

Calendar No. 446115TH CONGRESS
2^D SESSION**S. 3024****[Report No. 115–269]**

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 7, 2018

Mr. BOOZMAN, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

A BILL

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2019, 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,

1 and related agencies for the fiscal year ending September
2 30, 2019, and for other purposes, namely:

3 TITLE I

4 DEPARTMENT OF DEFENSE

5 MILITARY CONSTRUCTION, ARMY

6 For acquisition, construction, installation, and equip-
7 ment of temporary or permanent public works, military
8 installations, facilities, and real property for the Army as
9 currently authorized by law, including personnel in the
10 Army Corps of Engineers and other personal services nec-
11 essary for the purposes of this appropriation, and for con-
12 struction and operation of facilities in support of the func-
13 tions of the Commander in Chief, \$1,021,768,000, to re-
14 main available until September 30, 2023: *Provided*, That,
15 of this amount, not to exceed \$110,068,000 shall be avail-
16 able for study, planning, design, architect and engineer
17 services, and host nation support, as authorized by law,
18 unless the Secretary of the Army determines that addi-
19 tional obligations are necessary for such purposes and no-
20 tifies the Committees on Appropriations of both Houses
21 of Congress of the determination and the reasons therefor.

22 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

23 For acquisition, construction, installation, and equip-
24 ment of temporary or permanent public works, naval in-
25 stallations, facilities, and real property for the Navy and

1 Marine Corps as currently authorized by law, including
2 personnel in the Naval Facilities Engineering Command
3 and other personal services necessary for the purposes of
4 this appropriation, \$2,222,522,000, to remain available
5 until September 30, 2023: *Provided*, That, of this amount,
6 not to exceed \$185,542,000 shall be available for study,
7 planning, design, and architect and engineer services, as
8 authorized by law, unless the Secretary of the Navy deter-
9 mines that additional obligations are necessary for such
10 purposes and notifies the Committees on Appropriations
11 of both Houses of Congress of the determination and the
12 reasons therefor.

13 MILITARY CONSTRUCTION, AIR FORCE

14 For acquisition, construction, installation, and equip-
15 ment of temporary or permanent public works, military
16 installations, facilities, and real property for the Air Force
17 as currently authorized by law, \$1,495,423,000, to remain
18 available until September 30, 2023: *Provided*, That, of
19 this amount, not to exceed \$206,577,000 shall be available
20 for study, planning, design, and architect and engineer
21 services, as authorized by law, unless the Secretary of the
22 Air Force determines that additional obligations are nec-
23 essary for such purposes and notifies the Committees on
24 Appropriations of both Houses of Congress of the deter-
25 mination and the reasons therefor.

1 MILITARY CONSTRUCTION, DEFENSE-WIDE

2 (INCLUDING TRANSFER OF FUNDS)

3 For acquisition, construction, installation, and equip-
4 ment of temporary or permanent public works, installa-
5 tions, facilities, and real property for activities and agen-
6 cies of the Department of Defense (other than the military
7 departments), as currently authorized by law,
8 \$2,575,938,000, to remain available until September 30,
9 2023: *Provided*, That such amounts of this appropriation
10 as may be determined by the Secretary of Defense may
11 be transferred to such appropriations of the Department
12 of Defense available for military construction or family
13 housing as the Secretary may designate, to be merged with
14 and to be available for the same purposes, and for the
15 same time period, as the appropriation or fund to which
16 transferred: *Provided further*, That, of the amount, not to
17 exceed \$195,345,000 shall be available for study, plan-
18 ning, design, and architect and engineer services, as au-
19 thorized by law, unless the Secretary of Defense deter-
20 mines that additional obligations are necessary for such
21 purposes and notifies the Committees on Appropriations
22 of both Houses of Congress of the determination and the
23 reasons therefor.

1 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

2 For construction, acquisition, expansion, rehabilita-
3 tion, and conversion of facilities for the training and ad-
4 ministration of the Army National Guard, and contribu-
5 tions therefor, as authorized by chapter 1803 of title 10,
6 United States Code, and Military Construction Authoriza-
7 tion Acts, \$190,122,000, to remain available until Sep-
8 tember 30, 2023: *Provided*, That, of the amount, not to
9 exceed \$16,622,000 shall be available for study, planning,
10 design, and architect and engineer services, as authorized
11 by law, unless the Director of the Army National Guard
12 determines that additional obligations are necessary for
13 such purposes and notifies the Committees on Appropria-
14 tions of both Houses of Congress of the determination and
15 the reasons therefor.

16 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

17 For construction, acquisition, expansion, rehabilita-
18 tion, and conversion of facilities for the training and ad-
19 ministration of the Air National Guard, and contributions
20 therefor, as authorized by chapter 1803 of title 10, United
21 States Code, and Military Construction Authorization
22 Acts, \$139,126,000, to remain available until September
23 30, 2023: *Provided*, That, of the amount, not to exceed
24 \$18,500,000 shall be available for study, planning, design,
25 and architect and engineer services, as authorized by law,

1 unless the Director of the Air National Guard determines
2 that additional obligations are necessary for such purposes
3 and notifies the Committees on Appropriations of both
4 Houses of Congress of the determination and the reasons
5 therefor.

6 MILITARY CONSTRUCTION, ARMY RESERVE

7 For construction, acquisition, expansion, rehabilita-
8 tion, and conversion of facilities for the training and ad-
9 ministration of the Army Reserve as authorized by chapter
10 1803 of title 10, United States Code, and Military Con-
11 struction Authorization Acts, \$64,919,000, to remain
12 available until September 30, 2023: *Provided*, That, of the
13 amount, not to exceed \$5,855,000 shall be available for
14 study, planning, design, and architect and engineer serv-
15 ices, as authorized by law, unless the Chief of the Army
16 Reserve determines that additional obligations are nec-
17 essary for such purposes and notifies the Committees on
18 Appropriations of both Houses of Congress of the deter-
19 mination and the reasons therefor.

20 MILITARY CONSTRUCTION, NAVY RESERVE

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

1 tion Acts, \$43,065,000, to remain available until Sep-
2 tember 30, 2023: *Provided*, That, of the amount, not to
3 exceed \$4,695,000 shall be available for study, planning,
4 design, and architect and engineer services, as authorized
5 by law, unless the Secretary of the Navy determines that
6 additional obligations are necessary for such purposes and
7 notifies the Committees on Appropriations of both Houses
8 of Congress of the determination and the reasons therefor.

9 MILITARY CONSTRUCTION, AIR FORCE RESERVE

10 For construction, acquisition, expansion, rehabilita-
11 tion, and conversion of facilities for the training and ad-
12 ministration of the Air Force Reserve as authorized by
13 chapter 1803 of title 10, United States Code, and Military
14 Construction Authorization Acts, \$50,163,000, to remain
15 available until September 30, 2023: *Provided*, That, of the
16 amount, not to exceed \$4,055,000 shall be available for
17 study, planning, design, and architect and engineer serv-
18 ices, as authorized by law, unless the Chief of the Air
19 Force Reserve determines that additional obligations are
20 necessary for such purposes and notifies the Committees
21 on Appropriations of both Houses of Congress of the de-
22 termination and the reasons therefor.

1 NORTH ATLANTIC TREATY ORGANIZATION
2 SECURITY INVESTMENT PROGRAM

3 For the United States share of the cost of the North
4 Atlantic Treaty Organization Security Investment Pro-
5 gram for the acquisition and construction of military fa-
6 cilities and installations (including international military
7 headquarters) and for related expenses for the collective
8 defense of the North Atlantic Treaty Area as authorized
9 by section 2806 of title 10, United States Code, and Mili-
10 tary Construction Authorization Acts, \$171,064,000, to
11 remain available until expended.

12 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

13 For deposit into the Department of Defense Base
14 Closure Account, established by section 2906(a) of the De-
15 fense Base Closure and Realignment Act of 1990 (10
16 U.S.C. 2687 note), \$277,538,000, to remain available
17 until expended.

18 FAMILY HOUSING CONSTRUCTION, ARMY

19 For expenses of family housing for the Army for con-
20 struction, including acquisition, replacement, addition, ex-
21 pansion, extension, and alteration, as authorized by law,
22 \$330,660,000, to remain available until September 30,
23 2023.

1 \$78,446,000, to remain available until September 30,
2 2023.

3 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
4 FORCE

5 For expenses of family housing for the Air Force for
6 operation and maintenance, including debt payment, leas-
7 ing, minor construction, principal and interest charges,
8 and insurance premiums, as authorized by law,
9 \$317,274,000.

10 FAMILY HOUSING OPERATION AND MAINTENANCE,
11 DEFENSE-WIDE

12 For expenses of family housing for the activities and
13 agencies of the Department of Defense (other than the
14 military departments) for operation and maintenance,
15 leasing, and minor construction, as authorized by law,
16 \$58,373,000.

17 DEPARTMENT OF DEFENSE

18 FAMILY HOUSING IMPROVEMENT FUND

19 For the Department of Defense Family Housing Im-
20 provement Fund, \$1,653,000, to remain available until ex-
21 pended, for family housing initiatives undertaken pursu-
22 ant to section 2883 of title 10, United States Code, pro-
23 viding alternative means of acquiring and improving mili-
24 tary family housing and supporting facilities.

1 DEPARTMENT OF DEFENSE
2 MILITARY UNACCOMPANIED HOUSING IMPROVEMENT
3 FUND

4 For the Department of Defense Military Unaccom-
5 panied Housing Improvement Fund, \$600,000, to remain
6 available until expended, for unaccompanied housing ini-
7 tiatives undertaken pursuant to section 2883 of title 10,
8 United States Code, providing alternative means of acquir-
9 ing and improving military unaccompanied housing and
10 supporting facilities.

11 ADMINISTRATIVE PROVISIONS

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

19 SEC. 102. Funds made available in this title for con-
20 struction shall be available for hire of passenger motor ve-
21 hicles.

22 SEC. 103. Funds made available in this title for con-
23 struction may be used for advances to the Federal High-
24 way Administration, Department of Transportation, for
25 the construction of access roads as authorized by section

1 210 of title 23, United States Code, when projects author-
2 ized therein are certified as important to the national de-
3 fense by the Secretary of Defense.

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

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

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

24 SEC. 107. None of the funds made available in this
25 title for minor construction may be used to transfer or

1 relocate any activity from one base or installation to an-
2 other, without prior notification to the Committees on Ap-
3 propriations of both Houses of Congress.

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

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

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

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

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

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

22 SEC. 114. Funds appropriated to the Department of
23 Defense for construction in prior years shall be available
24 for construction authorized for each such military depart-

1 ment by the authorizations enacted into law during the
2 current session of Congress.

3 SEC. 115. For military construction or family housing
4 projects that are being completed with funds otherwise ex-
5 pired or lapsed for obligation, expired or lapsed funds may
6 be used to pay the cost of associated supervision, inspec-
7 tion, overhead, engineering and design on those projects
8 and on subsequent claims, if any.

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

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 117. Subject to 30 days prior notification, or
23 14 days for a notification provided in an electronic me-
24 dium pursuant to sections 480 and 2883 of title 10,
25 United States Code, to the Committees on Appropriations

1 of both Houses of Congress, such additional amounts as
2 may be determined by the Secretary of Defense may be
3 transferred to: (1) the Department of Defense Family
4 Housing Improvement Fund from amounts appropriated
5 for construction in “Family Housing” accounts, to be
6 merged with and to be available for the same purposes
7 and for the same period of time as amounts appropriated
8 directly to the Fund; or (2) the Department of Defense
9 Military Unaccompanied Housing Improvement Fund
10 from amounts appropriated for construction of military
11 unaccompanied housing in “Military Construction” ac-
12 counts, to be merged with and to be available for the same
13 purposes and for the same period of time as amounts ap-
14 propriated directly to the Fund: *Provided*, That appropria-
15 tions made available to the Funds shall be available to
16 cover the costs, as defined in section 502(5) of the Con-
17 gressional Budget Act of 1974, of direct loans or loan
18 guarantees issued by the Department of Defense pursuant
19 to the provisions of subchapter IV of chapter 169 of title
20 10, United States Code, pertaining to alternative means
21 of acquiring and improving military family housing, mili-
22 tary unaccompanied housing, and supporting facilities.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 118. In addition to any other transfer authority
25 available to the Department of Defense, amounts may be

1 transferred from the Department of Defense Base Closure
2 Account to the fund established by section 1013(d) of the
3 Demonstration Cities and Metropolitan Development Act
4 of 1966 (42 U.S.C. 3374) to pay for expenses associated
5 with the Homeowners Assistance Program incurred under
6 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall
7 be merged with and be available for the same purposes
8 and for the same time period as the fund to which trans-
9 ferred.

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

1 Under Secretary of Defense (Comptroller) is to report an-
2 nually to the Committees on Appropriations of both
3 Houses of Congress all operation and maintenance ex-
4 penditures for each individual general or flag officer quar-
5 ters for the prior fiscal year.

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

12 (INCLUDING TRANSFER OF FUNDS)

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

1 the same purposes as the appropriation to which trans-
2 ferred.

3 SEC. 122. Amounts appropriated or otherwise made
4 available in an account funded under the headings in this
5 title may be transferred among projects and activities
6 within the account in accordance with the reprogramming
7 guidelines for military construction and family housing
8 construction contained in Department of Defense Finan-
9 cial Management Regulation 7000.14–R, Volume 3, Chap-
10 ter 7, of March 2011, as in effect on the date of enactment
11 of this Act.

12 SEC. 123. None of the funds made available in this
13 title may be obligated or expended for planning and design
14 and construction of projects at Arlington National Ceme-
15 tery.

16 SEC. 124. For an additional amount for the accounts
17 and in the amounts specified, to remain available until
18 September 30, 2023:

19 “Military Construction, Army”, \$77,600,000;

20 “Military Construction, Navy and Marine
21 Corps”, \$244,400,000, of which \$10,000,000 is for
22 planning and design;

23 “Military Construction, Air Force”,
24 \$118,516,000, of which \$22,316,000 is for planning
25 and design;

1 “Military Construction, Army National Guard”,
2 \$22,000,000;

3 “Military Construction, Air National Guard”,
4 \$11,100,000, for planning and design;

5 “Military Construction, Army Reserve”,
6 \$10,000,000; and

7 “Military Construction, Air Force Reserve”,
8 \$14,400,000, of which \$5,000,000 is for planning
9 and design:

10 *Provided*, That such funds may only be obligated to carry
11 out construction projects identified in the respective mili-
12 tary department’s unfunded priority list for fiscal year
13 2019 submitted to Congress: *Provided further*, That such
14 projects are subject to authorization prior to obligation
15 and expenditure of funds to carry out construction: *Pro-*
16 *vided further*, That not later than 30 days after enactment
17 of this Act, the Secretary of the military department con-
18 cerned, or his or her designee, shall submit to the Commit-
19 tees on Appropriations of both Houses of Congress an ex-
20 penditure plan for funds provided under this section.

21 (RESCISSIONS OF FUNDS)

22 SEC. 125. Of the unobligated balances available to
23 the Department of Defense from prior appropriation Acts,
24 the following funds are hereby rescinded from the fol-
25 lowing accounts in the amounts specified:

1 “Military Construction, Air Force”,
2 \$31,158,000;

3 “Military Construction, Army National Guard”,
4 \$10,000,000; and

5 “Family Housing Construction, Navy and Ma-
6 rine Corps”, \$2,138,000:

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

13 SEC. 126. For the purposes of this Act, the term
14 “congressional defense committees” means the Commit-
15 tees on Armed Services of the House of Representatives
16 and the Senate, the Subcommittee on Military Construc-
17 tion and Veterans Affairs of the Committee on Appropria-
18 tions of the Senate, and the Subcommittee on Military
19 Construction and Veterans Affairs of the Committee on
20 Appropriations of the House of Representatives.

21 SEC. 127. None of the funds made available by this
22 Act may be used to carry out the closure or realignment
23 of the United States Naval Station, Guantánamo Bay,
24 Cuba.

1 SEC. 128. Notwithstanding any other provision of
2 law, none of the funds appropriated or otherwise made
3 available by this or any other Act may be used to consoli-
4 date or relocate any element of a United States Air Force
5 Rapid Engineer Deployable Heavy Operational Repair
6 Squadron Engineer (RED HORSE) outside of the United
7 States until the Secretary of the Air Force (1) completes
8 an analysis and comparison of the cost and infrastructure
9 investment required to consolidate or relocate a RED
10 HORSE squadron outside of the United States versus
11 within the United States; (2) provides to the Committees
12 on Appropriations of both Houses of Congress (“the Com-
13 mittees”) a report detailing the findings of the cost anal-
14 ysis; and (3) certifies in writing to the Committees that
15 the preferred site for the consolidation or relocation yields
16 the greatest savings for the Air Force: *Provided*, That the
17 term “United States” in this section does not include any
18 territory or possession of the United States.

19 SEC. 129. Notwithstanding section 123 of this Act,
20 for an additional amount for “Military Construction,
21 Army” in this title, \$30,000,000, to remain available until
22 expended, is provided for completion of the Defense Access
23 Roads project and land acquisition for Arlington National
24 Cemetery as authorized by section 2101 of the National
25 Defense Authorization Act for Fiscal Year 2016 (Public

1 Law 114–92) and section 2829A of the National Defense
2 Authorization Act for Fiscal Year 2017 (Public Law 114–
3 328): *Provided*, That such funds shall be in addition to
4 any other funds made available in this or prior year Acts
5 for such purposes, including funds made available by sec-
6 tion 132 of the Military Construction, Veterans Affairs,
7 and Related Agencies Appropriations Act, 2016 (Public
8 Law 114–113).

9 SEC. 130. All amounts appropriated to the “Depart-
10 ment of Defense—Military Construction, Army”, “De-
11 partment of Defense—Military Construction, Navy and
12 Marine Corps”, “Department of Defense—Military Con-
13 struction, Air Force”, and “Department of Defense—Mili-
14 tary Construction, Defense-Wide” accounts pursuant to
15 the authorization of appropriations in a National Defense
16 Authorization Act specified for fiscal year 2019 in the
17 funding table in section 4601 of that Act shall be imme-
18 diately available and allotted to contract for the full scope
19 of authorized projects.

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

6 For the payment of compensation benefits to or on
7 behalf of veterans and a pilot program for disability ex-
8 aminations as authorized by section 107 and chapters 11,
9 13, 18, 51, 53, 55, and 61 of title 38, United States Code;
10 pension benefits to or on behalf of veterans as authorized
11 by chapters 15, 51, 53, 55, and 61 of title 38, United
12 States Code; and burial benefits, the Reinstated Entitle-
13 ment Program for Survivors, emergency and other offi-
14 cers' retirement pay, adjusted-service credits and certifi-
15 cates, payment of premiums due on commercial life insur-
16 ance policies guaranteed under the provisions of title IV
17 of the Servicemembers Civil Relief Act (50 U.S.C. App.
18 541 et seq.) and for other benefits as authorized by sec-
19 tions 107, 1312, 1977, and 2106, and chapters 23, 51,
20 53, 55, and 61 of title 38, United States Code,
21 \$108,530,139,000, to remain available until expended, of
22 which \$107,119,807,000 shall become available on Octo-
23 ber 1, 2019: *Provided*, That not to exceed \$18,047,000
24 of the amount made available for fiscal year 2020 under
25 this heading shall be reimbursed to "General Operating

1 Expenses, Veterans Benefits Administration”, and “Infor-
2 mation Technology Systems” for necessary expenses in
3 implementing the provisions of chapters 51, 53, and 55
4 of title 38, United States Code, the funding source for
5 which is specifically provided as the “Compensation and
6 Pensions” appropriation: *Provided further*, That such
7 sums as may be earned on an actual qualifying patient
8 basis, shall be reimbursed to “Medical Care Collections
9 Fund” to augment the funding of individual medical facili-
10 ties for nursing home care provided to pensioners as au-
11 thorized.

12 READJUSTMENT BENEFITS

13 For the payment of readjustment and rehabilitation
14 benefits to or on behalf of veterans as authorized by chap-
15 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and
16 61 of title 38, United States Code, \$14,065,282,000, to
17 remain available until expended and to become available
18 on October 1, 2019: *Provided*, That expenses for rehabili-
19 tation program services and assistance which the Sec-
20 retary is authorized to provide under subsection (a) of sec-
21 tion 3104 of title 38, United States Code, other than
22 under paragraphs (1), (2), (5), and (11) of that sub-
23 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, \$111,340,000, which shall become available on Oc-
7 tober 1, 2019, and shall remain available until expended.

8 VETERANS HOUSING BENEFIT PROGRAM FUND

9 For the cost of direct and guaranteed loans, such
10 sums as may be necessary to carry out the program, as
11 authorized by subchapters I through III of chapter 37 of
12 title 38, United States Code: *Provided*, That such costs,
13 including the cost of modifying such loans, shall be as de-
14 fined in section 502 of the Congressional Budget Act of
15 1974: *Provided further*, That, during fiscal year 2019,
16 within the resources available, not to exceed \$500,000 in
17 gross obligations for direct loans are authorized for spe-
18 cially adapted housing loans.

19 In addition, for administrative expenses to carry out
20 the direct and guaranteed loan programs, \$200,612,000.

21 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

22 For the cost of direct loans, \$39,000, as authorized
23 by chapter 31 of title 38, United States Code: *Provided*,
24 That such costs, including the cost of modifying such
25 loans, shall be as defined in section 502 of the Congres-

1 sional Budget Act of 1974: *Provided further*, That funds
 2 made available under this heading are available to sub-
 3 sidize gross obligations for the principal amount of direct
 4 loans not to exceed \$2,037,366.

5 In addition, for administrative expenses necessary to
 6 carry out the direct loan program, \$396,000, which may
 7 be paid to the appropriation for “General Operating Ex-
 8 penses, Veterans Benefits Administration”.

9 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM

10 ACCOUNT

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

14 GENERAL OPERATING EXPENSES, VETERANS BENEFITS

15 ADMINISTRATION

16 For necessary operating expenses of the Veterans
 17 Benefits Administration, not otherwise provided for, in-
 18 cluding hire of passenger motor vehicles, reimbursement
 19 of the General Services Administration for security guard
 20 services, and reimbursement of the Department of De-
 21 fense for the cost of overseas employee mail,
 22 \$2,956,316,000: *Provided*, That expenses for services and
 23 assistance authorized under paragraphs (1), (2), (5), and
 24 (11) of section 3104(a) of title 38, United States Code,
 25 that the Secretary of Veterans Affairs determines are nec-

1 essary to enable entitled veterans: (1) to the maximum ex-
2 tent feasible, to become employable and to obtain and
3 maintain suitable employment; or (2) to achieve maximum
4 independence in daily living, shall be charged to this ac-
5 count: *Provided further*, That, of the funds made available
6 under this heading, not to exceed 10 percent shall remain
7 available until September 30, 2020.

8 VETERANS HEALTH ADMINISTRATION

9 MEDICAL SERVICES

10 For necessary expenses for furnishing, as authorized
11 by law, inpatient and outpatient care and treatment to
12 beneficiaries of the Department of Veterans Affairs and
13 veterans described in section 1705(a) of title 38, United
14 States Code, including care and treatment in facilities not
15 under the jurisdiction of the Department, and including
16 medical supplies and equipment, bioengineering services,
17 food services, and salaries and expenses of healthcare em-
18 ployees hired under title 38, United States Code, aid to
19 State homes as authorized by section 1741 of title 38,
20 United States Code, assistance and support services for
21 caregivers as authorized by section 1720G of title 38,
22 United States Code, loan repayments authorized by sec-
23 tion 604 of the Caregivers and Veterans Omnibus Health
24 Services Act of 2010 (Public Law 111–163; 124 Stat.
25 1174; 38 U.S.C. 7681 note), monthly assistance allow-

1 ances authorized by section 322(d) of title 38, United
2 States Code, grants authorized by section 521A of title
3 38, United States Code, and administrative expenses nec-
4 essary to carry out sections 322(d) and 521A of title 38,
5 United States Code, and hospital care and medical serv-
6 ices authorized by section 1787 of title 38, United States
7 Code; \$750,000,000, which shall be in addition to funds
8 previously appropriated under this heading that become
9 available on October 1, 2018; and, in addition,
10 \$51,411,165,000, plus reimbursements, shall become
11 available on October 1, 2019, and shall remain available
12 until September 30, 2020: *Provided*, That, of the amount
13 made available on October 1, 2019, under this heading,
14 \$1,500,000,000 shall remain available until September 30,
15 2021: *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: *Provided fur-*
7 *ther*, That the Secretary of Veterans Affairs shall ensure
8 that sufficient amounts appropriated under this heading
9 for medical supplies and equipment are available for the
10 acquisition of prosthetics designed specifically for female
11 veterans.

12 MEDICAL COMMUNITY CARE

13 For necessary expenses for furnishing health care to
14 individuals pursuant to chapter 17 of title 38, United
15 States Code, at non-Department facilities,
16 \$1,000,000,000, which shall be in addition to funds pre-
17 viously appropriated under this heading that become avail-
18 able on October 1, 2018; and, in addition,
19 \$10,758,399,000, plus reimbursements, shall become
20 available on October 1, 2019, and shall remain available
21 until September 30, 2020: *Provided*, That, of the amount
22 made available on October 1, 2019, under this heading,
23 \$2,000,000,000 shall remain available until September 30,
24 2021.

1 MEDICAL SUPPORT AND COMPLIANCE

2 For necessary expenses in the administration of the
3 medical, hospital, nursing home, domiciliary, construction,
4 supply, and research activities, as authorized by law; ad-
5 ministrative expenses in support of capital policy activi-
6 ties; and administrative and legal expenses of the Depart-
7 ment for collecting and recovering amounts owed the De-
8 partment as authorized under chapter 17 of title 38,
9 United States Code, and the Federal Medical Care Recov-
10 ery Act (42 U.S.C. 2651 et seq.), \$7,239,156,000, plus
11 reimbursements, shall become available on October 1,
12 2019, and shall remain available until September 30,
13 2020: *Provided*, That, of the amount made available on
14 October 1, 2019, under this heading, \$100,000,000 shall
15 remain available until September 30, 2021.

16 MEDICAL FACILITIES

17 For necessary expenses for the maintenance and op-
18 eration of hospitals, nursing homes, domiciliary facilities,
19 and other necessary facilities of the Veterans Health Ad-
20 ministration; for administrative expenses in support of
21 planning, design, project management, real property ac-
22 quisition and disposition, construction, and renovation of
23 any facility under the jurisdiction or for the use of the
24 Department; for oversight, engineering, and architectural
25 activities not charged to project costs; for repairing, alter-

1 ing, improving, or providing facilities in the several hos-
2 pitals and homes under the jurisdiction of the Depart-
3 ment, not otherwise provided for, either by contract or by
4 the hire of temporary employees and purchase of mate-
5 rials; for leases of facilities; and for laundry services;
6 \$211,000,000, which shall be in addition to funds pre-
7 viously appropriated under this heading that become avail-
8 able on October 1, 2018; and, in addition,
9 \$6,141,880,000, plus reimbursements, shall become avail-
10 able on October 1, 2019, and shall remain available until
11 September 30, 2020: *Provided*, That, of the amount made
12 available on October 1, 2019, under this heading,
13 \$250,000,000 shall remain available until September 30,
14 2021.

15 MEDICAL AND PROSTHETIC RESEARCH

16 For necessary expenses in carrying out programs of
17 medical and prosthetic research and development as au-
18 thorized by chapter 73 of title 38, United States Code,
19 \$779,000,000, plus reimbursements, shall remain avail-
20 able until September 30, 2020: *Provided*, That the Sec-
21 retary of Veterans Affairs shall ensure that sufficient
22 amounts appropriated under this heading are available for
23 prosthetic research specifically for female veterans, and
24 for toxic exposure research.

1 NATIONAL CEMETERY ADMINISTRATION

2 For necessary expenses of the National Cemetery Ad-
3 ministration for operations and maintenance, not other-
4 wise provided for, including uniforms or allowances there-
5 for; cemeterial expenses as authorized by law; purchase
6 of one passenger motor vehicle for use in cemeterial oper-
7 ations; hire of passenger motor vehicles; and repair, alter-
8 ation or improvement of facilities under the jurisdiction
9 of the National Cemetery Administration, \$315,836,000,
10 of which not to exceed 10 percent shall remain available
11 until September 30, 2020.

12 DEPARTMENTAL ADMINISTRATION

13 GENERAL ADMINISTRATION

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary operating expenses of the Department
16 of Veterans Affairs, not otherwise provided for, including
17 administrative expenses in support of Department-wide
18 capital planning, management and policy activities, uni-
19 forms, or allowances therefor; not to exceed \$25,000 for
20 official reception and representation expenses; hire of pas-
21 senger motor vehicles; and reimbursement of the General
22 Services Administration for security guard services,
23 \$365,976,000, of which not to exceed 10 percent shall re-
24 main available until September 30, 2020: *Provided*, That
25 funds provided under this heading may be transferred to

1 “General Operating Expenses, Veterans Benefits Adminis-
2 tration”.

3 BOARD OF VETERANS APPEALS

4 For necessary operating expenses of the Board of
5 Veterans Appeals, \$174,748,000, of which not to exceed
6 10 percent shall remain available until September 30,
7 2020.

8 INFORMATION TECHNOLOGY SYSTEMS

9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses for information technology
11 systems and telecommunications support, including devel-
12 opmental information systems and operational information
13 systems; for pay and associated costs; and for the capital
14 asset acquisition of information technology systems, in-
15 cluding management and related contractual costs of said
16 acquisitions, including contractual costs associated with
17 operations authorized by section 3109 of title 5, United
18 States Code, \$4,184,571,000, plus reimbursements: *Pro-*
19 *vided*, That \$1,243,220,000 shall be for pay and associ-
20 ated costs, of which not to exceed 3 percent shall remain
21 available until September 30, 2020: *Provided further*, That
22 \$2,560,780,000 shall be for operations and maintenance,
23 of which not to exceed 5 percent shall remain available
24 until September 30, 2020: *Provided further*, That
25 \$380,571,000 shall be for information technology systems

1 development, and shall remain available until September
2 30, 2020: *Provided further*, That amounts made available
3 for salaries and expenses, operations and maintenance,
4 and information technology systems development may be
5 transferred among the three subaccounts after the Sec-
6 retary of Veterans Affairs requests from the Committees
7 on Appropriations of both Houses of Congress the author-
8 ity to make the transfer and an approval is issued: *Pro-*
9 *vided further*, That amounts made available for the “Infor-
10 mation Technology Systems” account for development
11 may be transferred among projects or to newly defined
12 projects: *Provided further*, That no project may be in-
13 creased or decreased by more than \$1,000,000 of cost
14 prior to submitting a request to the Committees on Appro-
15 priations of both Houses of Congress to make the transfer
16 and an approval is issued, or absent a response, a period
17 of 30 days has elapsed: *Provided further*, That the funds
18 made available under this heading for information tech-
19 nology systems development shall be for the projects, and
20 in the amounts, specified under this heading in the report
21 accompanying this Act.

22 VETERANS ELECTRONIC HEALTH RECORD

23 For activities related to implementation, preparation,
24 development, interface, management, rollout, and mainte-
25 nance of a Veterans Electronic Health Record system, in-

1 cluding contractual costs associated with operations au-
2 thorized by section 3109 of title 5, United States Code,
3 and salaries and expenses of employees hired under titles
4 5 and 38, United States Code, \$800,000,000, to remain
5 available until September 30, 2020: *Provided*, That the
6 Secretary of Veterans Affairs shall submit to the Commit-
7 tees on Appropriations of both Houses of Congress quar-
8 terly reports detailing obligations, expenditures, and de-
9 ployment implementation by facility: *Provided further*,
10 That the funds provided in this account shall only be avail-
11 able to the Office of the Deputy Secretary, to be adminis-
12 tered by that Office.

13 OFFICE OF INSPECTOR GENERAL

14 For necessary expenses of the Office of Inspector
15 General, to include information technology, in carrying out
16 the provisions of the Inspector General Act of 1978 (5
17 U.S.C. App.), \$192,000,000, of which not to exceed 10
18 percent shall remain available until September 30, 2020.

19 CONSTRUCTION, MAJOR PROJECTS

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

1 chitectural and engineering services, construction manage-
2 ment services, maintenance or guarantee period services
3 costs associated with equipment guarantees provided
4 under the project, services of claims analysts, offsite utility
5 and storm drainage system construction costs, and site ac-
6 quisition, where the estimated cost of a project is more
7 than the amount set forth in section 8104(a)(3)(A) of title
8 38, United States Code, or where funds for a project were
9 made available in a previous major project appropriation,
10 \$1,127,486,000, of which \$647,486,000 shall remain
11 available until September 30, 2023, and of which
12 \$480,000,000 shall remain available until expended, of
13 which \$400,000,000 shall be available for seismic improve-
14 ment projects and seismic program management activities:
15 *Provided*, That except for advance planning activities, in-
16 cluding needs assessments which may or may not lead to
17 capital investments, and other capital asset management
18 related activities, including portfolio development and
19 management activities, and investment strategy studies
20 funded through the advance planning fund and the plan-
21 ning and design activities funded through the design fund,
22 including needs assessments which may or may not lead
23 to capital investments, and salaries and associated costs
24 of the resident engineers who oversee those capital invest-
25 ments funded through this account and contracting offi-

1 cers who manage specific major construction projects, and
2 funds provided for the purchase, security, and mainte-
3 nance of land for the National Cemetery Administration
4 through the land acquisition line item, none of the funds
5 made available under this heading shall be used for any
6 project that has not been notified to Congress through the
7 budgetary process or that has not been approved by the
8 Congress through statute, joint resolution, or in the ex-
9 planatory statement accompanying such Act and pre-
10 sented to the President at the time of enrollment: *Provided*
11 *further*, That funds made available under this heading for
12 fiscal year 2019, for each approved project shall be obli-
13 gated: (1) by the awarding of a construction documents
14 contract by September 30, 2019; and (2) by the awarding
15 of a construction contract by September 30, 2020: *Pro-*
16 *vided further*, That the Secretary of Veterans Affairs shall
17 promptly submit to the Committees on Appropriations of
18 both Houses of Congress a written report on any approved
19 major construction project for which obligations are not
20 incurred within the time limitations established above.

21 CONSTRUCTION, MINOR PROJECTS

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

1 which may lead to capital investments, architectural and
2 engineering services, maintenance or guarantee period
3 services costs associated with equipment guarantees pro-
4 vided under the project, services of claims analysts, offsite
5 utility and storm drainage system construction costs, and
6 site acquisition, or for any of the purposes set forth in
7 sections 316, 2404, 2406 and chapter 81 of title 38,
8 United States Code, not otherwise provided for, where the
9 estimated cost of a project is equal to or less than the
10 amount set forth in section 8104(a)(3)(A) of title 38,
11 United States Code, \$706,889,000, to remain available
12 until September 30, 2023, along with unobligated balances
13 of previous “Construction, Minor Projects” appropriations
14 which are hereby made available for any project where the
15 estimated cost is equal to or less than the amount set forth
16 in such section: *Provided*, That funds made available
17 under this heading shall be for: (1) repairs to any of the
18 nonmedical facilities under the jurisdiction or for the use
19 of the Department which are necessary because of loss or
20 damage caused by any natural disaster or catastrophe;
21 and (2) temporary measures necessary to prevent or to
22 minimize further loss by such causes.

1 GRANTS FOR CONSTRUCTION OF
2 STATE EXTENDED CARE FACILITIES

3 For grants to assist States to acquire or construct
4 State nursing home and domiciliary facilities and to re-
5 model, modify, or alter existing hospital, nursing home,
6 and domiciliary facilities in State homes, for furnishing
7 care to veterans as authorized by sections 8131 through
8 8137 of title 38, United States Code, \$150,000,000, to
9 remain available until expended.

10 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

11 For grants to assist States and tribal organizations
12 in establishing, expanding, or improving veterans ceme-
13 teries as authorized by section 2408 of title 38, United
14 States Code, \$45,000,000, to remain available until ex-
15 pended.

16 ADMINISTRATIVE PROVISIONS
17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 201. Any appropriation for fiscal year 2019 for
19 “Compensation and Pensions”, “Readjustment Benefits”,
20 and “Veterans Insurance and Indemnities” may be trans-
21 ferred as necessary to any other of the mentioned appro-
22 priations: *Provided*, That, before a transfer may take
23 place, the Secretary of Veterans Affairs shall request from
24 the Committees on Appropriations of both Houses of Con-
25 gress the authority to make the transfer and such Com-

1 mittees issue an approval, or absent a response, a period
2 of 30 days has elapsed.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 202. Amounts made available for the Depart-
5 ment of Veterans Affairs for fiscal year 2019, in this or
6 any other Act, under the “Medical Services”, “Medical
7 Community Care”, “Medical Support and Compliance”,
8 and “Medical Facilities” accounts may be transferred
9 among the accounts: *Provided*, That any transfers among
10 the “Medical Services”, “Medical Community Care”, and
11 “Medical Support and Compliance” accounts of 1 percent
12 or less of the total amount appropriated to the account
13 in this or any other Act may take place subject to notifica-
14 tion from the Secretary of Veterans Affairs to the Com-
15 mittees on Appropriations of both Houses of Congress of
16 the amount and purpose of the transfer: *Provided further*,
17 That any transfers among the “Medical Services”, “Med-
18 ical Community Care”, and “Medical Support and Compli-
19 ance” accounts in excess of 1 percent, or exceeding the
20 cumulative 1 percent for the fiscal year, may take place
21 only after the Secretary requests from the Committees on
22 Appropriations of both Houses of Congress the authority
23 to make the transfer and an approval is issued: *Provided*
24 *further*, That any transfers to or from the “Medical Facili-
25 ties” account may take place only after the Secretary re-

1 quests from the Committees on Appropriations of both
2 Houses of Congress the authority to make the transfer
3 and an approval is issued.

4 SEC. 203. Appropriations available in this title for
5 salaries and expenses shall be available for services au-
6 thorized by section 3109 of title 5, United States Code;
7 hire of passenger motor vehicles; lease of a facility or land
8 or both; and uniforms or allowances therefore, as author-
9 ized by sections 5901 through 5902 of title 5, United
10 States Code.

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

16 SEC. 205. No appropriations in this title shall be
17 available for hospitalization or examination of any persons
18 (except beneficiaries entitled to such hospitalization or ex-
19 amination under the laws providing such benefits to vet-
20 erans, and persons receiving such treatment under sec-
21 tions 7901 through 7904 of title 5, United States Code,
22 or the Robert T. Stafford Disaster Relief and Emergency
23 Assistance Act (42 U.S.C. 5121 et seq.)), unless reim-
24 bursement of the cost of such hospitalization or examina-

1 tion is made to the “Medical Services” account at such
2 rates as may be fixed by the Secretary of Veterans Affairs.

3 SEC. 206. Appropriations available in this title for
4 “Compensation and Pensions”, “Readjustment Benefits”,
5 and “Veterans Insurance and Indemnities” shall be avail-
6 able for payment of prior year accrued obligations re-
7 quired to be recorded by law against the corresponding
8 prior year accounts within the last quarter of fiscal year
9 2018.

10 SEC. 207. Appropriations available in this title shall
11 be available to pay prior year obligations of corresponding
12 prior year appropriations accounts resulting from sections
13 3328(a), 3334, and 3712(a) of title 31, United States
14 Code, except that if such obligations are from trust fund
15 accounts they shall be payable only from “Compensation
16 and Pensions”.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 208. Notwithstanding any other provision of
19 law, during fiscal year 2019, the Secretary of Veterans
20 Affairs shall, from the National Service Life Insurance
21 Fund under section 1920 of title 38, United States Code,
22 the Veterans’ Special Life Insurance Fund under section
23 1923 of title 38, United States Code, and the United
24 States Government Life Insurance Fund under section
25 1955 of title 38, United States Code, reimburse the “Gen-

1 eral Operating Expenses, Veterans Benefits Administra-
2 tion” and “Information Technology Systems” accounts for
3 the cost of administration of the insurance programs fi-
4 nanced through those accounts: *Provided*, That reimburse-
5 ment shall be made only from the surplus earnings accu-
6 mulated in such an insurance program during fiscal year
7 2019 that are available for dividends in that program after
8 claims have been paid and actuarially determined reserves
9 have been set aside: *Provided further*, That if the cost of
10 administration of such an insurance program exceeds the
11 amount of surplus earnings accumulated in that program,
12 reimbursement shall be made only to the extent of such
13 surplus earnings: *Provided further*, That the Secretary
14 shall determine the cost of administration for fiscal year
15 2019 which is properly allocable to the provision of each
16 such insurance program and to the provision of any total
17 disability income insurance included in that insurance pro-
18 gram.

19 SEC. 209. Amounts deducted from enhanced-use
20 lease proceeds to reimburse an account for expenses in-
21 curred by that account during a prior fiscal year for pro-
22 viding enhanced-use lease services, may be obligated dur-
23 ing the fiscal year in which the proceeds are received.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 210. Funds available in this title or funds for
3 salaries and other administrative expenses shall also be
4 available to reimburse the Office of Resolution Manage-
5 ment, the Office of Employment Discrimination Complaint
6 Adjudication, the Office of Accountability and Whistle-
7 blower Protection, and the Office of Diversity and Inclu-
8 sion for all services provided at rates which will recover
9 actual costs but not to exceed \$48,431,000 for the Office
10 of Resolution Management, \$4,333,000 for the Office of
11 Employment Discrimination Complaint Adjudication,
12 \$17,700,000 for the Office of Accountability and Whistle-
13 blower Protection, and \$3,230,000 for the Office of Diver-
14 sity and Inclusion: *Provided*, That payments may be made
15 in advance for services to be furnished based on estimated
16 costs: *Provided further*, That amounts received shall be
17 credited to the “General Administration” and “Informa-
18 tion Technology Systems” accounts for use by the office
19 that provided the service.

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

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

12 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

6 (INCLUDING TRANSFER OF FUNDS)

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

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

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 216. Such sums as may be deposited to the De-
3 partment of Veterans Affairs Capital Asset Fund pursu-
4 ant to section 8118 of title 38, United States Code, may
5 be transferred to the “Construction, Major Projects” and
6 “Construction, Minor Projects” accounts, to remain avail-
7 able until expended for the purposes of these accounts.

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

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 218. Amounts made available under the “Med-
20 ical Services”, “Medical Community Care”, “Medical Sup-
21 port and Compliance”, “Medical Facilities”, “General Op-
22 erating Expenses, Veterans Benefits Administration”,
23 “Board of Veterans Appeals”, “General Administration”,
24 and “National Cemetery Administration” accounts for fis-
25 cal year 2019 may be transferred to or from the “Informa-

1 tion Technology Systems” account: *Provided*, That such
2 transfers may not result in a more than 10 percent aggre-
3 gate increase in the total amount made available by this
4 Act for the “Information Technology Systems” account:
5 *Provided further*, That, before a transfer may take place,
6 the Secretary of Veterans Affairs shall request from the
7 Committees on Appropriations of both Houses of Congress
8 the authority to make the transfer and an approval is
9 issued.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 219. Of the amounts appropriated to the De-
12 partment of Veterans Affairs for fiscal year 2019 for
13 “Medical Services”, “Medical Community Care”, “Medical
14 Support and Compliance”, “Medical Facilities”, “Con-
15 struction, Minor Projects”, and “Information Technology
16 Systems”, up to \$301,578,000, plus reimbursements, may
17 be transferred to the Joint Department of Defense—De-
18 partment of Veterans Affairs Medical Facility Demonstra-
19 tion Fund, established by section 1704 of the National De-
20 fense Authorization Act for Fiscal Year 2010 (Public Law
21 111–84; 123 Stat. 3571) and may be used for operation
22 of the facilities designated as combined Federal medical
23 facilities as described by section 706 of the Duncan
24 Hunter National Defense Authorization Act for Fiscal
25 Year 2009 (Public Law 110–417; 122 Stat. 4500): *Pro-*

1 *vided*, That additional funds may be transferred from ac-
2 counts designated in this section to the Joint Department
3 of Defense—Department of Veterans Affairs Medical Fa-
4 cility Demonstration Fund upon written notification by
5 the Secretary of Veterans Affairs to the Committees on
6 Appropriations of both Houses of Congress: *Provided fur-*
7 *ther*, That section 220 of title II of division J of Public
8 Law 115–141 is repealed.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 220. Of the amounts appropriated to the De-
11 partment of Veterans Affairs which become available on
12 October 1, 2019, for “Medical Services”, “Medical Com-
13 munity Care”, “Medical Support and Compliance”, and
14 “Medical Facilities”, up to \$307,609,000, plus reimburse-
15 ments, may be transferred to the Joint Department of De-
16 fense—Department of Veterans Affairs Medical Facility
17 Demonstration Fund, established by section 1704 of the
18 National Defense Authorization Act for Fiscal Year 2010
19 (Public Law 111–84; 123 Stat. 3571) and may be used
20 for operation of the facilities designated as combined Fed-
21 eral medical facilities as described by section 706 of the
22 Duncan Hunter National Defense Authorization Act for
23 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500):
24 *Provided*, That additional funds may be transferred from
25 accounts designated in this section to the Joint Depart-

1 ment of Defense—Department of Veterans Affairs Med-
2 ical Facility Demonstration Fund upon written notifica-
3 tion by the Secretary of Veterans Affairs to the Commit-
4 tees on Appropriations of both Houses of Congress.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 221. Such sums as may be deposited to the
7 Medical Care Collections Fund pursuant to section 1729A
8 of title 38, United States Code, for healthcare provided
9 at facilities designated as combined Federal medical facili-
10 ties as described by section 706 of the Duncan Hunter
11 National Defense Authorization Act for Fiscal Year 2009
12 (Public Law 110–417; 122 Stat. 4500) shall also be avail-
13 able: (1) for transfer to the Joint Department of De-
14 fense—Department of Veterans Affairs Medical Facility
15 Demonstration Fund, established by section 1704 of the
16 National Defense Authorization Act for Fiscal Year 2010
17 (Public Law 111–84; 123 Stat. 3571); and (2) for oper-
18 ations of the facilities designated as combined Federal
19 medical facilities as described by section 706 of the Dun-
20 can Hunter National Defense Authorization Act for Fiscal
21 Year 2009 (Public Law 110–417; 122 Stat. 4500): *Pro-*
22 *vided*, That, notwithstanding section 1704(b)(3) of the
23 National Defense Authorization Act for Fiscal Year 2010
24 (Public Law 111–84; 123 Stat. 2573), amounts trans-
25 ferred to the Joint Department of Defense—Department

1 of Veterans Affairs Medical Facility Demonstration Fund
2 shall remain available until expended.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 222. Of the amounts available in this title for
5 “Medical Services”, “Medical Community Care”, “Medical
6 Support and Compliance”, and “Medical Facilities”, a
7 minimum of \$15,000,000 shall be transferred to the
8 DOD–VA Health Care Sharing Incentive Fund, as au-
9 thorized by section 8111(d) of title 38, United States
10 Code, to remain available until expended, for any purpose
11 authorized by section 8111 of title 38, United States Code.

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

17 SEC. 224. The Secretary of Veterans Affairs shall no-
18 tify the Committees on Appropriations of both Houses of
19 Congress of all bid savings in a major construction project
20 that total at least \$5,000,000, or 5 percent of the pro-
21 grammed amount of the project, whichever is less: *Pro-*
22 *vided*, That such notification shall occur within 14 days
23 of a contract identifying the programmed amount: *Pro-*
24 *vided further*, That the Secretary shall notify the Commit-
25 tees on Appropriations of both Houses of Congress 14

1 days prior to the obligation of such bid savings and shall
2 describe the anticipated use of such savings.

3 SEC. 225. None of the funds made available for
4 “Construction, Major Projects” may be used for a project
5 in excess of the scope specified for that project in the origi-
6 nal justification data provided to the Congress as part of
7 the request for appropriations unless the Secretary of Vet-
8 erans Affairs receives approval from the Committees on
9 Appropriations of both Houses of Congress.

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

1 SEC. 227. The Secretary of Veterans Affairs shall
2 provide written notification to the Committees on Appro-
3 priations of both Houses of Congress 15 days prior to or-
4 ganizational changes which result in the transfer of 25 or
5 more full-time equivalents from one organizational unit of
6 the Department of Veterans Affairs to another.

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

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 229. The Secretary of Veterans Affairs, upon
14 determination that such action is necessary to address
15 needs of the Veterans Health Administration, may trans-
16 fer to the “Medical Services” account any discretionary
17 appropriations made available for fiscal year 2019 in this
18 title (except appropriations made to the “General Oper-
19 ating Expenses, Veterans Benefits Administration” ac-
20 count) or any discretionary unobligated balances within
21 the Department of Veterans Affairs, including those ap-
22 propriated for fiscal year 2019, that were provided in ad-
23 vance by appropriations Acts: *Provided*, That transfers
24 shall be made only with the approval of the Office of Man-
25 agement and Budget: *Provided further*, That the transfer

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

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 230. Amounts made available for the Depart-
23 ment of Veterans Affairs for fiscal year 2019, under the
24 “Board of Veterans Appeals” and the “General Operating
25 Expenses, Veterans Benefits Administration” accounts

1 may be transferred between such accounts: *Provided*, That
2 before a transfer may take place, the Secretary of Vet-
3 erans Affairs shall request from the Committees on Appro-
4 priations of both Houses of Congress the authority to
5 make the transfer and receive approval of that request.

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

12 SEC. 232. (a) The Secretary of Veterans Affairs shall
13 ensure that the toll-free suicide hotline under section
14 1720F(h) of title 38, United States Code—

15 (1) provides to individuals who contact the hot-
16 line immediate assistance from a trained profes-
17 sional; and

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

20 (b)(1) None of the funds made available by this Act
21 may be used to enforce or otherwise carry out any Execu-
22 tive action that prohibits the Secretary of Veterans Affairs
23 from appointing an individual to occupy a vacant civil
24 service position, or establishing a new civil service position,
25 at the Department of Veterans Affairs with respect to

1 such a position relating to the hotline specified in sub-
2 section (a).

3 (2) In this subsection—

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

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

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

10 (ii) any agency policy, order, or other di-
11 rective.

12 SEC. 233. None of the funds in this or any other Act
13 may be used to close Department of Veterans Affairs (VA)
14 hospitals, domiciliaries, or clinics, conduct an environ-
15 mental assessment, or to diminish healthcare services at
16 existing Veterans Health Administration medical facilities
17 located in Veterans Integrated Service Network 23 as part
18 of a planned realignment of VA services until the Sec-
19 retary provides to the Committees on Appropriations of
20 both Houses of Congress a report including the following
21 elements:

22 (1) a national realignment strategy that in-
23 cludes a detailed description of realignment plans
24 within each Veterans Integrated Services Network

1 (VISN), including an updated Long Range Capital
2 Plan to implement realignment requirements;

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

6 (3) a cost versus benefit analysis of each
7 planned realignment, including the cost of replacing
8 Veterans Health Administration services with con-
9 tract care or other outsourced services;

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

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

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

22 (7) consideration given for reuse of historic
23 buildings within newly identified realignment re-
24 quirements: *Provided*, That, this provision shall not
25 apply to capital projects in VISN 23, or any other

1 VISN, which have been authorized or approved by
2 Congress.

3 SEC. 234. None of the funds made available to the
4 Secretary of Veterans Affairs by this or any other Act may
5 be obligated or expended in contravention of the “Veterans
6 Health Administration Clinical Preventive Services Guid-
7 ance Statement on the Veterans Health Administration’s
8 Screening for Breast Cancer Guidance” published on May
9 10, 2017, as issued by the Veterans Health Administra-
10 tion National Center for Health Promotion and Disease
11 Prevention.

12 SEC. 235. (a) Notwithstanding any other provision
13 of law, the amounts appropriated or otherwise made avail-
14 able to the Department of Veterans Affairs for the “Med-
15 ical Services” account may be used to provide—

16 (1) fertility counseling and treatment using as-
17 sisted reproductive technology to a covered veteran
18 or the spouse of a covered veteran; or

19 (2) adoption reimbursement to a covered vet-
20 eran.

21 (b) In this section:

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

1 (2) The term “covered veteran” means a vet-
2 eran, as such term is defined in section 101 of title
3 38, United States Code, who has a service-connected
4 disability that results in the inability of the veteran
5 to procreate without the use of fertility treatment.

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

20 (A) the time periods regarding embryo
21 cryopreservation and storage set forth in part
22 III(G) and in part IV(H) of such memorandum
23 shall not apply; and

24 (B) such term includes embryo
25 cryopreservation and storage without limitation

1 Department of Veterans Affairs may be used in a manner
2 that is inconsistent with: (1) section 842 of the Transpor-
3 tation, Treasury, Housing and Urban Development, the
4 Judiciary, the District of Columbia, and Independent
5 Agencies Appropriations Act, 2006 (Public Law 109–115;
6 119 Stat. 2506); or (2) section 8110(a)(5) of title 38,
7 United States Code.

8 SEC. 238. Section 842 of Public Law 109–115 shall
9 not apply to conversion of an activity or function of the
10 Veterans Health Administration, Veterans Benefits Ad-
11 ministration, or National Cemetery Administration to con-
12 tractor performance by a business concern that is at least
13 51 percent owned by one or more Indian tribes as defined
14 in section 5304(e) of title 25, United States Code, or one
15 or more Native Hawaiian Organizations as defined in sec-
16 tion 637(a)(15) of title 15, United States Code.

17 SEC. 239. (a) Except as provided in subsection (b),
18 the Secretary of Veterans Affairs, in consultation with the
19 Secretary of Defense and the Secretary of Labor, shall dis-
20 continue using Social Security account numbers to identify
21 individuals in all information systems of the Department
22 of Veterans Affairs as follows:

23 (1) For all veterans submitting to the Secretary
24 of Veterans Affairs new claims for benefits under

1 laws administered by the Secretary, not later than 5
2 years after the date of the enactment of this Act.

3 (2) For all individuals not described in para-
4 graph (1), not later than 8 years after the date of
5 the enactment of this Act.

6 (b) The Secretary of Veterans Affairs may use a So-
7 cial Security account number to identify an individual in
8 an information system of the Department of Veterans Af-
9 fairs if and only if the use of such number is required
10 to obtain information the Secretary requires from an in-
11 formation system that is not under the jurisdiction of the
12 Secretary.

13 SEC. 240. For funds provided to the Department of
14 Veterans Affairs for each of fiscal year 2019 and 2020
15 for “Medical Services”, section 239 of Division A of Public
16 Law 114–223 shall apply.

17 SEC. 241. None of the funds appropriated in this or
18 prior appropriations Acts or otherwise made available to
19 the Department of Veterans Affairs may be used to trans-
20 fer any amounts from the Filipino Veterans Equity Com-
21 pensation Fund to any other account within the Depart-
22 ment of Veterans Affairs.

23 SEC. 242. Of the funds provided to the Department
24 of Veterans Affairs for each of fiscal year 2019 and fiscal
25 year 2020 for “Medical Services”, funds may be used in

1 each year to carry out and expand the child care program
2 authorized by section 205 of Public Law 111–163, not-
3 withstanding subsection (e) of such section.

4 SEC. 243. For funds provided to the Department of
5 Veterans Affairs for each of fiscal year 2019 and 2020,
6 section 248 of Division A of Public Law 114–223 shall
7 apply.

8 SEC. 244. (a) The Secretary of Veterans Affairs may
9 use amounts appropriated or otherwise made available in
10 this title to ensure that the ratio of veterans to full-time
11 employment equivalents within any program of rehabilita-
12 tion conducted under chapter 31 of title 38, United States
13 Code, does not exceed 125 veterans to one full-time em-
14 ployment equivalent.

15 (b) Not later than 180 days after the date of the en-
16 actment of this Act, the Secretary shall submit to Con-
17 gress a report on the programs of rehabilitation conducted
18 under chapter 31 of title 38, United States Code, includ-
19 ing—

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

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

1 SEC. 245. None of the funds appropriated or other-
2 wise made available in this title may be used by the Sec-
3 retary of Veterans Affairs to enter into an agreement re-
4 lated to resolving a dispute or claim with an individual
5 that would restrict in any way the individual from speak-
6 ing to members of Congress or their staff on any topic
7 not otherwise prohibited from disclosure by Federal law
8 or required by Executive Order to be kept secret in the
9 interest of national defense or the conduct of foreign af-
10 fairs.

11 SEC. 246. For funds provided to the Department of
12 Veterans Affairs for each of fiscal year 2019 and 2020,
13 section 258 of Division A of Public Law 114–223 shall
14 apply.

15 SEC. 247. None of the funds appropriated or other-
16 wise made available by this Act may be used to conduct
17 research using canines unless: the scientific objectives of
18 the study can only be met by research with canines; the
19 study has been directly approved by the Secretary; and
20 the study is consistent with the revised Department of
21 Veterans Affairs canine research policy document released
22 on December 18, 2017: *Provided*, That not later than 180
23 days after enactment of this Act, the Secretary shall sub-
24 mit to the Committees on Appropriations of both Houses
25 of Congress a detailed report outlining under what cir-

1 cumstances canine research may be needed if there are
2 no other alternatives, how often it was used during that
3 time period, and what protocols are in place to determine
4 both the safety and efficacy of the research.

5 SEC. 248. For an additional amount for the Depart-
6 ment of Veterans Affairs, \$2,000,000,000 to remain avail-
7 able until expended, for infrastructure improvements, in-
8 cluding new construction, and in addition to amounts oth-
9 erwise made available in this Act for such purpose, of
10 which:

11 (1) \$1,000,000,000 shall be for “Veterans
12 Health Administration—Medical Facilities” to be
13 used for non-recurring maintenance;

14 (2) \$500,000,000 shall be for “Departmental
15 Administration—Construction, Minor Projects”; and

16 (3) \$500,000,000 shall be for “Departmental
17 Administration—Construction, Major Projects”:

18 *Provided*, That the additional amounts appropriated for
19 the purposes of non-recurring maintenance and minor con-
20 struction may be used to carry out critical life-safety
21 projects identified in the Department’s annual facility con-
22 dition assessments; sustainment projects; modernization
23 projects; infrastructure repair; renovations at existing Vet-
24 erans Health Administration medical centers and out-
25 patient clinics; and projects included in the Strategic Cap-

1 ital Investment Process plan: *Provided further*, That, of
2 the funds made available under this section for “Construc-
3 tion, Major Projects”, \$300,000,000 shall be available for
4 previously authorized and partially funded major construc-
5 tion projects, and \$200,000,000 shall be available for seis-
6 mic improvement projects and seismic program manage-
7 ment activities: *Provided further*, That the additional
8 amounts appropriated under this section may not be obli-
9 gated or expended until the Secretary of Veterans Affairs
10 submits to the Committees on Appropriations of both
11 Houses of Congress, and such Committees approve, a de-
12 tailed expenditure plan, including project descriptions and
13 costs, for any non-recurring maintenance, minor construc-
14 tion, major construction, or seismic improvement project
15 being funded with the additional amounts made available
16 in this administrative provision.

17 SEC. 249. None of the funds appropriated or other-
18 wise made available to the Department of Veterans Affairs
19 in this Act may be used in a manner that would—

20 (1) interfere with the ability of a veteran to
21 participate in a medicinal marijuana program ap-
22 proved by a State;

23 (2) deny any services from the Department to
24 a veteran who is participating in such a program; or

1 (3) limit or interfere with the ability of a health
2 care provider of the Department to make appro-
3 priate recommendations, fill out forms, or take steps
4 to comply with such a program.

1 TITLE III
2 RELATED AGENCIES
3 AMERICAN BATTLE MONUMENTS COMMISSION
4 SALARIES AND EXPENSES

5 For necessary expenses, not otherwise provided for,
6 of the American Battle Monuments Commission, including
7 the acquisition of land or interest in land in foreign coun-
8 tries; purchases and repair of uniforms for caretakers of
9 national cemeteries and monuments outside of the United
10 States and its territories and possessions; rent of office
11 and garage space in foreign countries; purchase (one-for-
12 one replacement basis only) and hire of passenger motor
13 vehicles; not to exceed \$15,000 for official reception and
14 representation expenses; and insurance of official motor
15 vehicles in foreign countries, when required by law of such
16 countries, \$81,000,000, to remain available until ex-
17 pended.

18 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT
19 For necessary expenses, not otherwise provided for,
20 of the American Battle Monuments Commission, such
21 sums as may be necessary, to remain available until ex-
22 pended, for purposes authorized by section 2109 of title
23 36, United States Code.

1 UNITED STATES COURT OF APPEALS FOR VETERANS
2 CLAIMS
3 SALARIES AND EXPENSES

4 For necessary expenses for the operation of the
5 United States Court of Appeals for Veterans Claims as
6 authorized by sections 7251 through 7298 of title 38,
7 United States Code, \$34,955,000: *Provided*, That
8 \$2,580,000 shall be available for the purpose of providing
9 financial assistance as described and in accordance with
10 the process and reporting procedures set forth under this
11 heading in Public Law 102–229.

12 DEPARTMENT OF DEFENSE—CIVIL
13 CEMETERIAL EXPENSES, ARMY
14 SALARIES AND EXPENSES

15 For necessary expenses for maintenance, operation,
16 and improvement of Arlington National Cemetery and Sol-
17 diers' and Airmen's Home National Cemetery, including
18 the purchase or lease of passenger motor vehicles for re-
19 placement on a one-for-one basis only, and not to exceed
20 \$2,000 for official reception and representation expenses,
21 \$80,800,000, of which not to exceed \$15,000,000 shall re-
22 main available until September 30, 2021. In addition,
23 such sums as may be necessary for parking maintenance,
24 repairs and replacement, to be derived from the "Lease

1 of Department of Defense Real Property for Defense
2 Agencies’’ account.

3 CONSTRUCTION

4 For necessary expenses for planning and design and
5 construction at Arlington National Cemetery and Soldiers’
6 and Airmen’s Home National Cemetery, \$56,600,000, to
7 remain available until expended, for planning and design
8 and construction associated with the Southern Expansion
9 project at Arlington National Cemetery.

10 ARMED FORCES RETIREMENT HOME

11 TRUST FUND

12 For expenses necessary for the Armed Forces Retire-
13 ment Home to operate and maintain the Armed Forces
14 Retirement Home—Washington, District of Columbia,
15 and the Armed Forces Retirement Home—Gulfport, Mis-
16 sissippi, to be paid from funds available in the Armed
17 Forces Retirement Home Trust Fund, \$64,300,000, of
18 which \$1,000,000 shall remain available until expended
19 for construction and renovation of the physical plants at
20 the Armed Forces Retirement Home—Washington, Dis-
21 trict of Columbia, and the Armed Forces Retirement
22 Home—Gulfport, Mississippi: *Provided*, That of the
23 amounts made available under this heading from funds
24 available in the Armed Forces Retirement Home Trust

1 Fund, \$22,000,000 shall be paid from the general fund
2 of the Treasury to the Trust Fund.

3 ADMINISTRATIVE PROVISION

4 SEC. 301. Amounts deposited into the special account
5 established under 10 U.S.C. 4727 are appropriated and
6 shall be available until expended to support activities at
7 the Army National Military Cemeteries.

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

5 For an additional amount for “Military Construction,
6 Army”, \$192,250,000, to remain available until Sep-
7 tember 30, 2023, for projects outside of the United States:
8 *Provided*, That such amount is designated by the Congress
9 for Overseas Contingency Operations/Global War on Ter-
10 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
11 anced Budget and Emergency Deficit Control Act of 1985.

12 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

13 For an additional amount for “Military Construction,
14 Navy and Marine Corps”, \$227,320,000, to remain avail-
15 able until September 30, 2023, for projects outside of the
16 United States: *Provided*, That such amount is designated
17 by the Congress for Overseas Contingency Operations/
18 Global War on Terrorism pursuant to section
19 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
20 Deficit Control Act of 1985.

21 MILITARY CONSTRUCTION, AIR FORCE

22 For an additional amount for “Military Construction,
23 Air Force” \$414,800,000, to remain available until Sep-
24 tember 30, 2023, for projects outside of the United States:
25 *Provided*, That such amount is designated by the Congress

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

4 MILITARY CONSTRUCTION, DEFENSE-WIDE

5 For an additional amount for “Military Construction,
6 Defense-Wide”, \$87,050,000, to remain available until
7 September 30, 2023, for projects outside of the United
8 States: *Provided*, That such amount is designated by the
9 Congress for Overseas Contingency Operations/Global
10 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
11 the Balanced Budget and Emergency Deficit Control Act
12 of 1985.

13 ADMINISTRATIVE PROVISIONS

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

21 SEC. 402. Notwithstanding any other provision of
22 law, the Secretary of Defense is directed to provide the
23 congressional defense committees a future years defense
24 program for funds appropriated to the Department of De-
25 fense for construction projects related to European Reas-

1 surance Initiative and European Deterrence Initiative be-
2 ginning in fiscal year 2020 and each subsequent fiscal
3 year that funding is requested for either initiative. Fur-
4 ther, the Secretary of Defense is directed to submit the
5 future years defense program with each fiscal year budget
6 submission.

TITLE V

GENERAL PROVISIONS

1
2
3 SEC. 501. No part of any appropriation contained in
4 this Act shall remain available for obligation beyond the
5 current fiscal year unless expressly so provided herein.

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

13 SEC. 503. All departments and agencies funded under
14 this Act are encouraged, within the limits of the existing
15 statutory authorities and funding, to expand their use of
16 “E-Commerce” technologies and procedures in the con-
17 duct of their business practices and public service activi-
18 ties.

19 SEC. 504. Unless stated otherwise, all reports and no-
20 tifications required by this Act shall be submitted to the
21 Subcommittee on Military Construction and Veterans Af-
22 fairs, and Related Agencies of the Committee on Appro-
23 priations of the House of Representatives and the Sub-
24 committee on Military Construction and Veterans Affairs,

1 and Related Agencies of the Committee on Appropriations
2 of the Senate.

3 SEC. 505. None of the funds made available in this
4 Act may be transferred to any department, agency, or in-
5 strumentality of the United States Government except
6 pursuant to a transfer made by, or transfer authority pro-
7 vided in, this or any other appropriations Act.

8 SEC. 506. (a) Any agency receiving funds made avail-
9 able in this Act, shall, subject to subsections (b) and (c),
10 post on the public Web site of that agency any report re-
11 quired to be submitted by the Congress in this or any
12 other Act, upon the determination by the head of the agen-
13 cy that it shall serve the national interest.

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

15 (1) the public posting of the report com-
16 promises national security; or

17 (2) the report contains confidential or propri-
18 etary information.

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

23 SEC. 507. (a) None of the funds made available in
24 this Act may be used to maintain or establish a computer

1 network unless such network blocks the viewing,
2 downloading, and exchanging of pornography.

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

7 SEC. 508. None of the funds made available in this
8 Act may be used by an agency of the executive branch
9 to pay for first-class travel by an employee of the agency
10 in contravention of sections 301–10.122 through 301–
11 10.124 of title 41, Code of Federal Regulations.

12 SEC. 509. None of the funds made available in this
13 Act may be used to execute a contract for goods or serv-
14 ices, including construction services, where the contractor
15 has not complied with Executive Order No. 12989.

16 SEC. 510. None of the funds made available by this
17 Act may be used by the Department of Defense or the
18 Department of Veterans Affairs to lease or purchase new
19 light duty vehicles for any executive fleet, or for an agen-
20 cy’s fleet inventory, except in accordance with Presidential
21 Memorandum—Federal Fleet Performance, dated May
22 24, 2011.

23 SEC. 511. (a) IN GENERAL.—None of the funds ap-
24 propriated or otherwise made available to the Department
25 of Defense in this Act may be used to construct, renovate,

1 or expand any facility in the United States, its territories,
2 or possessions to house any individual detained at United
3 States Naval Station, Guantánamo Bay, Cuba, for the
4 purposes of detention or imprisonment in the custody or
5 under the control of the Department of Defense.

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

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

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

15 (2) is—

16 (A) in the custody or under the effective
17 control of the Department of Defense; or

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

20 This Act may be cited as the “Military Construction,
21 Veterans Affairs, and Related Agencies Appropriations
22 Act, 2019”.

Calendar No. 446

115TH CONGRESS
2^D SESSION

S. 3024

[Report No. 115-269]

A BILL

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

JUNE 7, 2018

Read twice and placed on the calendar