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115TH CONGRESS
2^D SESSION

H. R. _____

[Report No. 115-____]

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 HOUSE OF REPRESENTATIVES

____ --, 2018

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

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,
6 and related agencies for the fiscal year ending September
7 30, 2019, and for other purposes, namely:

8 TITLE I

9 DEPARTMENT OF DEFENSE

10 MILITARY CONSTRUCTION, ARMY

11 For acquisition, construction, installation, and equip-
12 ment of temporary or permanent public works, military
13 installations, facilities, and real property for the Army as
14 currently authorized by law, including personnel in the
15 Army Corps of Engineers and other personal services nec-
16 essary for the purposes of this appropriation, and for con-
17 struction and operation of facilities in support of the func-
18 tions of the Commander in Chief, \$1,001,768,000, to re-
19 main available until September 30, 2023: *Provided,* That,
20 of this amount, not to exceed \$110,068,000 shall be avail-
21 able for study, planning, design, architect and engineer
22 services, and host nation support, as authorized by law,
23 unless the Secretary of the Army determines that addi-
24 tional obligations are necessary for such purposes and no-

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

3 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

4 For acquisition, construction, installation, and equip-
5 ment of temporary or permanent public works, naval in-
6 stallations, facilities, and real property for the Navy and
7 Marine Corps as currently authorized by law, including
8 personnel in the Naval Facilities Engineering Command
9 and other personal services necessary for the purposes of
10 this appropriation, \$2,100,298,000, to remain available
11 until September 30, 2023: *Provided*, That, of this amount,
12 not to exceed \$185,542,000 shall be available for study,
13 planning, design, and architect and engineer services, as
14 authorized by law, unless the Secretary of the Navy deter-
15 mines that additional obligations are necessary for such
16 purposes and notifies the Committees on Appropriations
17 of both Houses of Congress of the determination and the
18 reasons therefor.

19 MILITARY CONSTRUCTION, AIR FORCE

20 For acquisition, construction, installation, and equip-
21 ment of temporary or permanent public works, military
22 installations, facilities, and real property for the Air Force
23 as currently authorized by law, \$1,454,723,000, to remain
24 available until September 30, 2023: *Provided*, That, of
25 this amount, not to exceed \$206,577,000 shall be available

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

7 MILITARY CONSTRUCTION, DEFENSE-WIDE

8 (INCLUDING TRANSFER OF FUNDS)

9 For acquisition, construction, installation, and equip-
10 ment of temporary or permanent public works, installa-
11 tions, facilities, and real property for activities and agen-
12 cies of the Department of Defense (other than the military
13 departments), as currently authorized by law,
14 \$2,465,738,000, to remain available until September 30,
15 2023: *Provided*, That such amounts of this appropriation
16 as may be determined by the Secretary of Defense may
17 be transferred to such appropriations of the Department
18 of Defense available for military construction or family
19 housing as the Secretary may designate, to be merged with
20 and to be available for the same purposes, and for the
21 same time period, as the appropriation or fund to which
22 transferred: *Provided further*, That, of the amount, not to
23 exceed \$195,345,000 shall be available for study, plan-
24 ning, design, and architect and engineer services, as au-
25 thorized by law, unless the Secretary of Defense deter-

1 mines that additional obligations are necessary for such
2 purposes and notifies the Committees on Appropriations
3 of both Houses of Congress of the determination and the
4 reasons therefor: *Provided further*, That the Director of
5 the Missile Defense Agency shall provide quarterly reports
6 to the congressional defense committees on the construc-
7 tion timeline and obligations for the Poland Aegis Ashore
8 complex.

9 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

10 For construction, acquisition, expansion, rehabilita-
11 tion, and conversion of facilities for the training and ad-
12 ministration of the Army National Guard, and contribu-
13 tions therefor, as authorized by chapter 1803 of title 10,
14 United States Code, and Military Construction Authoriza-
15 tion Acts, \$180,122,000, to remain available until Sep-
16 tember 30, 2023: *Provided*, That, of the amount, not to
17 exceed \$16,622,000 shall be available for study, planning,
18 design, and architect and engineer services, as authorized
19 by law, unless the Director of the Army National Guard
20 determines that additional obligations are necessary for
21 such purposes and notifies the Committees on Appropria-
22 tions of both Houses of Congress of the determination and
23 the reasons therefor.

1 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

2 For construction, acquisition, expansion, rehabilita-
3 tion, and conversion of facilities for the training and ad-
4 ministration of the Air National Guard, and contributions
5 therefor, as authorized by chapter 1803 of title 10, United
6 States Code, and Military Construction Authorization
7 Acts, \$129,126,000, to remain available until September
8 30, 2023: *Provided*, That, of the amount, not to exceed
9 \$18,500,000 shall be available for study, planning, design,
10 and architect and engineer services, as authorized by law,
11 unless the Director of the Air National Guard determines
12 that additional obligations are necessary for such purposes
13 and notifies the Committees on Appropriations of both
14 Houses of Congress of the determination and the reasons
15 therefor.

16 MILITARY CONSTRUCTION, ARMY RESERVE

17 For construction, acquisition, expansion, rehabilita-
18 tion, and conversion of facilities for the training and ad-
19 ministration of the Army Reserve as authorized by chapter
20 1803 of title 10, United States Code, and Military Con-
21 struction Authorization Acts, \$64,919,000, to remain
22 available until September 30, 2023: *Provided*, That, of the
23 amount, not to exceed \$5,855,000 shall be available for
24 study, planning, design, and architect and engineer serv-
25 ices, as authorized by law, unless the Chief of the Army

1 Reserve determines that additional obligations are nec-
2 essary for such purposes and notifies the Committees on
3 Appropriations of both Houses of Congress of the deter-
4 mination and the reasons therefor.

5 MILITARY CONSTRUCTION, NAVY RESERVE

6 For construction, acquisition, expansion, rehabilita-
7 tion, and conversion of facilities for the training and ad-
8 ministration of the reserve components of the Navy and
9 Marine Corps as authorized by chapter 1803 of title 10,
10 United States Code, and Military Construction Authoriza-
11 tion Acts, \$43,065,000, to remain available until Sep-
12 tember 30, 2023: *Provided*, That, of the amount, not to
13 exceed \$4,695,000 shall be available for study, planning,
14 design, and architect and engineer services, as authorized
15 by law, unless the Secretary of the Navy determines that
16 additional obligations are necessary for such purposes and
17 notifies the Committees on Appropriations of both Houses
18 of Congress of the determination and the reasons therefor.

19 MILITARY CONSTRUCTION, AIR FORCE RESERVE

20 For construction, acquisition, expansion, rehabilita-
21 tion, and conversion of facilities for the training and ad-
22 ministration of the Air Force Reserve as authorized by
23 chapter 1803 of title 10, United States Code, and Military
24 Construction Authorization Acts, \$50,163,000, to remain
25 available until September 30, 2023: *Provided*, That, of the

1 amount, not to exceed \$4,055,000 shall be available for
2 study, planning, design, and architect and engineer serv-
3 ices, as authorized by law, unless the Chief of the Air
4 Force Reserve determines that additional obligations are
5 necessary for such purposes and notifies the Committees
6 on Appropriations of both Houses of Congress of the de-
7 termination and the reasons therefor: *Provided further,*
8 That, the Chief of the Air Force Reserve shall take imme-
9 diate action to address unfunded military construction re-
10 quirements for access control points and security issues
11 at Air Force Reserve facilities.

12 NORTH ATLANTIC TREATY ORGANIZATION

13 SECURITY INVESTMENT PROGRAM

14 For the United States share of the cost of the North
15 Atlantic Treaty Organization Security Investment Pro-
16 gram for the acquisition and construction of military fa-
17 cilities and installations (including international military
18 headquarters) and for related expenses for the collective
19 defense of the North Atlantic Treaty Area as authorized
20 by section 2806 of title 10, United States Code, and Mili-
21 tary Construction Authorization Acts, \$171,064,000, to
22 remain available until expended.

23 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

24 For deposit into the Department of Defense Base
25 Closure Account, established by section 2906(a) of the De-

1 fense Base Closure and Realignment Act of 1990 (10
2 U.S.C. 2687 note), \$322,390,000, to remain available
3 until expended.

4 FAMILY HOUSING CONSTRUCTION, ARMY

5 For expenses of family housing for the Army for con-
6 struction, including acquisition, replacement, addition, ex-
7 pansion, extension, and alteration, as authorized by law,
8 \$330,660,000, to remain available until September 30,
9 2023: *Provided*, That none of the funds provided under
10 this heading for family housing construction may be ex-
11 pended for family housing improvements on Kwajalein
12 Atoll until the Secretary of the Army certifies to the con-
13 gressional defense committees that the new housing units
14 represent the best value to the taxpayer and that no rea-
15 sonable alternatives exist at a lower cost.

16 FAMILY HOUSING OPERATION AND MAINTENANCE,
17 ARMY

18 For expenses of family housing for the Army for op-
19 eration and maintenance, including debt payment, leasing,
20 minor construction, principal and interest charges, and in-
21 surance premiums, as authorized by law, \$376,509,000.

22 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE
23 CORPS

24 For expenses of family housing for the Navy and Ma-
25 rine Corps for construction, including acquisition, replace-

1 ment, addition, expansion, extension, and alteration, as
2 authorized by law, \$104,581,000, to remain available until
3 September 30, 2023.

4 FAMILY HOUSING OPERATION AND MAINTENANCE,
5 NAVY AND MARINE CORPS

6 For expenses of family housing for the Navy and Ma-
7 rine Corps for operation and maintenance, including debt
8 payment, leasing, minor construction, principal and inter-
9 est charges, and insurance premiums, as authorized by
10 law, \$314,536,000.

11 FAMILY HOUSING CONSTRUCTION, AIR FORCE

12 For expenses of family housing for the Air Force for
13 construction, including acquisition, replacement, addition,
14 expansion, extension, and alteration, as authorized by law,
15 \$78,446,000, to remain available until September 30,
16 2023.

17 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
18 FORCE

19 For expenses of family housing for the Air Force for
20 operation and maintenance, including debt payment, leas-
21 ing, minor construction, principal and interest charges,
22 and insurance premiums, as authorized by law,
23 \$317,274,000.

1 FAMILY HOUSING OPERATION AND MAINTENANCE,
2 DEFENSE-WIDE

3 For expenses of family housing for the activities and
4 agencies of the Department of Defense (other than the
5 military departments) for operation and maintenance,
6 leasing, and minor construction, as authorized by law,
7 \$58,373,000.

8 DEPARTMENT OF DEFENSE FAMILY HOUSING
9 IMPROVEMENT FUND

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

16 DEPARTMENT OF DEFENSE MILITARY UNACCOMPANIED
17 HOUSING IMPROVEMENT FUND

18 For the Department of Defense Military Unaccom-
19 panied Housing Improvement Fund, \$600,000, to remain
20 available until expended, for unaccompanied housing ini-
21 tiatives undertaken pursuant to section 2883 of title 10,
22 United States Code, providing alternative means of acquir-
23 ing and improving military unaccompanied housing and
24 supporting facilities.

1 ADMINISTRATIVE PROVISIONS

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

9 SEC. 102. Funds made available in this title for con-
10 struction shall be available for hire of passenger motor ve-
11 hicles.

12 SEC. 103. Funds made available in this title for con-
13 struction may be used for advances to the Federal High-
14 way Administration, Department of Transportation, for
15 the construction of access roads as authorized by section
16 210 of title 23, United States Code, when projects author-
17 ized therein are certified as important to the national de-
18 fense by the Secretary of Defense.

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

23 SEC. 105. None of the funds made available in this
24 title shall be used for purchase of land or land easements
25 in excess of 100 percent of the value as determined by

1 the Army Corps of Engineers or the Naval Facilities Engi-
2 neering Command, except: (1) where there is a determina-
3 tion of value by a Federal court; (2) purchases negotiated
4 by the Attorney General or the designee of the Attorney
5 General; (3) where the estimated value is less than
6 \$25,000; or (4) as otherwise determined by the Secretary
7 of Defense to be in the public interest.

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

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

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

24 SEC. 109. None of the funds available to the Depart-
25 ment of Defense for military construction or family hous-

1 ing during the current fiscal year may be used to pay real
2 property taxes in any foreign nation.

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

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

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

1 not apply to contract awards for military construction on
2 Kwajalein Atoll for which the lowest responsive and re-
3 sponsible bid is submitted by a Marshallese contractor.

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

11 SEC. 114. Funds appropriated to the Department of
12 Defense for construction in prior years shall be available
13 for construction authorized for each such military depart-
14 ment by the authorizations enacted into law during the
15 current session of Congress.

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

22 SEC. 116. Notwithstanding any other provision of
23 law, any funds made available to a military department
24 or defense agency for the construction of military projects
25 may be obligated for a military construction project or

1 contract, or for any portion of such a project or contract,
2 at any time before the end of the fourth fiscal year after
3 the fiscal year for which funds for such project were made
4 available, if the funds obligated for such project: (1) are
5 obligated from funds available for military construction
6 projects; and (2) do not exceed the amount appropriated
7 for such project, plus any amount by which the cost of
8 such project is increased pursuant to law.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 117. Subject to 30 days prior notification, or
11 14 days for a notification provided in an electronic me-
12 dium pursuant to sections 480 and 2883 of title 10,
13 United States Code, to the Committees on Appropriations
14 of both Houses of Congress, such additional amounts as
15 may be determined by the Secretary of Defense may be
16 transferred to: (1) the Department of Defense Family
17 Housing Improvement Fund from amounts appropriated
18 for construction in “Family Housing” accounts, to be
19 merged with and to be available for the same purposes
20 and for the same period of time as amounts appropriated
21 directly to the Fund; or (2) the Department of Defense
22 Military Unaccompanied Housing Improvement Fund
23 from amounts appropriated for construction of military
24 unaccompanied housing in “Military Construction” ac-
25 counts, to be merged with and to be available for the same

1 purposes and for the same period of time as amounts ap-
2 propriated directly to the Fund: *Provided*, That appropria-
3 tions made available to the Funds shall be available to
4 cover the costs, as defined in section 502(5) of the Con-
5 gressional Budget Act of 1974, of direct loans or loan
6 guarantees issued by the Department of Defense pursuant
7 to the provisions of subchapter IV of chapter 169 of title
8 10, United States Code, pertaining to alternative means
9 of acquiring and improving military family housing, mili-
10 tary unaccompanied housing, and supporting facilities.

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 118. In addition to any other transfer authority
13 available to the Department of Defense, amounts may be
14 transferred from the Department of Defense Base Closure
15 Account to the fund established by section 1013(d) of the
16 Demonstration Cities and Metropolitan Development Act
17 of 1966 (42 U.S.C. 3374) to pay for expenses associated
18 with the Homeowners Assistance Program incurred under
19 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall
20 be merged with and be available for the same purposes
21 and for the same time period as the fund to which trans-
22 ferred.

23 SEC. 119. Notwithstanding any other provision of
24 law, funds made available in this title for operation and
25 maintenance of family housing shall be the exclusive

1 source of funds for repair and maintenance of all family
2 housing units, including general or flag officer quarters:
3 *Provided*, That not more than \$15,000 per unit may be
4 spent annually for the maintenance and repair of any gen-
5 eral or flag officer quarters without 30 days prior notifica-
6 tion, or 14 days for a notification provided in an electronic
7 medium pursuant to sections 480 and 2883 of title 10,
8 United States Code, to the Committees on Appropriations
9 of both Houses of Congress, except that an after-the-fact
10 notification shall be submitted if the limitation is exceeded
11 solely due to costs associated with environmental remedi-
12 ation that could not be reasonably anticipated at the time
13 of the budget submission: *Provided further*, That the
14 Under Secretary of Defense (Comptroller) is to report an-
15 nually to the Committees on Appropriations of both
16 Houses of Congress all operation and maintenance ex-
17 penditures for each individual general or flag officer quar-
18 ters for the prior fiscal year.

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

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 121. During the 5-year period after appropria-
3 tions available in this Act to the Department of Defense
4 for military construction and family housing operation and
5 maintenance and construction have expired for obligation,
6 upon a determination that such appropriations will not be
7 necessary for the liquidation of obligations or for making
8 authorized adjustments to such appropriations for obliga-
9 tions incurred during the period of availability of such ap-
10 propriations, unobligated balances of such appropriations
11 may be transferred into the appropriation “Foreign Cur-
12 rency Fluctuations, Construction, Defense”, to be merged
13 with and to be available for the same time period and for
14 the same purposes as the appropriation to which trans-
15 ferred.

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

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

24 (2) is located at a military installation at which
25 the total number of civilian employees of the Depart-

1 ment of the Army and Army contractor personnel
2 employed exceeds 10 percent of the total number of
3 members of the regular and reserve components of
4 the Army assigned to the installation.

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

11 SEC. 123. Amounts appropriated or otherwise made
12 available in an account funded under the headings in this
13 title may be transferred among projects and activities
14 within the account in accordance with the reprogramming
15 guidelines for military construction and family housing
16 construction contained in Department of Defense Finan-
17 cial Management Regulation 7000.14–R, Volume 3, Chap-
18 ter 7, of March 2011, as in effect on the date of enactment
19 of this Act.

20 SEC. 124. None of the funds made available in this
21 title may be obligated or expended for planning and design
22 and construction of projects at Arlington National Ceme-
23 tery.

1 SEC. 125. For an additional amount for the accounts
2 and in the amounts specified, to remain available until
3 September 30, 2023:

4 “Military Construction, Army”, \$44,100,000;

5 “Military Construction, Navy and Marine
6 Corps”, \$317,800,000;

7 “Military Construction, Air Force”,
8 \$144,450,000;

9 “Military Construction, Army National Guard”,
10 \$11,000,000;

11 “Military Construction, Air National Guard”,
12 \$62,000,000;

13 “Military Construction, Army Reserve”,
14 \$23,000,000; and

15 “Military Construction, Air Force Reserve”,
16 \$84,800,000:

17 *Provided*, That such funds may only be obligated to carry
18 out construction projects identified in the respective mili-
19 tary department’s unfunded priority list for fiscal year
20 2019 submitted to Congress: *Provided further*, That such
21 projects are subject to authorization prior to obligation
22 and expenditure of funds to carry out construction: *Pro-*
23 *vided further*, That not later than 30 days after enactment
24 of this Act, the Secretary of the military department con-
25 cerned, or his or her designee, shall submit to the Commit-

1 tees on Appropriations of both Houses of Congress an ex-
2 penditure plan for funds provided under this section.

3 (RESCISSIONS OF FUNDS)

4 SEC. 126. Of the unobligated balances available to
5 the Department of Defense from prior appropriation Acts,
6 the following funds are hereby rescinded from the fol-
7 lowing accounts in the amounts specified:

8 “NATO Security Investment Program”,
9 \$25,000,000;

10 “Military Construction, Air Force”,
11 \$31,158,000; and

12 “42 U.S.C. 3374”, \$15,000,000:

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

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

1 Construction and Veterans Affairs of the Committee on
2 Appropriations of the House of Representatives.

3 SEC. 128. None of the funds made available by this
4 Act may be used to carry out the closure or realignment
5 of the United States Naval Station, Guantánamo Bay,
6 Cuba.

7 SEC. 129. Notwithstanding any other provision of
8 law, none of the funds appropriated or otherwise made
9 available by this or any other Act may be used to consoli-
10 date or relocate any element of a United States Air Force
11 Rapid Engineer Deployable Heavy Operational Repair
12 Squadron Engineer (RED HORSE) outside of the United
13 States until the Secretary of the Air Force (1) completes
14 an analysis and comparison of the cost and infrastructure
15 investment required to consolidate or relocate a RED
16 HORSE squadron outside of the United States versus
17 within the United States; (2) provides to the Committees
18 on Appropriations of both Houses of Congress (“the Com-
19 mittees”) a report detailing the findings of the cost anal-
20 ysis; and (3) certifies in writing to the Committees that
21 the preferred site for the consolidation or relocation yields
22 the greatest savings for the Air Force: *Provided*, That the
23 term “United States” in this section does not include any
24 territory or possession of the United States.

1 SEC. 130. All amounts appropriated to “Department
2 of Defense—Military Construction accounts for Army,
3 Navy and Marine Corps, Air Force and Defense-Wide”
4 pursuant to the authorization of appropriations in the Na-
5 tional Defense Authorization Act specified for fiscal year
6 2019 in the funding table in section 4601 of that Act,
7 shall be immediately available and allotted to contract for
8 the full scope of authorized projects.

9 SEC. 131. For an additional amount for the accounts
10 and in the amounts specified, for enhancing force protec-
11 tion and safety at military installations, to remain avail-
12 able until September 30, 2023:

13 “Military Construction, Army”, \$50,000,000;

14 “Military Construction, Navy and Marine
15 Corps”, \$50,000,000;

16 “Military Construction, Air Force”,
17 \$50,000,000:

18 *Provided* , That such projects are subject to authorization
19 prior to obligation and expenditure of funds to carry out
20 construction: *Provided further* , That not later than 30
21 days after enactment of this Act, the Secretary of the mili-
22 tary department concerned, or his or her designee, shall
23 submit to the Committees on Appropriations of both
24 Houses of Congress an expenditure plan for funds pro-
25 vided under this section.

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 \$2,037,000.

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, \$1,149,000.

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 \$2,922,000,000: *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 5 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, \$48,747,988,000, plus reimbursements, shall be-
8 come available on October 1, 2019, and shall remain avail-
9 able until September 30, 2020: *Provided*, That, of the
10 amount made available on October 1, 2018, under this
11 heading, \$1,400,000,000 shall remain available until Sep-
12 tember 30, 2021: *Provided further*, That, notwithstanding
13 any other provision of law, the Secretary of Veterans Af-
14 fairs shall establish a priority for the provision of medical
15 treatment for veterans who have service-connected disabil-
16 ities, lower income, or have special needs: *Provided further*,
17 That, notwithstanding any other provision of law, the Sec-
18 retary of Veterans Affairs shall give priority funding for
19 the provision of basic medical benefits to veterans in en-
20 rollment priority groups 1 through 6: *Provided further*,
21 That, notwithstanding any other provision of law, the Sec-
22 retary of Veterans Affairs may authorize the dispensing
23 of prescription drugs from Veterans Health Administra-
24 tion facilities to enrolled veterans with privately written
25 prescriptions based on requirements established by the

1 Secretary: *Provided further*, That the implementation of
2 the program described in the previous proviso shall incur
3 no additional cost to the Department of Veterans Affairs.

4 MEDICAL COMMUNITY CARE

5 For necessary expenses for furnishing health care to
6 individuals pursuant to chapter 17 of title 38, United
7 States Code, at non-Department facilities, \$500,000,000
8 which shall be in addition to funds previously appropriated
9 under this heading that become available on October 1,
10 2018: and, in addition, \$14,419,786,000, plus reimburse-
11 ments, shall become available on October 1, 2019, and
12 shall remain available until September 30, 2020: *Provided*,
13 That, of the amount made available on October 1, 2019,
14 under this heading, \$2,000,000,000 shall remain available
15 until September 30, 2021.

16 MEDICAL SUPPORT AND COMPLIANCE

17 For necessary expenses in the administration of the
18 medical, hospital, nursing home, domiciliary, construction,
19 supply, and research activities, as authorized by law; ad-
20 ministrative expenses in support of capital policy activi-
21 ties; and administrative and legal expenses of the Depart-
22 ment for collecting and recovering amounts owed the De-
23 partment as authorized under chapter 17 of title 38,
24 United States Code, and the Federal Medical Care Recov-
25 ery Act (42 U.S.C. 2651 et seq.), \$7,106,150,000, plus

1 reimbursements, shall become available on October 1,
2 2019, and shall remain available until September 30,
3 2020: *Provided*, That, of the amount made available on
4 October 1, 2019, under this heading, \$100,000,000 shall
5 remain available until September 30, 2021.

6 MEDICAL FACILITIES

7 For necessary expenses for the maintenance and op-
8 eration of hospitals, nursing homes, domiciliary facilities,
9 and other necessary facilities of the Veterans Health Ad-
10 ministration; for administrative expenses in support of
11 planning, design, project management, real property ac-
12 quisition and disposition, construction, and renovation of
13 any facility under the jurisdiction or for the use of the
14 Department; for oversight, engineering, and architectural
15 activities not charged to project costs; for repairing, alter-
16 ing, improving, or providing facilities in the several hos-
17 pitals and homes under the jurisdiction of the Depart-
18 ment, not otherwise provided for, either by contract or by
19 the hire of temporary employees and purchase of mate-
20 rials; for leases of facilities; and for laundry services,
21 \$5,276,676,000, plus reimbursements, shall become avail-
22 able on October 1, 2019, and shall remain available until
23 September 30, 2020: *Provided*, That, of the amount made
24 available on October 1, 2019, under this heading,

1 \$250,000,000 shall remain available until September 30,
2 2021.

3 MEDICAL AND PROSTHETIC RESEARCH

4 For necessary expenses in carrying out programs of
5 medical and prosthetic research and development as au-
6 thorized by chapter 73 of title 38, United States Code,
7 \$732,262,000, plus reimbursements, shall remain avail-
8 able until September 30, 2020: *Provided*, That of the
9 amount made available under this heading, \$27,000,000
10 shall remain available until September 30, 2023 .

11 NATIONAL CEMETERY ADMINISTRATION

12 For necessary expenses of the National Cemetery Ad-
13 ministration for operations and maintenance, not other-
14 wise provided for, including uniforms or allowances there-
15 for; cemeterial expenses as authorized by law; purchase
16 of one passenger motor vehicle for use in cemeterial oper-
17 ations; hire of passenger motor vehicles; and repair, alter-
18 ation or improvement of facilities under the jurisdiction
19 of the National Cemetery Administration, \$315,836,000,
20 of which not to exceed 10 percent shall remain available
21 until September 30, 2020.

1 DEPARTMENTAL ADMINISTRATION

2 GENERAL ADMINISTRATION

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary operating expenses of the Department
5 of Veterans Affairs, not otherwise provided for, including
6 administrative expenses in support of Department-wide
7 capital planning, management and policy activities, uni-
8 forms, or allowances therefor; not to exceed \$25,000 for
9 official reception and representation expenses; hire of pas-
10 senger motor vehicles; and reimbursement of the General
11 Services Administration for security guard services,
12 \$346,091,000, of which not to exceed 5 percent shall re-
13 main available until September 30, 2020: *Provided*, That
14 funds provided under this heading may be transferred to
15 “General Operating Expenses, Veterans Benefits Adminis-
16 tration”.

17 BOARD OF VETERANS APPEALS

18 For necessary operating expenses of the Board of
19 Veterans Appeals, \$174,748,000, of which not to exceed
20 10 percent shall remain available until September 30,
21 2020.

22 INFORMATION TECHNOLOGY SYSTEMS

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses for information technology
25 systems and telecommunications support, including devel-

1 opmental information systems and operational information
2 systems; for pay and associated costs; and for the capital
3 asset acquisition of information technology systems, in-
4 cluding management and related contractual costs of said
5 acquisitions, including contractual costs associated with
6 operations authorized by section 3109 of title 5, United
7 States Code, \$4,105,500,000, plus reimbursements: *Pro-*
8 *vided*, That \$1,235,320,000 shall be for pay and associ-
9 ated costs, of which not to exceed 5 percent shall remain
10 available until September 30, 2020: *Provided further*, That
11 \$2,521,650,000 shall be for operations and maintenance,
12 of which not to exceed 5 percent shall remain available
13 until September 30, 2020: *Provided further*, That
14 \$348,530,000 shall be for information technology systems
15 development, and shall remain available until September
16 30, 2020: *Provided further*, That amounts made available
17 for information technology systems development may not
18 be obligated or expended until the Secretary of Veterans
19 Affairs or the Chief Information Officer of the Depart-
20 ment of Veterans Affairs submits to the Committees on
21 Appropriations of both Houses of Congress a certification
22 of the amounts, in parts or in full, to be obligated and
23 expended for each development project: *Provided further*,
24 That amounts made available for salaries and expenses,
25 operations and maintenance, and information technology

1 systems development may be transferred among the three
2 subaccounts after the Secretary of Veterans Affairs re-
3 quests from the Committees on Appropriations of both
4 Houses of Congress the authority to make the transfer
5 and an approval is issued: *Provided further*, That amounts
6 made available for the “Information Technology Systems”
7 account for development may be transferred among
8 projects or to newly defined projects: *Provided further*,
9 That no project may be increased or decreased by more
10 than \$1,000,000 of cost prior to submitting a request to
11 the Committees on Appropriations of both Houses of Con-
12 gress to make the transfer and an approval is issued, or
13 absent a response, a period of 30 days has elapsed: *Pro-*
14 *vided further*, That the funds made available under this
15 heading for information technology systems development
16 shall be for the projects, and in the amounts, specified
17 under this heading in the report accompanying this Act.

18 VETERANS ELECTRONIC HEALTH RECORD

19 For activities related to implementation, preparation,
20 development, interface, management, rollout, and mainte-
21 nance of a Veterans Electronic Health Record system, in-
22 cluding contractual costs associated with operations au-
23 thorized by section 3109 of title 5, United States Code,
24 and salaries and expenses of employees hired under titles
25 5 and 38, United States Code, \$1,207,000,000, to remain

1 available until September 30, 2021: *Provided*, That the
2 Secretary of Veterans Affairs shall submit to the Commit-
3 tees on Appropriations of both Houses of Congress quar-
4 terly reports detailing obligations, expenditures, and de-
5 ployment implementation by facility: *Provided further*,
6 That the funds provided in this account shall only be avail-
7 able to the Office of the Deputy Secretary, to be adminis-
8 tered by that Office.

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector
11 General, to include information technology, in carrying out
12 the provisions of the Inspector General Act of 1978 (5
13 U.S.C. App.), \$172,054,000, of which not to exceed 10
14 percent shall remain available until September 30, 2020.

15 CONSTRUCTION, MAJOR PROJECTS

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

1 and storm drainage system construction costs, and site ac-
2 quisition, where the estimated cost of a project is more
3 than the amount set forth in section 8104(a)(3)(A) of title
4 38, United States Code, or where funds for a project were
5 made available in a previous major project appropriation,
6 \$1,127,486,000, of which \$647,486,000 shall remain
7 available until September 30, 2023; and of which
8 \$480,000,000 shall remain available until expended, of
9 which \$400,000,000 shall be available for seismic improve-
10 ment projects and seismic program management activities,
11 including for projects that would otherwise be funded by
12 the Construction, Minor Projects, Medical Facilities or
13 National Cemetery Administration accounts: *Provided,*
14 That except for advance planning activities, including
15 needs assessments which may or may not lead to capital
16 investments, and other capital asset management related
17 activities, including portfolio development and manage-
18 ment activities, and investment strategy studies funded
19 through the advance planning fund and the planning and
20 design activities funded through the design fund, including
21 needs assessments which may or may not lead to capital
22 investments, and salaries and associated costs of the resi-
23 dent engineers who oversee those capital investments
24 funded through this account and contracting officers who
25 manage specific major construction projects, and funds

1 provided for the purchase, security, and maintenance of
2 land for the National Cemetery Administration through
3 the land acquisition line item, none of the funds made
4 available under this heading shall be used for any project
5 that has not been notified to Congress through the budg-
6 etary process or that has not been approved by the Con-
7 gress through statute, joint resolution, or in the explana-
8 tory statement accompanying such Act and presented to
9 the President at the time of enrollment: *Provided further*,
10 That funds made available under this heading for fiscal
11 year 2019, for each approved project shall be obligated:
12 (1) by the awarding of a construction documents contract
13 by September 30, 2019; and (2) by the awarding of a con-
14 struction contract by September 30, 2020: *Provided fur-*
15 *ther*, That the Secretary of Veterans Affairs shall prompt-
16 ly submit to the Committees on Appropriations of both
17 Houses of Congress a written report on any approved
18 major construction project for which obligations are not
19 incurred within the time limitations established above:
20 *Provided further* , That notwithstanding the requirements
21 of section 8104(a) of title 38, United States Code,
22 amounts made available under this heading for seismic im-
23 provement projects and seismic program management ac-
24 tivities shall be available for the completion of both new
25 and existing seismic projects of the Department.

1

2

CONSTRUCTION, MINOR PROJECTS

3

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$649,514,000, to remain available until September 30, 2023, along with unobligated balances of previous “Construction, Minor Projects” appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: *Provided*, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or

25

1 damage caused by any natural disaster or catastrophe;
2 and (2) temporary measures necessary to prevent or to
3 minimize further loss by such causes.

4 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
5 FACILITIES

6 For grants to assist States to acquire or construct
7 State nursing home and domiciliary facilities and to re-
8 model, modify, or alter existing hospital, nursing home,
9 and domiciliary facilities in State homes, for furnishing
10 care to veterans as authorized by sections 8131 through
11 8137 of title 38, United States Code, \$150,000,000, to
12 remain available until expended.

13 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

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

19 ADMINISTRATIVE PROVISIONS

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 201. Any appropriation for fiscal year 2019 for
22 “Compensation and Pensions”, “Readjustment Benefits”,
23 and “Veterans Insurance and Indemnities” may be trans-
24 ferred as necessary to any other of the mentioned appro-
25 priations: *Provided*, That, before a transfer may take

1 place, the Secretary of Veterans Affairs shall request from
2 the Committees on Appropriations of both Houses of Con-
3 gress the authority to make the transfer and such Com-
4 mittees issue an approval, or absent a response, a period
5 of 30 days has elapsed.

6 (INCLUDING TRANSFER OF FUNDS)

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

1 to make the transfer and an approval is issued: *Provided*
2 *further*, That any transfers to or from the “Medical Facili-
3 ties” account may take place only after the Secretary re-
4 quests from the Committees on Appropriations of both
5 Houses of Congress the authority to make the transfer
6 and an approval is issued.

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

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

19 SEC. 205. No appropriations in this title shall be
20 available for hospitalization or examination of any persons
21 (except beneficiaries entitled to such hospitalization or ex-
22 amination under the laws providing such benefits to vet-
23 erans, and persons receiving such treatment under sec-
24 tions 7901 through 7904 of title 5, United States Code,
25 or the Robert T. Stafford Disaster Relief and Emergency

1 Assistance Act (42 U.S.C. 5121 et seq.)), unless reim-
2 bursement of the cost of such hospitalization or examina-
3 tion is made to the “Medical Services” account at such
4 rates as may be fixed by the Secretary of Veterans Affairs.

5 SEC. 206. Appropriations available in this title for
6 “Compensation and Pensions”, “Readjustment Benefits”,
7 and “Veterans Insurance and Indemnities” shall be avail-
8 able for payment of prior year accrued obligations re-
9 quired to be recorded by law against the corresponding
10 prior year accounts within the last quarter of fiscal year
11 2018.

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

19 (INCLUDING TRANSFER OF FUNDS)

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

1 States Government Life Insurance Fund under section
2 1955 of title 38, United States Code, reimburse the “Gen-
3 eral Operating Expenses, Veterans Benefits Administra-
4 tion” and “Information Technology Systems” accounts for
5 the cost of administration of the insurance programs fi-
6 nanced through those accounts: *Provided*, That reimburse-
7 ment shall be made only from the surplus earnings accu-
8 mulated in such an insurance program during fiscal year
9 2019 that are available for dividends in that program after
10 claims have been paid and actuarially determined reserves
11 have been set aside: *Provided further*, That if the cost of
12 administration of such an insurance program exceeds the
13 amount of surplus earnings accumulated in that program,
14 reimbursement shall be made only to the extent of such
15 surplus earnings: *Provided further*, That the Secretary
16 shall determine the cost of administration for fiscal year
17 2019 which is properly allocable to the provision of each
18 such insurance program and to the provision of any total
19 disability income insurance included in that insurance pro-
20 gram.

21 SEC. 209. Amounts deducted from enhanced-use
22 lease proceeds to reimburse an account for expenses in-
23 curred by that account during a prior fiscal year for pro-
24 viding enhanced-use lease services, may be obligated dur-
25 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 which become available on
13 October 1, 2019, for “Medical Services”, “Medical Com-
14 munity Care”, “Medical Support and Compliance”, and
15 “Medical Facilities”, up to \$307,609,000, plus reimburse-
16 ments, may be transferred to the Joint Department of De-
17 fense—Department of Veterans Affairs Medical Facility
18 Demonstration Fund, established by section 1704 of the
19 National Defense Authorization Act for Fiscal Year 2010
20 (Public Law 111–84; 123 Stat. 3571) and may be used
21 for operation of the facilities designated as combined Fed-
22 eral medical facilities as described by section 706 of the
23 Duncan Hunter National Defense Authorization Act for
24 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500):
25 *Provided*, That additional funds may be transferred from

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

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 220. Such sums as may be deposited to the
8 Medical Care Collections Fund pursuant to section 1729A
9 of title 38, United States Code, for healthcare provided
10 at facilities designated as combined Federal medical facili-
11 ties as described by section 706 of the Duncan Hunter
12 National Defense Authorization Act for Fiscal Year 2009
13 (Public Law 110–417; 122 Stat. 4500) shall also be avail-
14 able: (1) for transfer to the Joint Department of De-
15 fense—Department of Veterans Affairs Medical Facility
16 Demonstration Fund, established by section 1704 of the
17 National Defense Authorization Act for Fiscal Year 2010
18 (Public Law 111–84; 123 Stat. 3571); and (2) for oper-
19 ations of the facilities designated as combined Federal
20 medical facilities as described by section 706 of the Dun-
21 can Hunter National Defense Authorization Act for Fiscal
22 Year 2009 (Public Law 110–417; 122 Stat. 4500): *Pro-*
23 *vided*, That, notwithstanding section 1704(b)(3) of the
24 National Defense Authorization Act for Fiscal Year 2010
25 (Public Law 111–84; 123 Stat. 2573), amounts trans-

1 ferred to the Joint Department of Defense—Department
2 of Veterans Affairs Medical Facility Demonstration Fund
3 shall remain available until expended.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 221. Of the amounts available in this title for
6 “Medical Services”, “Medical Community Care”, “Medical
7 Support and Compliance”, and “Medical Facilities”, a
8 minimum of \$15,000,000 shall be transferred to the
9 DOD–VA Health Care Sharing Incentive Fund, as au-
10 thorized by section 8111(d) of title 38, United States
11 Code, to remain available until expended, for any purpose
12 authorized by section 8111 of title 38, United States Code.

13 SEC. 222. None of the funds available to the Depart-
14 ment of Veterans Affairs, in this or any other Act, may
15 be used to replace the current system by which the Vet-
16 erans Integrated Service Networks select and contract for
17 diabetes monitoring supplies and equipment.

18 SEC. 223. The Secretary of Veterans Affairs shall no-
19 tify the Committees on Appropriations of both Houses of
20 Congress of all bid savings in a major construction project
21 that total at least \$5,000,000, or 5 percent of the pro-
22 grammed amount of the project, whichever is less: *Pro-*
23 *vided*, That such notification shall occur within 14 days
24 of a contract identifying the programmed amount: *Pro-*
25 *vided further*, That the Secretary shall notify the Commit-

1 tees on Appropriations of both Houses of Congress 14
2 days prior to the obligation of such bid savings and shall
3 describe the anticipated use of such savings.

4 SEC. 224. None of the funds made available for
5 “Construction, Major Projects” may be used for a project
6 in excess of the scope specified for that project in the origi-
7 nal justification data provided to the Congress as part of
8 the request for appropriations unless the Secretary of Vet-
9 erans Affairs receives approval from the Committees on
10 Appropriations of both Houses of Congress.

11 SEC. 225 Not later than 30 days after the end of
12 each fiscal quarter, the Secretary of Veterans Affairs shall
13 submit to the Committees on Appropriations of both
14 Houses of Congress a quarterly report containing perform-
15 ance measures and data from each Veterans Benefits Ad-
16 ministration Regional Office: *Provided*, That, at a min-
17 imum, the report shall include the direction contained in
18 the section entitled “Disability claims backlog”, under the
19 heading “General Operating Expenses, Veterans Benefits
20 Administration” in the joint explanatory statement accom-
21 panying Public Law 114–223: *Provided further*, That the
22 report shall also include information on the number of ap-
23 peals pending at the Veterans Benefits Administration as
24 well as the Board of Veterans Appeals on a quarterly
25 basis.

1 SEC. 226. 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. 227. 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. 228. 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. 229. 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. 230. 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. 231. (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. 232. 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. 233. Effective during the period beginning on
4 October 1, 2018 and ending on January 1, 2024, none
5 of the funds made available to the Secretary of Veterans
6 Affairs by this or any other Act may be obligated or ex-
7 pended in contravention of the “Veterans Health Adminis-
8 tration Clinical Preventive Services Guidance Statement
9 on the Veterans Health Administration’s Screening for
10 Breast Cancer Guidance” published on May 10, 2017, as
11 issued by the Veterans Health Administration National
12 Center for Health Promotion and Disease Prevention.

13 SEC. 234. (a) Notwithstanding any other provision
14 of law, the amounts appropriated or otherwise made avail-
15 able to the Department of Veterans Affairs for the “Med-
16 ical Services” account may be used to provide—

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

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

22 (b) In this section:

23 (1) The term “service-connected” has the
24 meaning given such term in section 101 of title 38,
25 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 on the duration of such cryopreservation and
2 storage.

3 (4) The term “adoption reimbursement” means
4 reimbursement for the adoption-related expenses for
5 an adoption that is finalized after the date of the en-
6 actment of this Act under the same terms as apply
7 under the adoption reimbursement program of the
8 Department of Defense, as authorized in Depart-
9 ment of Defense Instruction 1341.09, including the
10 reimbursement limits and requirements set forth in
11 such instruction.

12 (c) Amounts made available for the purposes speci-
13 fied in subsection (a) of this section are subject to the
14 requirements for funds contained in section 508 of division
15 H of the Consolidated Appropriations Act, 2018 (Public
16 Law 115–141).

17 SEC. 235. None of the funds appropriated or other-
18 wise made available by this Act or any other Act for the
19 Department of Veterans Affairs may be used in a manner
20 that is inconsistent with: (1) section 842 of the Transpor-
21 tation, Treasury, Housing and Urban Development, the
22 Judiciary, the District of Columbia, and Independent
23 Agencies Appropriations Act, 2006 (Public Law 109–115;
24 119 Stat. 2506); or (2) section 8110(a)(5) of title 38,
25 United States Code.

1 SEC. 236. None of the funds appropriated in this or
2 prior appropriations Acts or otherwise made available to
3 the Department of Veterans Affairs may be used to trans-
4 fer any amounts from the Filipino Veterans Equity Com-
5 pensation Fund to any other account within the Depart-
6 ment of Veterans Affairs.

7 SEC. 237. None of the funds appropriated or other-
8 wise made available by this Act may be used to conduct
9 research using canines unless: the scientific objectives of
10 the study can only be met by research with canines; the
11 study has been directly approved by the Secretary; and
12 the study is consistent with the revised Department of
13 Veterans Affairs canine research policy document released
14 on December 18, 2017: *Provided*, That not later than 180
15 days after enactment of this Act, the Secretary shall sub-
16 mit to the Committees on Appropriations of both Houses
17 of Congress a detailed report outlining under what cir-
18 cumstances canine research may be needed if there are
19 no other alternatives, how often it was used during that
20 time period, and what protocols are in place to determine
21 both the safety and efficacy of the research.

22 SEC. 238. For an additional amount for the Depart-
23 ment of Veterans Affairs, \$2,000,000,000 to remain avail-
24 able until expended, for infrastructure improvements, in-
25 cluding new construction, and in addition to amounts oth-

1 erwise made available in this Act for such purpose, of
2 which:

3 (1) \$750,000,000 shall be available for seismic
4 improvement projects and seismic program manage-
5 ment activities, including projects that would other-
6 wise be funded by the Construction, Major Projects,
7 the Construction, Minor Projects, Medical Facilities,
8 or National Cemetery Administration accounts;

9 (2) \$100,000,000 shall be for National Ceme-
10 tery Administration projects within “Department
11 Administration - Construction, Major Projects”;

12 (3) \$800,000,000 shall be for “Veterans Health
13 Administration—Medical Facilities” to be used for
14 non-recurring maintenance; and

15 (4) \$350,000,000 shall be for “Departmental
16 Administration—Construction, Minor Projects”;

17 *Provided*, That the additional amounts appropriated for
18 the purposes of non-recurring maintenance and minor con-
19 struction may be used to carry out critical life-safety
20 projects identified in the Department’s annual facility con-
21 dition assessments; sustainment projects; modernization
22 projects; infrastructure repair; renovations at existing Vet-
23 erans Health Administration medical centers and out-
24 patient clinics; and projects included in the Strategic Cap-
25 ital Investment Process plan: *Provided further*, That not-

1 withstanding the requirements of section 8104(a) of title
2 38, United States Code, amounts made available under
3 this heading for seismic improvement projects and seismic
4 program management activities shall be available for the
5 completion of both new and existing projects of the De-
6 partment: *Provided further*, That the additional amounts
7 appropriated under this section may not be obligated or
8 expended until the Secretary of Veterans Affairs submits
9 to the Committees on Appropriations of both Houses of
10 Congress, and such Committees approve, a detailed ex-
11 penditure plan, including project descriptions and costs,
12 for any non-recurring maintenance, major construction or
13 minor construction project being funded with the addi-
14 tional amounts made available in this section.

15

TITLE III

16

RELATED AGENCIES

17

AMERICAN BATTLE MONUMENTS COMMISSION

18

SALARIES AND EXPENSES

19 For necessary expenses, not otherwise provided for,
20 of the American Battle Monuments Commission, including
21 the acquisition of land or interest in land in foreign coun-
22 tries; purchases and repair of uniforms for caretakers of
23 national cemeteries and monuments outside of the United
24 States and its territories and possessions; rent of office
25 and garage space in foreign countries; purchase (one-for-

1 one replacement basis only) and hire of passenger motor
2 vehicles; not to exceed \$42,000 for official reception and
3 representation expenses; and insurance of official motor
4 vehicles in foreign countries, when required by law of such
5 countries, \$75,100,000, to remain available until ex-
6 pended.

7 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

8 For necessary expenses, not otherwise provided for,
9 of the American Battle Monuments Commission, such
10 sums as may be necessary, to remain available until ex-
11 pended, for purposes authorized by section 2109 of title
12 36, United States Code.

13 UNITED STATES COURT OF APPEALS FOR VETERANS

14 CLAIMS

15 SALARIES AND EXPENSES

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses for the operation of the
18 United States Court of Appeals for Veterans Claims as
19 authorized by sections 7251 through 7298 of title 38,
20 United States Code, \$33,600,000: *Provided* , That
21 \$2,580,000 shall be available for the purpose of providing
22 financial assistance as described and in accordance with
23 the process and reporting procedures set forth under this
24 heading in Public Law 102-229.

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

4 For necessary expenses for maintenance, operation,
5 and improvement of Arlington National Cemetery and Sol-
6 diers' and Airmen's Home National Cemetery, including
7 the purchase or lease of passenger motor vehicles for re-
8 placement on a one-for-one basis only, and not to exceed
9 \$1,000 for official reception and representation expenses,
10 \$70,800,000, of which not to exceed \$15,000,000 shall re-
11 main available until September 30, 2021. In addition,
12 such sums as may be necessary for parking maintenance,
13 repairs and replacement, to be derived from the "Lease
14 of Department of Defense Real Property for Defense
15 Agencies" account.

16 CONSTRUCTION

17 For necessary expenses for planning and design and
18 construction at Arlington National Cemetery and Soldiers'
19 and Airmen's Home National Cemetery, \$73,855,000, to
20 remain available until expended, for planning and design
21 and construction associated with the Southern Expansion
22 project at Arlington National Cemetery.

1 ARMED FORCES RETIREMENT HOME

2 TRUST FUND

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

18 ADMINISTRATIVE PROVISION

19 SEC. 301. Amounts deposited into the special account
20 established under 10 U.S.C. 4727 are appropriated and
21 shall be available until expended to support activities at
22 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”, \$465,300,000, 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”, \$60,000,000, 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” \$287,371,000, 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”, \$108,749,000, 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. None of the funds appropriated for mili-
22 tary construction projects outside the United States under
23 this title may be obligated or expended for planning and
24 design of any project associated with the European Deter-
25 rence Initiative until the Secretary of Defense submits to

1 the congressional defense committees a list of all of the
2 military construction projects associated with the Euro-
3 pean Deterrence Initiative which the Secretary anticipates
4 will be carried out during each of the fiscal years 2019
5 through 2023.

6

TITLE V

7

GENERAL PROVISIONS

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

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

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

24 SEC. 504. Unless stated otherwise, all reports and no-
25 tifications required by this Act shall be submitted to the

1 Subcommittee on Military Construction and Veterans Af-
2 fairs, and Related Agencies of the Committee on Appro-
3 priations of the House of Representatives and the Sub-
4 committee on Military Construction and Veterans Affairs,
5 and Related Agencies of the Committee on Appropriations
6 of the Senate.

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

12 SEC. 506. None of the funds made available in this
13 Act may be used for a project or program named for an
14 individual serving as a Member, Delegate, or Resident
15 Commissioner of the United States House of Representa-
16 tives.

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

23 (b) Subsection (a) shall not apply to a report if—
24 (1) the public posting of the report com-
25 promises national security; or

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

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

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

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

15 SEC. 509. None of the funds made available in this
16 Act may be used by an agency of the executive branch
17 to pay for first-class travel by an employee of the agency
18 in contravention of sections 301–10.122 through 301–
19 10.124 of title 41, Code of Federal Regulations.

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

24 SEC. 511. None of the funds made available by this
25 Act may be used by the Department of Defense or the

1 Department of Veterans Affairs to lease or purchase new
2 light duty vehicles for any executive fleet, or for an agen-
3 cy's fleet inventory, except in accordance with Presidential
4 Memorandum—Federal Fleet Performance, dated May
5 24, 2011.

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

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

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

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

23 (2) is—

24 (A) in the custody or under the effective
25 control of the Department of Defense; or

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

3 SPENDING REDUCTION ACCOUNT

4 SEC. 513. \$0

5 This Act may be cited as the “Military Construction,
6 Veterans Affairs, and Related Agencies Appropriations
7 Act, 2019”.

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[FULL COMMITTEE PRINT]

Union Calendar No. _____

115TH CONGRESS
2^D Session

H. R. _____

[Report No. 115-_____] _____

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.

, 2018

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