

## Union Calendar No. 127

115<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2998

[Report No. 115–188]

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2018, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2017

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

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## A BILL

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2018, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That the following sums are appropriated, out of any  
4 money in the Treasury not otherwise appropriated, for  
5 military construction, the Department of Veterans Affairs,  
6 and related agencies for the fiscal year ending September  
7 30, 2018, and for other purposes, namely:

8 TITLE I

9 DEPARTMENT OF DEFENSE

10 MILITARY CONSTRUCTION, ARMY

11 For acquisition, construction, installation, and equip-  
12 ment of temporary or permanent public works, military  
13 installations, facilities, and real property for the Army as  
14 currently authorized by law, including personnel in the  
15 Army Corps of Engineers and other personal services nec-  
16 essary for the purposes of this appropriation, and for con-  
17 struction and operation of facilities in support of the func-  
18 tions of the Commander in Chief, \$923,994,000, to re-  
19 main available until September 30, 2022: *Provided*, That,  
20 of this amount, not to exceed \$101,470,000 shall be avail-  
21 able for study, planning, design, architect and engineer  
22 services, and host nation support, as authorized by law,  
23 unless the Secretary of the Army determines that addi-  
24 tional obligations are necessary for such purposes and no-

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

3       MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

4       For acquisition, construction, installation, and equip-  
5 ment of temporary or permanent public works, naval in-  
6 stallations, facilities, and real property for the Navy and  
7 Marine Corps as currently authorized by law, including  
8 personnel in the Naval Facilities Engineering Command  
9 and other personal services necessary for the purposes of  
10 this appropriation, \$1,558,085,000, to remain available  
11 until September 30, 2022: *Provided*, That, of this amount,  
12 not to exceed \$219,069,000 shall be available for study,  
13 planning, design, and architect and engineer services, as  
14 authorized by law, unless the Secretary of the Navy deter-  
15 mines that additional obligations are necessary for such  
16 purposes and notifies the Committees on Appropriations  
17 of both Houses of Congress of the determination and the  
18 reasons therefor.

19               MILITARY CONSTRUCTION, AIR FORCE

20       For acquisition, construction, installation, and equip-  
21 ment of temporary or permanent public works, military  
22 installations, facilities, and real property for the Air Force  
23 as currently authorized by law, \$1,540,474,000, to remain  
24 available until September 30, 2022: *Provided*, That, of  
25 this amount, not to exceed \$97,852,000 shall be available

1 for study, planning, design, and architect and engineer  
2 services, as authorized by law, unless the Secretary of the  
3 Air Force determines that additional obligations are nec-  
4 essary for such purposes and notifies the Committees on  
5 Appropriations of both Houses of Congress of the deter-  
6 mination and the reasons therefor.

7           MILITARY CONSTRUCTION, DEFENSE-WIDE

8                   (INCLUDING TRANSFER OF FUNDS)

9           For acquisition, construction, installation, and equip-  
10 ment of temporary or permanent public works, installa-  
11 tions, facilities, and real property for activities and agen-  
12 cies of the Department of Defense (other than the military  
13 departments), as currently authorized by law,  
14 \$2,791,272,000, to remain available until September 30,  
15 2022: *Provided*, That such amounts of this appropriation  
16 as may be determined by the Secretary of Defense may  
17 be transferred to such appropriations of the Department  
18 of Defense available for military construction or family  
19 housing as the Secretary may designate, to be merged with  
20 and to be available for the same purposes, and for the  
21 same time period, as the appropriation or fund to which  
22 transferred: *Provided further*, That, of the amount, not to  
23 exceed \$185,717,000 shall be available for study, plan-  
24 ning, design, and architect and engineer services, as au-  
25 thorized by law, unless the Secretary of Defense deter-

1 mines that additional obligations are necessary for such  
2 purposes and notifies the Committees on Appropriations  
3 of both Houses of Congress of the determination and the  
4 reasons therefor.

5       MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

6       For construction, acquisition, expansion, rehabilita-  
7 tion, and conversion of facilities for the training and ad-  
8 ministration of the Army National Guard, and contribu-  
9 tions therefor, as authorized by chapter 1803 of title 10,  
10 United States Code, and Military Construction Authoriza-  
11 tion Acts, \$210,652,000, to remain available until Sep-  
12 tember 30, 2022: *Provided*, That, of the amount, not to  
13 exceed \$16,271,000 shall be available for study, planning,  
14 design, and architect and engineer services, as authorized  
15 by law, unless the Director of the Army National Guard  
16 determines that additional obligations are necessary for  
17 such purposes and notifies the Committees on Appropria-  
18 tions of both Houses of Congress of the determination and  
19 the reasons therefor.

20       MILITARY CONSTRUCTION, AIR NATIONAL GUARD

21       For construction, acquisition, expansion, rehabilita-  
22 tion, and conversion of facilities for the training and ad-  
23 ministration of the Air National Guard, and contributions  
24 therefor, as authorized by chapter 1803 of title 10, United  
25 States Code, and Military Construction Authorization

1 Acts, \$161,491,000, to remain available until September  
2 30, 2022: *Provided*, That, of the amount, not to exceed  
3 \$18,000,000 shall be available for study, planning, design,  
4 and architect and engineer services, as authorized by law,  
5 unless the Director of the Air National Guard determines  
6 that additional obligations are necessary for such purposes  
7 and notifies the Committees on Appropriations of both  
8 Houses of Congress of the determination and the reasons  
9 therefor.

10 MILITARY CONSTRUCTION, ARMY RESERVE

11 For construction, acquisition, expansion, rehabilita-  
12 tion, and conversion of facilities for the training and ad-  
13 ministration of the Army Reserve as authorized by chapter  
14 1803 of title 10, United States Code, and Military Con-  
15 struction Authorization Acts, \$73,712,000, to remain  
16 available until September 30, 2022: *Provided*, That, of the  
17 amount, not to exceed \$6,887,000 shall be available for  
18 study, planning, design, and architect and engineer serv-  
19 ices, as authorized by law, unless the Chief of the Army  
20 Reserve determines that additional obligations are nec-  
21 essary for such purposes and notifies the Committees on  
22 Appropriations of both Houses of Congress of the deter-  
23 mination and the reasons therefor.

## 1           MILITARY CONSTRUCTION, NAVY RESERVE

2           For construction, acquisition, expansion, rehabilita-  
3 tion, and conversion of facilities for the training and ad-  
4 ministration of the reserve components of the Navy and  
5 Marine Corps as authorized by chapter 1803 of title 10,  
6 United States Code, and Military Construction Authoriza-  
7 tion Acts, \$65,271,000, to remain available until Sep-  
8 tember 30, 2022: *Provided*, That, of the amount, not to  
9 exceed \$4,430,000 shall be available for study, planning,  
10 design, and architect and engineer services, as authorized  
11 by law, unless the Secretary of the Navy determines that  
12 additional obligations are necessary for such purposes and  
13 notifies the Committees on Appropriations of both Houses  
14 of Congress of the determination and the reasons therefor.

## 15           MILITARY CONSTRUCTION, AIR FORCE RESERVE

16           For construction, acquisition, expansion, rehabilita-  
17 tion, and conversion of facilities for the training and ad-  
18 ministration of the Air Force Reserve as authorized by  
19 chapter 1803 of title 10, United States Code, and Military  
20 Construction Authorization Acts, \$63,535,000, to remain  
21 available until September 30, 2022: *Provided*, That, of the  
22 amount, not to exceed \$4,725,000 shall be available for  
23 study, planning, design, and architect and engineer serv-  
24 ices, as authorized by law, unless the Chief of the Air  
25 Force Reserve determines that additional obligations are

1 necessary for such purposes and notifies the Committees  
2 on Appropriations of both Houses of Congress of the de-  
3 termination and the reasons therefor: *Provided further*,  
4 That, the Chief of the Air Force Reserve shall take imme-  
5 diate action to address unfunded military construction re-  
6 quirements for access control points and security issues  
7 at Air Force Reserve facilities.

8           NORTH ATLANTIC TREATY ORGANIZATION  
9                   SECURITY INVESTMENT PROGRAM

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

19         DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

20         For deposit into the Department of Defense Base  
21 Closure Account, established by section 2906(a) of the De-  
22 fense Base Closure and Realignment Act of 1990 (10  
23 U.S.C. 2687 note), \$290,867,000, to remain available  
24 until expended.



## 1           FAMILY HOUSING CONSTRUCTION, ARMY

2           For expenses of family housing for the Army for con-  
3 struction, including acquisition, replacement, addition, ex-  
4 pansion, extension, and alteration, as authorized by law,  
5 \$182,662,000, to remain available until September 30,  
6 2022.

## 7           FAMILY HOUSING OPERATION AND MAINTENANCE,

## 8   ARMY

9           For expenses of family housing for the Army for op-  
10 eration and maintenance, including debt payment, leasing,  
11 minor construction, principal and interest charges, and in-  
12 surance premiums, as authorized by law, \$346,625,000.

## 13          FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE

## 14   CORPS

15          For expenses of family housing for the Navy and Ma-  
16 rine Corps for construction, including acquisition, replace-  
17 ment, addition, expansion, extension, and alteration, as  
18 authorized by law, \$83,682,000, to remain available until  
19 September 30, 2022.

## 20          FAMILY HOUSING OPERATION AND MAINTENANCE,

## 21   NAVY AND MARINE CORPS

22          For expenses of family housing for the Navy and Ma-  
23 rine Corps for operation and maintenance, including debt  
24 payment, leasing, minor construction, principal and inter-

1 est charges, and insurance premiums, as authorized by  
2 law, \$328,282,000.

3 FAMILY HOUSING CONSTRUCTION, AIR FORCE

4 For expenses of family housing for the Air Force for  
5 construction, including acquisition, replacement, addition,  
6 expansion, extension, and alteration, as authorized by law,  
7 \$85,062,000, to remain available until September 30,  
8 2022.

9 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR  
10 FORCE

11 For expenses of family housing for the Air Force for  
12 operation and maintenance, including debt payment, leas-  
13 ing, minor construction, principal and interest charges,  
14 and insurance premiums, as authorized by law,  
15 \$318,324,000.

16 FAMILY HOUSING OPERATION AND MAINTENANCE,  
17 DEFENSE-WIDE

18 For expenses of family housing for the activities and  
19 agencies of the Department of Defense (other than the  
20 military departments) for operation and maintenance,  
21 leasing, and minor construction, as authorized by law,  
22 \$59,169,000.

1           DEPARTMENT OF DEFENSE FAMILY HOUSING  
2                           IMPROVEMENT FUND

3           For the Department of Defense Family Housing Im-  
4           provement Fund, \$2,726,000, to remain available until ex-  
5           pended, for family housing initiatives undertaken pursu-  
6           ant to section 2883 of title 10, United States Code, pro-  
7           viding alternative means of acquiring and improving mili-  
8           tary family housing and supporting facilities.

9           DEPARTMENT OF DEFENSE MILITARY UNACCOMPANIED  
10                           HOUSING IMPROVEMENT FUND

11          For the Department of Defense Military Unaccom-  
12          panied Housing Improvement Fund, \$623,000, to remain  
13          available until expended, for unaccompanied housing ini-  
14          tiatives undertaken pursuant to section 2883 of title 10,  
15          United States Code, providing alternative means of acquir-  
16          ing and improving military unaccompanied housing and  
17          supporting facilities.

18                           ADMINISTRATIVE PROVISIONS

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

1       SEC. 102. Funds made available in this title for con-  
2   struction shall be available for hire of passenger motor ve-  
3   hicles.

4       SEC. 103. Funds made available in this title for con-  
5   struction may be used for advances to the Federal High-  
6   way Administration, Department of Transportation, for  
7   the construction of access roads as authorized by section  
8   210 of title 23, United States Code, when projects author-  
9   ized therein are certified as important to the national de-  
10  fense by the Secretary of Defense.

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

15       SEC. 105. None of the funds made available in this  
16  title shall be used for purchase of land or land easements  
17  in excess of 100 percent of the value as determined by  
18  the Army Corps of Engineers or the Naval Facilities Engi-  
19  neering Command, except: (1) where there is a determina-  
20  tion of value by a Federal court; (2) purchases negotiated  
21  by the Attorney General or the designee of the Attorney  
22  General; (3) where the estimated value is less than  
23  \$25,000; or (4) as otherwise determined by the Secretary  
24  of Defense to be in the public interest.

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

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

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

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

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

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

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

23       SEC. 113. The Secretary of Defense shall inform the  
24 appropriate committees of both Houses of Congress, in-  
25 cluding the Committees on Appropriations, of plans and

1 scope of any proposed military exercise involving United  
2 States personnel 30 days prior to its occurring, if amounts  
3 expended for construction, either temporary or permanent,  
4 are anticipated to exceed \$100,000.

5       SEC. 114. Funds appropriated to the Department of  
6 Defense for construction in prior years shall be available  
7 for construction authorized for each such military depart-  
8 ment by the authorizations enacted into law during the  
9 current session of Congress.

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

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

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

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 117. Subject to 30 days prior notification, or  
5 14 days for a notification provided in an electronic me-  
6 dium pursuant to sections 480 and 2883 of title 10,  
7 United States Code, to the Committees on Appropriations  
8 of both Houses of Congress, such additional amounts as  
9 may be determined by the Secretary of Defense may be  
10 transferred to: (1) the Department of Defense Family  
11 Housing Improvement Fund from amounts appropriated  
12 for construction in “Family Housing” accounts, to be  
13 merged with and to be available for the same purposes  
14 and for the same period of time as amounts appropriated  
15 directly to the Fund; or (2) the Department of Defense  
16 Military Unaccompanied Housing Improvement Fund  
17 from amounts appropriated for construction of military  
18 unaccompanied housing in “Military Construction” ac-  
19 counts, to be merged with and to be available for the same  
20 purposes and for the same period of time as amounts ap-  
21 propriated directly to the Fund: *Provided*, That appropria-  
22 tions made available to the Funds shall be available to  
23 cover the costs, as defined in section 502(5) of the Con-  
24 gressional Budget Act of 1974, of direct loans or loan  
25 guarantees issued by the Department of Defense pursuant



1 to the provisions of subchapter IV of chapter 169 of title  
2 10, United States Code, pertaining to alternative means  
3 of acquiring and improving military family housing, mili-  
4 tary unaccompanied housing, and supporting facilities.

5 (INCLUDING TRANSFER OF FUNDS)

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

17 SEC. 119. Notwithstanding any other provision of  
18 law, funds made available in this title for operation and  
19 maintenance of family housing shall be the exclusive  
20 source of funds for repair and maintenance of all family  
21 housing units, including general or flag officer quarters:  
22 *Provided*, That not more than \$15,000 per unit may be  
23 spent annually for the maintenance and repair of any gen-  
24 eral or flag officer quarters without 30 days prior notifica-  
25 tion, or 14 days for a notification provided in an electronic

1 medium pursuant to sections 480 and 2883 of title 10,  
2 United States Code, to the Committees on Appropriations  
3 of both Houses of Congress, except that an after-the-fact  
4 notification shall be submitted if the limitation is exceeded  
5 solely due to costs associated with environmental remedi-  
6 ation that could not be reasonably anticipated at the time  
7 of the budget submission.

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

14                   (INCLUDING TRANSFER OF FUNDS)

15       SEC. 121. During the 5-year period after appropria-  
16 tions available in this Act to the Department of Defense  
17 for military construction and family housing operation and  
18 maintenance and construction have expired for obligation,  
19 upon a determination that such appropriations will not be  
20 necessary for the liquidation of obligations or for making  
21 authorized adjustments to such appropriations for obliga-  
22 tions incurred during the period of availability of such ap-  
23 propriations, unobligated balances of such appropriations  
24 may be transferred into the appropriation “Foreign Cur-  
25 rency Fluctuations, Construction, Defense”, to be merged

1 with and to be available for the same time period and for  
2 the same purposes as the appropriation to which trans-  
3 ferred.

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

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

12 (2) is located at a military installation at which  
13 the total number of civilian employees of the Depart-  
14 ment of the Army and Army contractor personnel  
15 employed exceeds 10 percent of the total number of  
16 members of the regular and reserve components of  
17 the Army assigned to the installation.

18 (b) EXCEPTION.—Subsection (a) shall not apply if  
19 the Secretary of the Army certifies to the congressional  
20 defense committees that in proposing the relocation of the  
21 unit of the Army, the Secretary complied with Army Regu-  
22 lation 5–10 relating to the policy, procedures, and respon-  
23 sibilities for Army stationing actions.

24 SEC. 123. Amounts appropriated or otherwise made  
25 available in an account funded under the headings in this

1 title may be transferred among projects and activities  
2 within the account in accordance with the reprogramming  
3 guidelines for military construction and family housing  
4 construction contained in Department of Defense Finan-  
5 cial Management Regulation 7000.14–R, Volume 3, Chap-  
6 ter 7, of March 2011, as in effect on the date of enactment  
7 of this Act.

8       SEC. 124. None of the funds made available in this  
9 title may be obligated or expended for planning and design  
10 and construction of projects at Arlington National Ceme-  
11 tery.

12       SEC. 125. For an additional amount for the accounts  
13 and in the amounts specified, to remain available until  
14 September 30, 2022:

15             “Military Construction, Army”, \$43,800,000;

16             “Military Construction, Navy and Marine  
17 Corps”, \$126,900,000;

18             “Military Construction, Air Force”,  
19 \$70,300,000;

20             “Military Construction, Army National Guard”,  
21 \$56,000,000;

22             “Military Construction, Army Reserve”,  
23 \$56,000,000

24             “Military Construction, Air National Guard”,  
25 \$41,900,000; and

1           “Military Construction, Air Force Reserve”,  
2           \$44,100,000:

3   *Provided*, That such funds may only be obligated to carry  
4 out construction projects identified in the respective mili-  
5 tary department’s unfunded priority list for fiscal year  
6 2018 submitted to Congress by the Secretary of Defense:  
7   *Provided further*, That such projects are subject to author-  
8 ization prior to obligation and expenditure of funds to  
9 carry out construction: *Provided further*, That not later  
10 than 30 days after enactment of this Act, the Secretary  
11 of the military department concerned, or his or her des-  
12 ignee, shall submit to the Committees on Appropriations  
13 of both Houses of Congress an expenditure plan for funds  
14 provided under this section.

15                                 (RESCISSIONS OF FUNDS)

16           SEC. 126. Of the unobligated balances available to  
17 the Department of Defense from prior appropriation Acts,  
18 the following funds are hereby rescinded from the fol-  
19 lowing accounts in the amounts specified:

20                                 “Military Construction, Army”, \$10,000,000;

21                                 “Military Construction, Navy and Marine  
22 Corps”, \$10,000,000

23                                 “Military Construction, Defense-Wide”,  
24                                 \$27,440,000;

1           “North Atlantic Treaty Organization Security  
2           Investment Program”, \$25,000,000;

3           “Family Housing Construction, Army”,  
4           \$18,000,000;

5           “Family Housing Construction, Navy and Ma-  
6           rine Corps”, \$8,000,000; and

7           “Family Housing Construction, Air Force”,  
8           \$20,000,000:

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

15       SEC. 127. For the purposes of this Act, the term  
16 “congressional defense committees” means the Commit-  
17 tees on Armed Services of the House of Representatives  
18 and the Senate, the Subcommittee on Military Construc-  
19 tion and Veterans Affairs of the Committee on Appropria-  
20 tions of the Senate, and the Subcommittee on Military  
21 Construction and Veterans Affairs of the Committee on  
22 Appropriations of the House of Representatives.

23       SEC. 128. None of the funds made available by this  
24 Act may be used to carry out the closure or realignment

1 of the United States Naval Station, Guantánamo Bay,  
2 Cuba.

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

8 For the payment of compensation benefits to or on  
9 behalf of veterans and a pilot program for disability ex-  
10 aminations as authorized by section 107 and chapters 11,  
11 13, 18, 51, 53, 55, and 61 of title 38, United States Code;  
12 pension benefits to or on behalf of veterans as authorized  
13 by chapters 15, 51, 53, 55, and 61 of title 38, United  
14 States Code; and burial benefits, the Reinstated Entitle-  
15 ment Program for Survivors, emergency and other offi-  
16 cers' retirement pay, adjusted-service credits and certifi-  
17 cates, payment of premiums due on commercial life insur-  
18 ance policies guaranteed under the provisions of title IV  
19 of the Servicemembers Civil Relief Act (50 U.S.C. App.  
20 541 et seq.) and for other benefits as authorized by sec-  
21 tions 107, 1312, 1977, and 2106, and chapters 23, 51,  
22 53, 55, and 61 of title 38, United States Code,  
23 \$95,768,462,000, to remain available until expended and  
24 to become available on October 1, 2018: *Provided*, That  
25 not to exceed \$17,882,000 of the amount made available

1 for fiscal year 2019 under this heading shall be reim-  
2 bursed to “General Operating Expenses, Veterans Bene-  
3 fits Administration”, and “Information Technology Sys-  
4 tems” for necessary expenses in implementing the provi-  
5 sions of chapters 51, 53, and 55 of title 38, United States  
6 Code, the funding source for which is specifically provided  
7 as the “Compensation and Pensions” appropriation: *Pro-*  
8 *vided further*, That such sums as may be earned on an  
9 actual qualifying patient basis, shall be reimbursed to  
10 “Medical Care Collections Fund” to augment the funding  
11 of individual medical facilities for nursing home care pro-  
12 vided to pensioners as authorized.

13 READJUSTMENT BENEFITS

14 For the payment of readjustment and rehabilitation  
15 benefits to or on behalf of veterans as authorized by chap-  
16 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and  
17 61 of title 38, United States Code, \$11,832,175,000, to  
18 remain available until expended and to become available  
19 on October 1, 2018: *Provided*, That expenses for rehabili-  
20 tation program services and assistance which the Sec-  
21 retary is authorized to provide under subsection (a) of sec-  
22 tion 3104 of title 38, United States Code, other than  
23 under paragraphs (1), (2), (5), and (11) of that sub-  
24 section, shall be charged to this account.



## 1 VETERANS INSURANCE AND INDEMNITIES

2 For military and naval insurance, national service life  
3 insurance, servicemen's indemnities, service-disabled vet-  
4 erans insurance, and veterans mortgage life insurance as  
5 authorized by chapters 19 and 21, title 38, United States  
6 Code, \$121,529,000, which shall be in addition to remain  
7 available until expended, which shall be in addition to  
8 funds previously appropriated under this heading that be-  
9 came available on October 1, 2017, of which \$109,090,000  
10 shall become available on October 1, 2018.

## 11 VETERANS HOUSING BENEFIT PROGRAM FUND

12 For the cost of direct and guaranteed loans, such  
13 sums as may be necessary to carry out the program, as  
14 authorized by subchapters I through III of chapter 37 of  
15 title 38, United States Code: *Provided*, That such costs,  
16 including the cost of modifying such loans, shall be as de-  
17 fined in section 502 of the Congressional Budget Act of  
18 1974: *Provided further*, That, during fiscal year 2018,  
19 within the resources available, not to exceed \$500,000 in  
20 gross obligations for direct loans are authorized for spe-  
21 cially adapted housing loans.

22 In addition, for administrative expenses to carry out  
23 the direct and guaranteed loan programs, \$178,626,000.

## 1 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

2 For the cost of direct loans, \$30,000, as authorized  
3 by chapter 31 of title 38, United States Code: *Provided*,  
4 That such costs, including the cost of modifying such  
5 loans, shall be as defined in section 502 of the Congres-  
6 sional Budget Act of 1974: *Provided further*, That funds  
7 made available under this heading are available to sub-  
8 sidize gross obligations for the principal amount of direct  
9 loans not to exceed \$2,356,000.

10 In addition, for administrative expenses necessary to  
11 carry out the direct loan program, \$395,000, 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  
18 of title 38, United States Code, \$1,163,000.

## 19 GENERAL OPERATING EXPENSES, VETERANS BENEFITS

## 20 ADMINISTRATION

21 For necessary operating expenses of the Veterans  
22 Benefits Administration, not otherwise provided for, in-  
23 cluding hire of passenger motor vehicles, reimbursement  
24 of the General Services Administration for security guard  
25 services, and reimbursement of the Department of De-

1 fense for the cost of overseas employee mail,  
2 \$2,894,000,000: *Provided*, That expenses for services and  
3 assistance authorized under paragraphs (1), (2), (5), and  
4 (11) of section 3104(a) of title 38, United States Code,  
5 that the Secretary of Veterans Affairs determines are nec-  
6 essary to enable entitled veterans: (1) to the maximum ex-  
7 tent feasible, to become employable and to obtain and  
8 maintain suitable employment; or (2) to achieve maximum  
9 independence in daily living, shall be charged to this ac-  
10 count: *Provided further*, That, of the funds made available  
11 under this heading, not to exceed 5 percent shall remain  
12 available until September 30, 2019.

13 VETERANS HEALTH ADMINISTRATION

14 MEDICAL SERVICES

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

1 caregivers as authorized by section 1720G of title 38,  
2 United States Code, loan repayments authorized by sec-  
3 tion 604 of the Caregivers and Veterans Omnibus Health  
4 Services Act of 2010 (Public Law 111–163; 124 Stat.  
5 1174; 38 U.S.C. 7681 note), and hospital care and med-  
6 ical services authorized by section 1787 of title 38, United  
7 States Code; \$1,031,808,000, which shall be in addition  
8 to funds previously appropriated under this heading that  
9 became available on October 1, 2017; and, in addition,  
10 \$49,161,165,000, plus reimbursements, shall become  
11 available on October 1, 2018, and shall remain available  
12 until September 30, 2019: *Provided*, That, of the amount  
13 made available on October 1, 2018, under this heading,  
14 \$1,400,000,000 shall remain available until September 30,  
15 2020: *Provided further*, That, notwithstanding any other  
16 provision of law, the Secretary of Veterans Affairs shall  
17 establish a priority for the provision of medical treatment  
18 for veterans who have service-connected disabilities, lower  
19 income, or have special needs: *Provided further*, That, not-  
20 withstanding any other provision of law, the Secretary of  
21 Veterans Affairs shall give priority funding for the provi-  
22 sion of basic medical benefits to veterans in enrollment  
23 priority groups 1 through 6: *Provided further*, That, not-  
24 withstanding any other provision of law, the Secretary of  
25 Veterans Affairs may authorize the dispensing of prescrip-

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

7 MEDICAL COMMUNITY CARE

8 For necessary expenses for furnishing health care to  
9 individuals pursuant to chapter 17 of title 38, United  
10 States Code, at non-Department facilities, \$254,000,000,  
11 which shall be in addition to funds previously appropriated  
12 under this heading that became available on October 1,  
13 2017; and, in addition, \$8,384,704,000, plus reimburse-  
14 ments, shall become available on October 1, 2018, and  
15 shall remain available until September 30, 2019: *Provided*,  
16 That of the amount made available on October 1, 2018,  
17 under this heading, \$2,000,000,000 shall remain available  
18 until September 30, 2022.

19 MEDICAL SUPPORT AND COMPLIANCE

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

1 partment as authorized under chapter 17 of title 38,  
2 United States Code, and the Federal Medical Care Recov-  
3 ery Act (42 U.S.C. 2651 et seq.), \$284,397,000, which  
4 shall be in addition to funds previously appropriated under  
5 this heading that became available on October 1, 2017;  
6 and, in addition, \$7,239,156,000, plus reimbursements,  
7 shall become available on October 1, 2018, and shall re-  
8 main available until September 30, 2019: *Provided*, That,  
9 of the amount made available on October 1, 2018, under  
10 this heading, \$100,000,000 shall remain available until  
11 September 30, 2020.

12 MEDICAL FACILITIES

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

1 rials; for leases of facilities; and for laundry services;  
2 \$1,079,795,000, which shall be in addition to funds pre-  
3 viously appropriated under this heading that became avail-  
4 able on October 1, 2017; and, in addition,  
5 \$5,914,288,000, plus reimbursements, shall become avail-  
6 able on October 1, 2018, and shall remain available until  
7 September 30, 2019: *Provided*, That, of the amount made  
8 available on October 1, 2018, under this heading,  
9 \$250,000,000 shall remain available until September 30,  
10 2020.

11 MEDICAL AND PROSTHETIC RESEARCH

12 For necessary expenses in carrying out programs of  
13 medical and prosthetic research and development as au-  
14 thorized by chapter 73 of title 38, United States Code,  
15 \$698,228,000, plus reimbursements, shall remain avail-  
16 able until September 30, 2019.

17 NATIONAL CEMETERY ADMINISTRATION

18 For necessary expenses of the National Cemetery Ad-  
19 ministration for operations and maintenance, not other-  
20 wise provided for, including uniforms or allowances there-  
21 for; cemeterial expenses as authorized by law; purchase  
22 of one passenger motor vehicle for use in cemeterial oper-  
23 ations; hire of passenger motor vehicles; and repair, alter-  
24 ation or improvement of facilities under the jurisdiction  
25 of the National Cemetery Administration, \$306,193,000,

1 of which not to exceed 10 percent shall remain available  
2 until September 30, 2019.

3 DEPARTMENTAL ADMINISTRATION

4 GENERAL ADMINISTRATION

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary operating expenses of the Department  
7 of Veterans Affairs, not otherwise provided for, including  
8 administrative expenses in support of Department-wide  
9 capital planning, management and policy activities, uni-  
10 forms, or allowances therefor; not to exceed \$25,000 for  
11 official reception and representation expenses; hire of pas-  
12 senger motor vehicles; and reimbursement of the General  
13 Services Administration for security guard services,  
14 \$346,891,000, of which not to exceed 5 percent shall re-  
15 main available until September 30, 2019: *Provided*, That  
16 funds provided under this heading may be transferred to  
17 “General Operating Expenses, Veterans Benefits Adminis-  
18 tration”.

19 BOARD OF VETERANS APPEALS

20 For necessary operating expenses of the Board of  
21 Veterans Appeals, \$156,096,000, of which not to exceed  
22 10 percent shall remain available until September 30,  
23 2019.



1                    INFORMATION TECHNOLOGY SYSTEMS  
2                    (INCLUDING TRANSFER OF FUNDS)

3            For necessary expenses for information technology  
4 systems and telecommunications support, including devel-  
5 opmental information systems and operational information  
6 systems; for pay and associated costs; and for the capital  
7 asset acquisition of information technology systems, in-  
8 cluding management and related contractual costs of said  
9 acquisitions, including contractual costs associated with  
10 operations authorized by section 3109 of title 5, United  
11 States Code, \$4,135,500,000, plus reimbursements: *Pro-*  
12 *vided*, That \$1,230,320,000 shall be for pay and associ-  
13 ated costs, of which not to exceed \$36,000,000 shall re-  
14 main available until September 30, 2019: *Provided further*,  
15 That \$2,486,650,000 shall be for operations and mainte-  
16 nance, of which not to exceed \$174,000,000 shall remain  
17 available until September 30, 2019: *Provided further*, That  
18 \$418,530,000 shall be for information technology systems  
19 development, modernization, and enhancement, and shall  
20 remain available until September 30, 2019: *Provided fur-*  
21 *ther*, That amounts made available for information tech-  
22 nology systems development, modernization, and enhance-  
23 ment may not be obligated or expended until the Secretary  
24 of Veterans Affairs or the Chief Information Officer of  
25 the Department of Veterans Affairs submits to the Com-

1 mittees on Appropriations of both Houses of Congress a  
2 certification of the amounts, in parts or in full, to be obli-  
3 gated and expended for each development project: *Pro-*  
4 *vided further*, That amounts made available for salaries  
5 and expenses, operations and maintenance, and informa-  
6 tion technology systems development, modernization, and  
7 enhancement may be transferred among the three sub-  
8 accounts after the Secretary of Veterans Affairs requests  
9 from the Committees on Appropriations of both Houses  
10 of Congress the authority to make the transfer and an  
11 approval is issued: *Provided further*, That amounts made  
12 available for the “Information Technology Systems” ac-  
13 count for development, modernization, and enhancement  
14 may be transferred among projects or to newly defined  
15 projects: *Provided further*, That no project may be in-  
16 creased or decreased by more than \$1,000,000 of cost  
17 prior to submitting a request to the Committees on Appro-  
18 priations of both Houses of Congress to make the transfer  
19 and an approval is issued, or absent a response, a period  
20 of 30 days has elapsed: *Provided further*, That funds under  
21 this heading may be used by the Interagency Program Of-  
22 fice through the Department of Veterans Affairs to define  
23 data standards, code sets, and value sets used to enable  
24 interoperability: *Provided further*, That, of the funds made  
25 available for information technology systems development,

1 modernization, and enhancement for the development of  
2 an electronic health record, not more than 25 percent may  
3 be obligated or expended until the Secretary of Veterans  
4 Affairs submits to the Committees on Appropriations of  
5 both Houses of Congress:

6           (1) a detailed explanation of the solicitation  
7           submitted to Cerner Corporation for development of  
8           an electronic health record for the Department of  
9           Veterans Affairs;

10           (2) an explanation of how the electronic health  
11           record would replicate the Military Health System  
12           (MHS) Genesis record developed by Cerner for the  
13           Department of Defense, as well as the enhanced ca-  
14           pabilities the Department of Veterans Affairs re-  
15           quires to achieve complete interoperability with the  
16           Department of Defense system and non-Department  
17           of Veterans Affairs providers who participate in the  
18           Department of Veterans Affairs healthcare system;

19           (3) a strategic plan for development of the elec-  
20           tronic health record system, an associated implemen-  
21           tation plan including timelines and performance  
22           milestones, a master schedule and annual and life-  
23           cycle cost estimates;

24           (4) information on plans to maintain current  
25           functionality and integration with Department of

1 Defense records during the transition to MHS Gen-  
2 esis; and

3 (5) Department of Veterans Affairs plans to  
4 manage the transition process to MHS Genesis, in-  
5 cluding possible pilot programs, training for users,  
6 and use of change management tools:

7 *Provided further*, That the funds made available under this  
8 heading for information technology systems development,  
9 modernization, and enhancement, shall be for the projects,  
10 and in the amounts, specified under this heading in the  
11 report accompanying this Act.

12 OFFICE OF INSPECTOR GENERAL

13 For necessary expenses of the Office of Inspector  
14 General, to include information technology, in carrying out  
15 the provisions of the Inspector General Act of 1978 (5  
16 U.S.C. App.), \$160,106,000, of which not to exceed 10  
17 percent shall remain available until September 30, 2019.

18 CONSTRUCTION, MAJOR PROJECTS

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

1 ment services, maintenance or guarantee period services  
2 costs associated with equipment guarantees provided  
3 under the project, services of claims analysts, offsite utility  
4 and storm drainage system construction costs, and site ac-  
5 quisition, where the estimated cost of a project is more  
6 than the amount set forth in section 8104(a)(3)(A) of title  
7 38, United States Code, or where funds for a project were  
8 made available in a previous major project appropriation,  
9 \$410,530,000, of which \$372,000,000 shall remain avail-  
10 able until September 30, 2022, and of which \$38,530,000  
11 shall remain available until expended: *Provided*, That ex-  
12 cept for advance planning activities, including needs as-  
13 sessments which may or may not lead to capital invest-  
14 ments, and other capital asset management related activi-  
15 ties, including portfolio development and management ac-  
16 tivities, and investment strategy studies funded through  
17 the advance planning fund and the planning and design  
18 activities funded through the design fund, including needs  
19 assessments which may or may not lead to capital invest-  
20 ments, and salaries and associated costs of the resident  
21 engineers who oversee those capital investments funded  
22 through this account and contracting officers who manage  
23 specific major construction projects, and funds provided  
24 for the purchase, security, and maintenance of land for  
25 the National Cemetery Administration through the land

1 acquisition line item, none of the funds made available  
2 under this heading shall be used for any project that has  
3 not been notified to Congress through the budgetary proc-  
4 ess or that has not been approved by the Congress through  
5 statute, joint resolution, or in the explanatory statement  
6 accompanying such Act and presented to the President at  
7 the time of enrollment: *Provided further*, That funds made  
8 available under this heading for fiscal year 2018, for each  
9 approved project shall be obligated: (1) by the awarding  
10 of a construction documents contract by September 30,  
11 2018; and (2) by the awarding of a construction contract  
12 by September 30, 2019: *Provided further*, That the Sec-  
13 retary of Veterans Affairs shall promptly submit to the  
14 Committees on Appropriations of both Houses of Congress  
15 a written report on any approved major construction  
16 project for which obligations are not incurred within the  
17 time limitations established above: *Provided further*, That,  
18 of the amount made available under this heading,  
19 \$117,300,000 for Veterans Health Administration major  
20 construction projects shall not be available until the De-  
21 partment of Veterans Affairs—

22           (1) enters into an agreement with an appro-  
23           priate non-Department of Veterans Affairs Federal  
24           entity to serve as the design and/or construction  
25           agent for any Veterans Health Administration major

1 construction project with a Total Estimated Cost of  
2 \$100,000,000 or above by providing full project  
3 management services, including management of the  
4 project design, acquisition, construction, and con-  
5 tract changes, consistent with section 502 of Public  
6 Law 114–58; and

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

14 CONSTRUCTION, MINOR PROJECTS

15 For constructing, altering, extending, and improving  
16 any of the facilities, including parking projects, under the  
17 jurisdiction or for the use of the Department of Veterans  
18 Affairs, including planning and assessments of needs  
19 which may lead to capital investments, architectural and  
20 engineering services, maintenance or guarantee period  
21 services costs associated with equipment guarantees pro-  
22 vided under the project, services of claims analysts, offsite  
23 utility and storm drainage system construction costs, and  
24 site acquisition, or for any of the purposes set forth in  
25 sections 316, 2404, 2406 and chapter 81 of title 38,

1 United States Code, not otherwise provided for, where the  
2 estimated cost of a project is equal to or less than the  
3 amount set forth in section 8104(a)(3)(A) of title 38,  
4 United States Code, \$342,570,000, to remain available  
5 until September 30, 2022, along with unobligated balances  
6 of previous “Construction, Minor Projects” appropriations  
7 which are hereby made available for any project where the  
8 estimated cost is equal to or less than the amount set forth  
9 in such section: *Provided*, That funds made available  
10 under this heading shall be for: (1) repairs to any of the  
11 nonmedical facilities under the jurisdiction or for the use  
12 of the Department which are necessary because of loss or  
13 damage caused by any natural disaster or catastrophe;  
14 and (2) temporary measures necessary to prevent or to  
15 minimize further loss by such causes.

16 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE  
17 FACILITIES

18 For grants to assist States to acquire or construct  
19 State nursing home and domiciliary facilities and to re-  
20 model, modify, or alter existing hospital, nursing home,  
21 and domiciliary facilities in State homes, for furnishing  
22 care to veterans as authorized by sections 8131 through  
23 8137 of title 38, United States Code, \$90,000,000, to re-  
24 main available until expended.



## 1 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

2 For grants to assist States and tribal organizations  
3 in establishing, expanding, or improving veterans ceme-  
4 teries as authorized by section 2408 of title 38, United  
5 States Code, \$45,000,000, to remain available until ex-  
6 pended.

## 7 ADMINISTRATIVE PROVISIONS

## 8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 201. Any appropriation for fiscal year 2018 for  
10 “Compensation and Pensions”, “Readjustment Benefits”,  
11 and “Veterans Insurance and Indemnities” may be trans-  
12 ferred as necessary to any other of the mentioned appro-  
13 priations: *Provided*, That, before a transfer may take  
14 place, the Secretary of Veterans Affairs shall request from  
15 the Committees on Appropriations of both Houses of Con-  
16 gress the authority to make the transfer and such Com-  
17 mittees issue an approval, or absent a response, a period  
18 of 30 days has elapsed.

## 19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 202. Amounts made available for the Depart-  
21 ment of Veterans Affairs for fiscal year 2018, in this or  
22 any other Act, under the “Medical Services”, “Medical  
23 Community Care”, “Medical Support and Compliance”,  
24 and “Medical Facilities” accounts may be transferred  
25 among the accounts: *Provided*, That any transfers among

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

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

1 ized by sections 5901 through 5902 of title 5, United  
2 States Code.

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

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

19 SEC. 206. Appropriations available in this title for  
20 “Compensation and Pensions”, “Readjustment Benefits”,  
21 and “Veterans Insurance and Indemnities” shall be avail-  
22 able for payment of prior year accrued obligations re-  
23 quired to be recorded by law against the corresponding  
24 prior year accounts within the last quarter of fiscal year  
25 2017.

1       SEC. 207. Appropriations available in this title shall  
2 be available to pay prior year obligations of corresponding  
3 prior year appropriations accounts resulting from sections  
4 3328(a), 3334, and 3712(a) of title 31, United States  
5 Code, except that if such obligations are from trust fund  
6 accounts they shall be payable only from “Compensation  
7 and Pensions”.

8                               (INCLUDING TRANSFER OF FUNDS)

9       SEC. 208. Notwithstanding any other provision of  
10 law, during fiscal year 2018, the Secretary of Veterans  
11 Affairs shall, from the National Service Life Insurance  
12 Fund under section 1920 of title 38, United States Code,  
13 the Veterans’ Special Life Insurance Fund under section  
14 1923 of title 38, United States Code, and the United  
15 States Government Life Insurance Fund under section  
16 1955 of title 38, United States Code, reimburse the “Gen-  
17 eral Operating Expenses, Veterans Benefits Administra-  
18 tion” and “Information Technology Systems” accounts for  
19 the cost of administration of the insurance programs fi-  
20 nanced through those accounts: *Provided*, That reimburse-  
21 ment shall be made only from the surplus earnings accu-  
22 mulated in such an insurance program during fiscal year  
23 2018 that are available for dividends in that program after  
24 claims have been paid and actuarially determined reserves  
25 have been set aside: *Provided further*, That if the cost of

1 administration of such an insurance program exceeds the  
2 amount of surplus earnings accumulated in that program,  
3 reimbursement shall be made only to the extent of such  
4 surplus earnings: *Provided further*, That the Secretary  
5 shall determine the cost of administration for fiscal year  
6 2018 which is properly allocable to the provision of each  
7 such insurance program and to the provision of any total  
8 disability income insurance included in that insurance pro-  
9 gram.

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

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 210. Funds available in this title or funds for  
17 salaries and other administrative expenses shall also be  
18 available to reimburse the Office of Resolution Manage-  
19 ment, the Office of Employment Discrimination Complaint  
20 Adjudication, the Office of Accountability Review, the  
21 Central Whistleblower Office, the Office of Diversity and  
22 Inclusion, and the Office of the Executive Director of Ac-  
23 countability and Whistleblower Protection, for all services  
24 provided at rates which will recover actual costs but not  
25 to exceed \$47,668,000 for the Office of Resolution Man-

1 agement, \$3,932,000 for the Office of Employment Dis-  
2 crimination Complaint Adjudication, \$10,057,000 for the  
3 Office of Accountability Review, \$6,646,000 for the Cen-  
4 tral Whistleblower Office, \$2,973,000 for the Office of Di-  
5 versity and Inclusion, and \$917,000 for the Office of the  
6 Executive Director of Accountability and Whistleblower  
7 Protection: *Provided*, That payments may be made in ad-  
8 vance for services to be furnished based on estimated  
9 costs: *Provided further*, That amounts received shall be  
10 credited to the “General Administration” and “Informa-  
11 tion Technology Systems” accounts for use by the office  
12 that provided the service.

13       SEC. 211. No funds of the Department of Veterans  
14 Affairs shall be available for hospital care, nursing home  
15 care, or medical services provided to any person under  
16 chapter 17 of title 38, United States Code, for a non-serv-  
17 ice-connected disability described in section 1729(a)(2) of  
18 such title, unless that person has disclosed to the Sec-  
19 retary of Veterans Affairs, in such form as the Secretary  
20 may require, current, accurate third-party reimbursement  
21 information for purposes of section 1729 of such title: *Pro-*  
22 *vided*, That the Secretary may recover, in the same man-  
23 ner as any other debt due the United States, the reason-  
24 able charges for such care or services from any person who  
25 does not make such disclosure as required: *Provided fur-*

1 *ther*, That any amounts so recovered for care or services  
2 provided in a prior fiscal year may be obligated by the  
3 Secretary during the fiscal year in which amounts are re-  
4 ceived.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 212. Notwithstanding any other provision of  
7 law, proceeds or revenues derived from enhanced-use leas-  
8 ing activities (including disposal) may be deposited into  
9 the “Construction, Major Projects” and “Construction,  
10 Minor Projects” accounts and be used for construction  
11 (including site acquisition and disposition), alterations,  
12 and improvements of any medical facility under the juris-  
13 diction or for the use of the Department of Veterans Af-  
14 fairs. Such sums as realized are in addition to the amount  
15 provided for in “Construction, Major Projects” and “Con-  
16 struction, Minor Projects”.

17 SEC. 213. Amounts made available under “Medical  
18 Services” are available—

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

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

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 214. Such sums as may be deposited to the  
3 Medical Care Collections Fund pursuant to section 1729A  
4 of title 38, United States Code, may be transferred to the  
5 “Medical Services” and “Medical Community Care” ac-  
6 counts to remain available until expended for the purposes  
7 of these accounts.

8 SEC. 215. The Secretary of Veterans Affairs may  
9 enter into agreements with Federally Qualified Health  
10 Centers in the State of Alaska and Indian tribes and tribal  
11 organizations which are party to the Alaska Native Health  
12 Compact with the Indian Health Service, to provide  
13 healthcare, including behavioral health and dental care, to  
14 veterans in rural Alaska. The Secretary shall require par-  
15 ticipating veterans and facilities to comply with all appro-  
16 priate rules and regulations, as established by the Sec-  
17 retary. The term “rural Alaska” shall mean those lands  
18 which are not within the boundaries of the municipality  
19 of Anchorage or the Fairbanks North Star Borough.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 216. Such sums as may be deposited to the De-  
22 partment of Veterans Affairs Capital Asset Fund pursu-  
23 ant to section 8118 of title 38, United States Code, may  
24 be transferred to the “Construction, Major Projects” and



1 “Construction, Minor Projects” accounts, to remain avail-  
2 able until expended for the purposes of these accounts.

3 SEC. 217. Not later than 30 days after the end of  
4 each fiscal quarter, the Secretary of Veterans Affairs shall  
5 submit to the Committees on Appropriations of both  
6 Houses of Congress a report on the financial status of the  
7 Department of Veterans Affairs for the preceding quarter:  
8 *Provided*, That, at a minimum, the report shall include  
9 the direction contained in the paragraph entitled “Quar-  
10 terly reporting”, under the heading “General Administra-  
11 tion” in the joint explanatory statement accompanying  
12 Public Law 114-223.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 218. Amounts made available under the “Med-  
15 ical Services”, “Medical Community Care”, “Medical Sup-  
16 port and Compliance”, “Medical Facilities”, “General Op-  
17 erating Expenses, Veterans Benefits Administration”,  
18 “Board of Veterans Appeals”, “General Administration”,  
19 and “National Cemetery Administration” accounts for fis-  
20 cal year 2018 may be transferred to or from the “Informa-  
21 tion Technology Systems” account: *Provided*, That such  
22 transfers may not result in a more than 10 percent aggre-  
23 gate increase in the total amount made available by this  
24 Act for the “Information Technology Systems” account:  
25 *Provided further*, That, before a transfer may take place,

1 the Secretary of Veterans Affairs shall request from the  
2 Committees on Appropriations of both Houses of Congress  
3 the authority to make the transfer and an approval is  
4 issued.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 219. Of the amounts appropriated to the De-  
7 partment of Veterans Affairs for fiscal year 2018 for  
8 “Medical Services”, “Medical Community Care”, “Medical  
9 Support and Compliance”, “Medical Facilities”, “Con-  
10 struction, Minor Projects”, and “Information Technology  
11 Systems”, up to \$297,137,000, plus reimbursements, may  
12 be transferred to the Joint Department of Defense-De-  
13 partment of Veterans Affairs Medical Facility Demonstra-  
14 tion Fund, established by section 1704 of the National De-  
15 fense Authorization Act for Fiscal Year 2010 (Public Law  
16 111–84; 123 Stat. 3571) and may be used for operation  
17 of the facilities designated as combined Federal medical  
18 facilities as described by section 706 of the Duncan Hun-  
19 ter National Defense Authorization Act for Fiscal Year  
20 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*,  
21 That additional funds may be transferred from accounts  
22 designated in this section to the Joint Department of De-  
23 fense-Department of Veterans Affairs Medical Facility  
24 Demonstration Fund upon written notification by the Sec-  
25 retary of Veterans Affairs to the Committees on Appro-

1 priations of both Houses of Congress: *Provided further*,  
2 That section 222 of title II of division A of Military Con-  
3 struction, Veterans Affairs, and Related Agencies Appro-  
4 priations Act, 2017 ( Public Law 114–223) is repealed.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 220. Of the amounts appropriated to the De-  
7 partment of Veterans Affairs which become available on  
8 October 1, 2018, for “Medical Services”, “Medical Com-  
9 munity Care”, “Medical Support and Compliance”, and  
10 “Medical Facilities”, up to \$306,378,000, plus reimburse-  
11 ments, may be transferred to the Joint Department of De-  
12 fense-Department of Veterans Affairs Medical Facility  
13 Demonstration Fund, established by section 1704 of the  
14 National Defense Authorization Act for Fiscal Year 2010  
15 (Public Law 111–84; 123 Stat. 3571) and may be used  
16 for operation of the facilities designated as combined Fed-  
17 eral medical facilities as described by section 706 of the  
18 Duncan Hunter National Defense Authorization Act for  
19 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500):  
20 *Provided*, That additional funds may be transferred from  
21 accounts designated in this section to the Joint Depart-  
22 ment of Defense-Department of Veterans Affairs Medical  
23 Facility Demonstration Fund upon written notification by  
24 the Secretary of Veterans Affairs to the Committees on  
25 Appropriations of both Houses of Congress.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 221. Such sums as may be deposited to the  
3 Medical Care Collections Fund pursuant to section 1729A  
4 of title 38, United States Code, for healthcare provided  
5 at facilities designated as combined Federal medical facili-  
6 ties as described by section 706 of the Duncan Hunter  
7 National Defense Authorization Act for Fiscal Year 2009  
8 (Public Law 110–417; 122 Stat. 4500) shall also be avail-  
9 able: (1) for transfer to the Joint Department of Defense-  
10 Department of Veterans Affairs Medical Facility Dem-  
11 onstration Fund, established by section 1704 of the Na-  
12 tional Defense Authorization Act for Fiscal Year 2010  
13 (Public Law 111–84; 123 Stat. 3571); and (2) for oper-  
14 ations of the facilities designated as combined Federal  
15 medical facilities as described by section 706 of the Dun-  
16 can Hunter National Defense Authorization Act for Fiscal  
17 Year 2009 (Public Law 110–417; 122 Stat. 4500).

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 222. Of the amounts available in this title for  
20 “Medical Services”, “Medical Community Care”, “Medical  
21 Support and Compliance”, and “Medical Facilities”, a  
22 minimum of \$15,000,000 shall be transferred to the  
23 DOD–VA Health Care Sharing Incentive Fund, as au-  
24 thorized by section 8111(d) of title 38, United States

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

3 SEC. 223. None of the funds available to the Depart-  
4 ment of Veterans Affairs, in this or any other Act, may  
5 be used to replace the current system by which the Vet-  
6 erans Integrated Service Networks select and contract for  
7 diabetes monitoring supplies and equipment.

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

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

1        SEC. 226. Not later than 30 days after the end of  
2 each fiscal quarter, the Secretary of Veterans Affairs shall  
3 submit to the Committees on Appropriations of both  
4 Houses of Congress a quarterly report containing perform-  
5 ance measures and data from each Veterans Benefits Ad-  
6 ministration Regional Office: *Provided*, That, at a min-  
7 imum, the report shall include the direction contained in  
8 the section entitled “Disability claims backlog”, under the  
9 heading “General Operating Expenses, Veterans Benefits  
10 Administration” in the joint explanatory statement accom-  
11 panying Public Law 114-223: *Provided further*, That the  
12 report shall also include information on the number of ap-  
13 peals pending at the Veterans Benefits Administration as  
14 well as the Board of Veterans Appeals on a quarterly  
15 basis.

16        SEC. 227. Of the amounts made available for fiscal  
17 year 2018 for the “Medical Services” and “Medical Sup-  
18 port and Compliance” accounts, not more than  
19 \$226,012,000 shall be available to develop an electronic  
20 health record: *Provided*, That not more than 25 percent  
21 of the amount made available for such purpose may be  
22 obligated or expended until the Secretary of Veterans Af-  
23 fairs submits to the Committees on Appropriations of both  
24 House of Congress a detailed explanation of the activities  
25 to develop the Military Health System Genesis electronic

1 health record to be funded by the Veterans Health Admin-  
2 istration rather than the Office of Information Tech-  
3 nology, a timeline for completion, master schedule, per-  
4 formance milestones, and annual and life-cycle Veterans  
5 Health Administration cost estimates.

6       SEC. 228. The Secretary of Veterans Affairs shall  
7 provide written notification to the Committees on Appro-  
8 priations of both Houses of Congress 15 days prior to or-  
9 ganizational changes which result in the transfer of 25 or  
10 more full-time equivalents from one organizational unit of  
11 the Department of Veterans Affairs to another.

12       SEC. 229. The Secretary of Veterans Affairs shall  
13 provide on a quarterly basis to the Committees on Appro-  
14 priations of both Houses of Congress notification of any  
15 single national outreach and awareness marketing cam-  
16 paign in which obligations exceed \$2,000,000.

17                               (INCLUDING TRANSFER OF FUNDS)

18       SEC. 230. The Secretary of Veterans Affairs, upon  
19 determination that such action is necessary to address  
20 needs of the Veterans Health Administration, may trans-  
21 fer to the “Medical Services” account any discretionary  
22 appropriations made available for fiscal year 2018 in this  
23 title (except appropriations made to the “General Oper-  
24 ating Expenses, Veterans Benefits Administration” ac-  
25 count) or any discretionary unobligated balances within

1 the Department of Veterans Affairs, including those ap-  
2 propriated for fiscal year 2018, that were provided in ad-  
3 vance by appropriations Acts: *Provided*, That transfers  
4 shall be made only with the approval of the Office of Man-  
5 agement and Budget: *Provided further*, That the transfer  
6 authority provided in this section is in addition to any  
7 other transfer authority provided by law: *Provided further*,  
8 That no amounts may be transferred from amounts that  
9 were designated by Congress as an emergency requirement  
10 pursuant to a concurrent resolution on the budget or the  
11 Balanced Budget and Emergency Deficit Control Act of  
12 1985: *Provided further*, That such authority to transfer  
13 may not be used unless for higher priority items, based  
14 on emergent healthcare requirements, than those for  
15 which originally appropriated and in no case where the  
16 item for which funds are requested has been denied by  
17 Congress: *Provided further*, That, upon determination that  
18 all or part of the funds transferred from an appropriation  
19 are not necessary, such amounts may be transferred back  
20 to that appropriation and shall be available for the same  
21 purposes as originally appropriated: *Provided further*,  
22 That before a transfer may take place, the Secretary of  
23 Veterans Affairs shall request from the Committees on  
24 Appropriations of both Houses of Congress the authority  
25 to make the transfer and receive approval of that request.



1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 231. Amounts made available for the Depart-  
3 ment of Veterans Affairs for fiscal year 2018, under the  
4 “Board of Veterans Appeals” and the “General Operating  
5 Expenses, Veterans Benefits Administration” accounts  
6 may be transferred between such accounts: *Provided*, That  
7 before a transfer may take place, the Secretary of Vet-  
8 erans Affairs shall request from the Committees on Appro-  
9 priations of both Houses of Congress the authority to  
10 make the transfer and receive approval of that request.

11 SEC. 232. The Secretary of Veterans Affairs may not  
12 reprogram funds among major construction projects or  
13 programs if such instance of reprogramming will exceed  
14 \$5,000,000, unless such reprogramming is approved by  
15 the Committees on Appropriations of both Houses of Con-  
16 gress.

17 (RESCISSIONS OF FUNDS)

18 SEC. 233. Of the discretionary funds made available  
19 in Public Law 114-223 for the Department of Veterans  
20 Affairs for fiscal year 2018, \$313,730,000 are rescinded  
21 from “Medical Services”, \$63,282,000 are rescinded from  
22 “Medical Support and Compliance”, and \$22,960,000 are  
23 rescinded from “Medical Facilities”.

24 SEC. 234. The amounts otherwise made available by  
25 this Act for the following accounts of the Department of

1 Veterans Affairs are hereby reduced by the following  
2 amounts:

3 (1) “Veterans Health Administration—Medical  
4 and Prosthetic Research”, \$6,823,000.

5 (2) “National Cemetery Administration”,  
6 \$3,003,000.

7 (3) “Departmental Administration—General  
8 Administration”, \$3,600,000.

9 (4) “Departmental Administration—Board of  
10 Veterans Appeals”, \$1,579,000.

11 (5) “Departmental Administration—General  
12 Operating Expenses, Veterans Benefits Administra-  
13 tion”, \$35,470,000.

14 (6) “Departmental Administration—Informa-  
15 tion Technology Systems”, \$18,997,000.

16 (7) “Departmental Administration—Office of  
17 Inspector General”, \$1,716,000.

18 SEC. 235. (a) The Secretary of Veterans Affairs shall  
19 ensure that the toll-free suicide hotline under section  
20 1720F(h) of title 38, United States Code—

21 (1) provides to individuals who contact the hot-  
22 line immediate assistance from a trained profes-  
23 sional; and

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

1 (b)(1) None of the funds made available by this Act  
2 may be used to enforce or otherwise carry out any Execu-  
3 tive action that prohibits the Secretary of Veterans Affairs  
4 from appointing an individual to occupy a vacant civil  
5 service position, or establishing a new civil service position,  
6 at the Department of Veterans Affairs with respect to  
7 such a position relating to the hotline specified in sub-  
8 section (a).

9 (2) In this subsection—

10 (A) the term “civil service” has the meaning  
11 given such term in section 2101(1) of title 5, United  
12 States Code; and

13 (B) the term “Executive action” includes—

14 (i) any Executive order, presidential memo-  
15 randum, or other action by the President; and

16 (ii) any agency policy, order, or other di-  
17 rective.

18 SEC. 236. None of the funds in this or any other Act  
19 may be used to close Department of Veterans Affairs (VA)  
20 hospitals, domiciliaries, or clinics, conduct an environ-  
21 mental assessment, or to diminish healthcare services at  
22 existing Veterans Health Administration medical facilities  
23 located in Veterans Integrated Service Network 8 or 23  
24 as part of a planned realignment of VA services until the  
25 Secretary provides to the Committees on Appropriations

1 of both Houses of Congress a report including the fol-  
2 lowing elements:

3 (1) a national realignment strategy that in-  
4 cludes a detailed description of realignment plans  
5 within each Veterans Integrated Services Network  
6 (VISN), including an updated Long Range Capital  
7 Plan to implement realignment requirements;

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

11 (3) a cost versus benefit analysis of each  
12 planned realignment, including the cost of replacing  
13 Veterans Health Administration services with con-  
14 tract care or other outsourced services;

15 (4) an analysis of how any such planned re-  
16 alignment of services will impact access to care for  
17 veterans living in rural or highly rural areas, includ-  
18 ing travel distances and transportation costs to ac-  
19 cess a VA medical facility and availability of local  
20 specialty and primary care;

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

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

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

10       SEC. 237. Section 8109(b) of title 38, United States  
11 Code, is amended—

12           (1) in paragraph (2), by striking “and” at the  
13 end;

14           (2) in paragraph (3), by striking the period and  
15 inserting “; and”; and

16           (3) by adding at the end the following new  
17 paragraph:

18       “(4) notwithstanding subsection (a) of section 1344  
19 of title 31, may use a passenger carrier (as such term is  
20 defined in subsection (h)(1) of such section) to transport  
21 such an employee between a parking facility and the med-  
22 ical facility of the Department at which the employee  
23 works.”.

24       SEC. 238. None of the funds made available to the  
25 Secretary of Veterans Affairs by this or any other Act may

1 be obligated or expended in contravention of the “Veterans  
2 Health Administration Clinical Preventive Services Guid-  
3 ance Statement on the Veterans Health Administration’s  
4 Screening for Breast Cancer Guidance” published on May  
5 10, 2017, as issued by the Veterans Health Administra-  
6 tion National Center for Health Promotion and Disease  
7 Prevention.

8 SEC. 239. (a) Notwithstanding any other provision  
9 of law, the amounts appropriated or otherwise made avail-  
10 able to the Department of Veterans Affairs for the “Med-  
11 ical Services” account may be used to provide—

12 (1) fertility counseling and treatment using as-  
13 sisted reproductive technology to a covered veteran  
14 or the spouse of a covered veteran; or

15 (2) adoption reimbursement to a covered vet-  
16 eran.

17 (b) In this section:

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

21 (2) The term “covered veteran” means a vet-  
22 eran, as such term is defined in section 101 of title  
23 38, United States Code, who has a service-connected  
24 disability that results in the inability of the veteran  
25 to procreate without the use of fertility treatment.

1           (3) The term “assisted reproductive tech-  
2 nology” means benefits relating to reproductive as-  
3 sistance provided to a member of the Armed Forces  
4 who incurs a serious injury or illness on active duty  
5 pursuant to section 1074(c)(4)(A) of title 10, United  
6 States Code, as described in the memorandum on  
7 the subject of “Policy for Assisted Reproductive  
8 Services for the Benefit of Seriously or Severely Ill/  
9 Injured (Category II or III) Active Duty Service  
10 Members” issued by the Assistant Secretary of De-  
11 fense for Health Affairs on April 3, 2012, and the  
12 guidance issued to implement such policy, including  
13 any limitations on the amount of such benefits avail-  
14 able to such a member except that —

15           (A) the time periods regarding embryo  
16 cryopreservation and storage set forth in part  
17 III(G) and in part IV(H) of such memorandum  
18 shall not apply; and

19           (B) such term includes embryo  
20 cryopreservation and storage without limitation  
21 on the duration of such cryopreservation and  
22 storage.

23           (4) The term “adoption reimbursement” means  
24 reimbursement for the adoption-related expenses for  
25 an adoption that is finalized after the date of the en-

1 actment of this Act under the same terms as apply  
2 under the adoption reimbursement program of the  
3 Department of Defense, as authorized in Depart-  
4 ment of Defense Instruction 1341.09, including the  
5 reimbursement limits and requirements set forth in  
6 such instruction.

7 (c) Amounts made available for the purposes speci-  
8 fied in subsection (a) of this section are subject to the  
9 requirements for funds contained in section 508 of division  
10 H of the Consolidated Appropriations Act, 2017 (Public  
11 Law 115–31).

### 12 TITLE III

#### 13 RELATED AGENCIES

##### 14 AMERICAN BATTLE MONUMENTS COMMISSION

##### 15 SALARIES AND EXPENSES

16 For necessary expenses, not otherwise provided for,  
17 of the American Battle Monuments Commission, including  
18 the acquisition of land or interest in land in foreign coun-  
19 tries; purchases and repair of uniforms for caretakers of  
20 national cemeteries and monuments outside of the United  
21 States and its territories and possessions; rent of office  
22 and garage space in foreign countries; purchase (one-for-  
23 one replacement basis only) and hire of passenger motor  
24 vehicles; not to exceed \$7,500 for official reception and  
25 representation expenses; and insurance of official motor



1 vehicles in foreign countries, when required by law of such  
2 countries, \$75,100,000, to remain available until ex-  
3 pended.

4 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

5 For necessary expenses, not otherwise provided for,  
6 of the American Battle Monuments Commission, such  
7 sums as may be necessary, to remain available until ex-  
8 pended, for purposes authorized by section 2109 of title  
9 36, United States Code.

10 UNITED STATES COURT OF APPEALS FOR VETERANS

11 CLAIMS

12 SALARIES AND EXPENSES

13 (INCLUDING TRANSFER OF FUNDS)

14 For necessary expenses for the operation of the  
15 United States Court of Appeals for Veterans Claims as  
16 authorized by sections 7251 through 7298 of title 38,  
17 United States Code, \$33,600,000: *Provided*, That of the  
18 amount, \$800,000 shall be transferred to the General  
19 Services Administration for planning and design of a  
20 courthouse: *Provided further*, That \$2,580,000 shall be  
21 available for the purpose of providing financial assistance  
22 as described and in accordance with the process and re-  
23 porting procedures set forth under this heading in Public  
24 Law 102-229.

1                   DEPARTMENT OF DEFENSE—CIVIL  
2                   CEMETERIAL EXPENSES, ARMY  
3                   SALARIES AND EXPENSES

4           For necessary expenses for maintenance, operation,  
5 and improvement of Arlington National Cemetery and Sol-  
6 diers' and Airmen's Home National Cemetery, including  
7 the purchase or lease of passenger motor vehicles for re-  
8 placement on a one-for-one basis only, and not to exceed  
9 \$1,000 for official reception and representation expenses,  
10 \$78,800,000, of which not to exceed \$15,000,000 shall re-  
11 main available until September 30, 2020. In addition,  
12 such sums as may be necessary for parking maintenance,  
13 repairs and replacement, to be derived from the "Lease  
14 of Department of Defense Real Property for Defense  
15 Agencies" account.

16                   ARMED FORCES RETIREMENT HOME  
17                   TRUST FUND

18           For expenses necessary for the Armed Forces Retire-  
19 ment Home to operate and maintain the Armed Forces  
20 Retirement Home—Washington, District of Columbia,  
21 and the Armed Forces Retirement Home—Gulfport, Mis-  
22 sissippi, to be paid from funds available in the Armed  
23 Forces Retirement Home Trust Fund, \$64,300,000, of  
24 which \$1,000,000 shall remain available until expended  
25 for construction and renovation of the physical plants at

1 the Armed Forces Retirement Home—Washington, Dis-  
2 trict of Columbia, and the Armed Forces Retirement  
3 Home—Gulfport, Mississippi: *Provided*, That of the  
4 amounts made available under this heading from funds  
5 available in the Armed Forces Retirement Home Trust  
6 Fund, \$22,000,000 shall be paid from the general fund  
7 of the Treasury to the Trust Fund.

8 ADMINISTRATIVE PROVISIONS

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

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

19 TITLE IV

20 OVERSEAS CONTINGENCY OPERATIONS

21 DEPARTMENT OF DEFENSE

22 MILITARY CONSTRUCTION, ARMY

23 For an additional amount for “Military Construction,  
24 Army”, \$147,158,000, to remain available until Sep-  
25 tember 30, 2022, for projects outside of the United States:

1 *Provided*, That such amount is designated by the Congress  
2 for Overseas Contingency Operations/Global War on Ter-  
3 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
4 anced Budget and Emergency Deficit Control Act of 1985.

5 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

6 For an additional amount for “Military Construction,  
7 Navy and Marine Corps”, \$31,890,000, to remain avail-  
8 able until September 30, 2022, for projects outside of the  
9 United States: *Provided*, That such amount is designated  
10 by the Congress for Overseas Contingency Operations/  
11 Global War on Terrorism pursuant to section  
12 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
13 Deficit Control Act of 1985.

14 MILITARY CONSTRUCTION, AIR FORCE

15 For an additional amount for “Military Construction,  
16 Air Force” \$434,652,000, to remain available until Sep-  
17 tember 30, 2022, for projects outside of the United States:  
18 *Provided*, That such amount is designated by the Congress  
19 for Overseas Contingency Operations/Global War on Ter-  
20 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
21 anced Budget and Emergency Deficit Control Act of 1985.

22 MILITARY CONSTRUCTION, DEFENSE-WIDE

23 For an additional amount for “Military Construction,  
24 Defense-Wide”, \$24,300,000, to remain available until  
25 September 30, 2022, for projects outside of the United

1 States: *Provided*, That such amount is designated by the  
2 Congress for Overseas Contingency Operations/Global  
3 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
4 the Balanced Budget and Emergency Deficit Control Act  
5 of 1985.

6 ADMINISTRATIVE PROVISION

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

14 TITLE V

15 GENERAL PROVISIONS

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

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

1       SEC. 503. All departments and agencies funded under  
2 this Act are encouraged, within the limits of the existing  
3 statutory authorities and funding, to expand their use of  
4 “E-Commerce” technologies and procedures in the con-  
5 duct of their business practices and public service activi-  
6 ties.

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

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

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

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

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

8            (1) the public posting of the report com-  
9 promises national security; or

10           (2) the report contains confidential or propri-  
11 etary information.

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

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

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

24        SEC. 509. None of the funds made available in this  
25 Act may be used by an agency of the executive branch

1 to pay for first-class travel by an employee of the agency  
2 in contravention of sections 301–10.122 through 301–  
3 10.124 of title 41, Code of Federal Regulations.

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

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

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

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



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

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

7                   (2) is—

8                           (A) in the custody or under the effective  
9 control of the Department of Defense; or

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

12   SPENDING REDUCTION ACCOUNT

13           SEC. 513. \$0.

14           This Act may be cited as the “Military Construction,  
15 Veterans Affairs, and Related Agencies Appropriations  
16 Act, 2018”.

Union Calendar No. 127

115<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**H. R. 2998**

[Report No. 115-188]

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**A BILL**

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2018, and for other purposes.

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JUNE 22, 2017

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