,000 may be made available for med-*
 24 *ical evacuation costs of any other department or*
 25 *agency of the United States under Chief of Mission*

1 *national Development, as appropriate, notifies the Commit-*
2 *tees on Appropriations in writing at least 15 days in ad-*
3 *vance of such obligation: Provided, That the requirement*
4 *of this section may be waived if failure to do so would pose*
5 *a substantial risk to human health or welfare: Provided fur-*
6 *ther, That in case of any such waiver, notification to such*
7 *Committees shall be provided as early as practicable, but*
8 *in no event later than 3 days after taking the action to*
9 *which such notification requirement was applicable: Pro-*
10 *vided further, That any notification provided pursuant to*
11 *such a waiver shall contain an explanation of the emer-*
12 *gency circumstances.*

13 *REPORTING REQUIREMENT*

14 *SEC. 203. Not later than 30 days after enactment of*
15 *this Act the Secretary of State, in consultation with the Ad-*
16 *ministrator of the United States Agency for International*
17 *Development, shall submit to the Committees on Appropria-*
18 *tions a consolidated report on the proposed uses of funds*
19 *appropriated by this title for which the obligation of funds*
20 *is anticipated: Provided, That such report shall be updated*
21 *and submitted to such Committees every 30 days until all*
22 *funds have been fully expended.*

23 *OVERSIGHT*

24 *SEC. 204. Of the funds appropriated by this title under*
25 *the heading “Global Health Programs”, up to—*

1 *Act, 2015 (division J of Public Law 113–235),*
2 *\$352,100,000 are rescinded: Provided, That after consulta-*
3 *tion with the Secretary of State and the Secretary of Health*
4 *and Human Services, the Director of the Office of Manage-*
5 *ment and Budget (OMB Director) shall determine the ac-*
6 *counts and amounts from which the rescission is to be de-*
7 *rived and apply the rescission made pursuant to this sub-*
8 *section: Provided further, That not later than 30 days after*
9 *enactment of this Act, the OMB Director shall transmit a*
10 *report to the Committees on Appropriations detailing the*
11 *amounts rescinded pursuant to this section by agency, ac-*
12 *count, program, project, and activity.*

13 *(b) Of the unobligated balances available in the Non-*
14 *recurring expenses fund established in section 223 of divi-*
15 *sion G of Public Law 110–161 (42 U.S.C. 3514a) from any*
16 *fiscal year, including amounts transferred to the Non-*
17 *recurring expenses fund under that section before, on, or*
18 *after the date of enactment of this Act, \$270,000,000 are*
19 *rescinded.*

20 *SEC. 302. Unless otherwise provided for by this Act,*
21 *the additional amounts appropriated pursuant to this Act*
22 *for fiscal year 2016 are subject to the requirements for funds*
23 *contained in the Consolidated Appropriations Act, 2016*
24 *(Public Law 114–113).*

1 *This division may be cited as the “Zika Response Ap-*
2 *propriations Act, 2016”.*

3 ***DIVISION C—ZIKA VECTOR CONTROL***

4 ***SECTION 1. SHORT TITLE.***

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

7 ***SEC. 2. USE OF AUTHORIZED PESTICIDES.***

8 *Section 3(f) of the Federal Insecticide, Fungicide, and*
9 *Rodenticide Act (7 U.S.C. 136a(f)) is amended by adding*
10 *at the end the following:*

11 *“(5) USE OF AUTHORIZED PESTICIDES.—*

12 *“(A) IN GENERAL.—Except as provided in*
13 *section 402(s) of the Federal Water Pollution*
14 *Control Act, the Administrator or a State may*
15 *not require a permit under such Act for a dis-*
16 *charge from a point source into navigable waters*
17 *of a pesticide authorized for sale, distribution, or*
18 *use under this Act, or the residue of such a pes-*
19 *ticide, resulting from the application of such pes-*
20 *ticide.*

21 *“(B) SUNSET.—This paragraph shall cease*
22 *to be effective on September 30, 2018.”.*

1 **SEC. 3. DISCHARGES OF PESTICIDES.**

2 *Section 402 of the Federal Water Pollution Control Act*
3 *(33 U.S.C. 1342) is amended by adding at the end the fol-*
4 *lowing:*

5 “(s) *DISCHARGES OF PESTICIDES.*—

6 “(1) *NO PERMIT REQUIREMENT.*—*Except as pro-*
7 *vided in paragraph (2), a permit shall not be re-*
8 *quired by the Administrator or a State under this Act*
9 *for a discharge from a point source into navigable*
10 *waters of a pesticide authorized for sale, distribution,*
11 *or use under the Federal Insecticide, Fungicide, and*
12 *Rodenticide Act, or the residue of such a pesticide, re-*
13 *sulting from the application of such pesticide.*

14 “(2) *EXCEPTIONS.*—*Paragraph (1) shall not*
15 *apply to the following discharges of a pesticide or pes-*
16 *ticide residue:*

17 “(A) *A discharge resulting from the appli-*
18 *cation of a pesticide in violation of a provision*
19 *of the Federal Insecticide, Fungicide, and*
20 *Rodenticide Act that is relevant to protecting*
21 *water quality, if—*

22 “(i) *the discharge would not have oc-*
23 *curred but for the violation; or*

24 “(ii) *the amount of pesticide or pes-*
25 *ticide residue in the discharge is greater*

1 *than would have occurred without the viola-*
2 *tion.*

3 *“(B) Stormwater discharges subject to regu-*
4 *lation under subsection (p).*

5 *“(C) The following discharges subject to reg-*
6 *ulation under this section:*

7 *“(i) Manufacturing or industrial efflu-*
8 *ent.*

9 *“(ii) Treatment works effluent.*

10 *“(iii) Discharges incidental to the nor-*
11 *mal operation of a vessel, including a dis-*
12 *charge resulting from ballasting operations*
13 *or vessel biofouling prevention.*

14 *“(3) SUNSET.—This subsection shall cease to be*
15 *effective on September 30, 2018.”.*

Attest:

Clerk.

114TH CONGRESS
2^D SESSION

H.R. 2577

**HOUSE AMENDMENT TO
SENATE AMENDMENT**