IN THE SENATE OF THE UNITED STATES

MAY 26, 2016

Received; read twice and placed on the calendar

AN ACT

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, 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, 2017, and for other purposes, namely:
TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $503,459,000, to remain available until September 30, 2021: Provided, That, of this amount, not to exceed $98,159,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

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

Military Construction, Air Force

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $1,398,758,000, to remain available until September 30, 2021: Provided, That of this amount, not to exceed $143,582,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That none of the funds made available under this heading shall be for construction of the Joint Intelligence Analysis Complex
Consolidation, Phase 3, at Royal Air Force Croughton, United Kingdom, unless authorized in an Act authorizing appropriations for fiscal year 2017 for military construction.

**MILITARY CONSTRUCTION, DEFENSE-WIDE**

**(INCLUDING TRANSFER OF FUNDS)**

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $2,024,643,000 (reduced by $801,000) (increased by $801,000), to remain available until September 30, 2021: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed $201,422,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such
purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

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

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

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

MILITARY CONSTRUCTION, ARMY RESERVE

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

MILITARY CONSTRUCTION, NAVY RESERVE

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

MILITARY CONSTRUCTION, AIR FORCE RESERVE

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

NORTH ATLANTIC TREATY ORGANIZATION

SECURITY INVESTMENT PROGRAM

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

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $200,735,000, to remain available until September 30, 2021.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

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

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

Family Housing Operation and Maintenance, Navy and Marine Corps

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

Family Housing Construction, Air Force

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

Family Housing Operation and Maintenance, Air Force

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

**FAMILY HOUSING OPERATION AND MAINTENANCE,**

**DEFENSE-WIDE**

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

**DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND**

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

**DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT**

For deposit into the Department of Defense Base Closure Account, established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $230,237,000, to remain available until expended.
Sec. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(INCLUDING TRANSFER OF FUNDS)

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

(INCLUDING TRANSFER OF FUNDS)

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

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

Sec. 120. Amounts contained in the Ford Island Im-
provement Account established by subsection (h) of sec-
tion 2814 of title 10, United States Code, are appro-
priated and shall be available until expended for the pur-
poses specified in subsection (i)(1) of such section or until
transferred pursuant to subsection (i)(3) of such section.
SEC. 121. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation “Foreign Currency Fluctuations, Construction, Defense”, to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

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

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

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

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

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

SEC. 124. None of the funds made available in this title may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.
SEC. 125. Of the unobligated balances available for “Military Construction, Army”, from prior appropriation Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $25,000,000 are hereby rescinded.

SEC. 126. Of the unobligated balances available for “Military Construction, Navy and Marine Corps”, from prior appropriation Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $51,848,000 are hereby rescinded.

SEC. 127. Of the unobligated balances available for “Military Construction, Defense-Wide”, from prior appropriation Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $37,377,000 are hereby rescinded.

SEC. 128. For an additional amount for “Military Construction, Army”, $40,500,000, to remain available until September 30, 2021: Provided, That such funds may only be obligated to carry out construction projects, in pri-
ority order, identified in the Department of the Army’s
Unfunded Priority List for Fiscal Year 2017 submitted
by the Secretary of Defense to Congress: Provided further,
That such funding is subject to authorization prior to obli-
gation and expenditure of funds: Provided further, That,
not later than 30 days after enactment of this Act, the
Secretary of the Army shall submit to the Committees on
Appropriations of both Houses of Congress an expenditure
plan for funds provided under this section.

SEC. 129. For an additional amount for “Military
Construction, Navy and Marine Corps”, $293,600,000, to
remain available until September 30, 2021: Provided,
That such funds may only be obligated to carry out con-
struction projects, in priority order, identified in the De-
partment of the Navy’s Unfunded Priority List for Fiscal
Year 2017 submitted by the Secretary of Defense to Con-
gress: Provided further, That such funding is subject to
authorization prior to obligation and expenditure of funds:
Provided further, That, not later than 30 days after enact-
ment of this Act, the Secretary of the Navy shall submit
to the Committees on Appropriations of both Houses of
Congress an expenditure plan for funds provided under
this section.

SEC. 130. For an additional amount for “Military
Construction, Army National Guard”, $67,500,000, to re-
main available until September 30, 2021: Provided, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Army’s Unfunded Priority List for Fiscal Year 2017 submitted by the Secretary of Defense to Congress: Provided further, That such funding is subject to authorization prior to obligation and expenditure of funds: Provided further, That, not later than 30 days after enactment of this Act, the Secretary of the Army shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

Sec. 131. For an additional amount for “Military Construction, Army Reserve”, $86,500,000, to remain available until September 30, 2021: Provided, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Army's Unfunded Priority List for Fiscal Year 2017 submitted by the Secretary of Defense to Congress: Provided further, That such funding is subject to authorization prior to obligation and expenditure of funds: Provided further, That, not later than 30 days after enactment of this Act, the Secretary of the Army shall submit to the Committees on Appropriations of both Houses of
Congress an expenditure plan for funds provided under this section.

SEC. 132. For an additional amount for “Military Construction, Air Force”, $26,000,000, to remain available until September 30, 2021: Provided, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Air Force’s Unfunded Priority List for Fiscal Year 2017 submitted by the Secretary of Defense to Congress: Provided further, That such funding is subject to authorization prior to obligation and expenditure of funds: Provided further, That not later than 30 days after enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

(RESCISSION OF FUNDS)

SEC. 133. Of the unobligated balances made available in prior appropriation Acts for the fund established in section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $25,000,000 are hereby rescinded.
SEC. 134. For the purposes of this Act, the term "congressional defense committees" means the Committees on Armed Services of the House of Representatives and the Senate, the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the Senate, and the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the House of Representatives.

(RESCISSION OF FUNDS)

SEC. 135. Of the unobligated balances available for "NATO Security Investment Program", from prior appropriations Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $30,000,000 are hereby rescinded.

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

DEPARTMENT OF VETERANS AFFAIRS

Veterans Benefits Administration

Compensation and Pensions

(including transfer of funds)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers’ retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, $90,119,449,000, to remain available until expended and to become available on October 1, 2017: Provided, That not to exceed $17,224,000 of the amount made available for fiscal year 2018 under this heading shall be reimbursed to “General Operating Expenses, Veterans Bene-
fits Administration”, and “Information Technology Systems” for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the “Compensation and Pensions” appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to “Medical Care Collections Fund” to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

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

VETERANS INSURANCE AND INDEMNITIES

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

VETERANS HOUSING BENEFIT PROGRAM FUND

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

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

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

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

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

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM
 ACCOUNT

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

VETERANS HEALTH ADMINISTRATION
 MEDICAL SERVICES

For necessary expenses for furnishing, as authorized
by law, inpatient and outpatient care and treatment to
beneficiaries of the Department of Veterans Affairs and
veterans described in section 1705(a) of title 38, United
States Code, including care and treatment in facilities not
under the jurisdiction of the Department, and including
medical supplies and equipment, bioengineering services,
food services, and salaries and expenses of healthcare em-
ployees hired under title 38, United States Code, aid to
State homes as authorized by section 1741 of title 38,
United States Code, assistance and support services for
caregivers as authorized by section 1720G of title 38,
United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note), and hospital care and medical services authorized by section 1787 of title 38, United States Code; $850,000,000 (increased by $4,000,000) (reduced by $10,000,000) (increased by $10,000,000), which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2016; and, in addition, $44,886,554,000, plus reimbursements, shall become available on October 1, 2017, and shall remain available until September 30, 2018: Provided, That, of the amount made available on October 1, 2017, under this heading, $1,400,000,000 shall remain available until September 30, 2019: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize
the dispensing of prescription drugs from Veterans Health
Administration facilities to enrolled veterans with privately
written prescriptions based on requirements established by
the Secretary: Provided further, That the implementation
of the program described in the previous proviso shall
incur no additional cost to the Department of Veterans
Affairs.

MEDICAL COMMUNITY CARE

For necessary expenses for furnishing health care to
individuals pursuant to chapter 17 of title 38, United
States Code, at non-Department facilities,
$7,246,181,000, plus reimbursements, to be derived from
amounts appropriated in title II of division J of Public
Law 114–113 under the headings “Medical Services”,
“Medical Support and Compliance”, or “Medical Facili-
ties” which became available on October 1, 2016; and, in
addition, $9,409,118,000 shall become available on Octo-
ber 1, 2017, and shall remain available until September
30, 2018: Provided, That, of the amount made available
on October 1, 2017, under this heading, $1,500,000,000
shall remain available until September 30, 2019.

MEDICAL SUPPORT AND COMPLIANCE

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

MEDICAL FACILITIES

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

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, $663,366,000, plus reimbursements, shall remain available until September 30, 2018.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, $271,220,000, of which not to exceed $26,600,000 shall remain available until September 30, 2018.
DEPARTMENTAL ADMINISTRATION

GENERAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, $336,659,000 (reduced by $5,500,000) (reduced by $1,500,000) (increased by $1,500,000) (reduced by $5,000,000) (reduced by $1,000,000) (increased by $1,000,000), of which not to exceed $10,000,000 shall remain available until September 30, 2018: Provided, That funds provided under this heading may be transferred to “General Operating Expenses, Veterans Benefits Administration”.

BOARD OF VETERANS APPEALS

For necessary operating expenses of the Board of Veterans Appeals, $156,096,000, of which not to exceed $15,610,000 shall remain available until September 30, 2018.
GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, $2,826,160,000 (reduced by $5,000,000) (increased by $5,000,000): Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That, of the funds made available under this heading, not to exceed $141,000,000 shall remain available until September 30, 2018.

INFORMATION TECHNOLOGY SYSTEMS (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information
systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, $4,220,869,000 (increased by $5,000,000), plus reimbursements: Provided, That $1,247,548,000 shall be for pay and associated costs, of which not to exceed $36,300,000 shall remain available until September 30, 2018: Provided further, That $2,502,052,000 shall be for operations and maintenance, of which not to exceed $177,900,000 shall remain available until September 30, 2018: Provided further, That $471,269,000 (increased by $5,000,000) shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2018: Provided further, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: Provided further, That amounts made available for salaries
and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three sub-accounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That amounts made available for the “Information Technology Systems” account for development, modernization, and enhancement may be transferred among projects or to newly defined projects: Provided further, That no project may be increased or decreased by more than $1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: Provided further, That funds under this heading may be used by the Interagency Program Office through the Department of Veterans Affairs to define data standards, code sets, and value sets used to enable interoperability: Provided further, That of the amounts made available under this heading for operations and maintenance and information technology systems development, modernization, and enhancement, not more than a total amount of $168,113,000 shall be available for VistA Evolution or any successor: Provided further, That none
of the funds made available by the preceding proviso may be obligated or expended for such program or any successor until the Secretary of Veterans Affairs: (1) certifies to the Committees on Appropriations of both Houses of Congress that the Department of Veterans Affairs has deployed modernized electronic health record software supporting clinicians of the Department of Veterans Affairs and the Department of Defense no later than December 31, 2016, while ensuring continued support and compatibility with the interoperability platform and full standards-based interoperability, as stipulated by the National Defense Authorization Act of Fiscal Year 2014 (Public Law 113–66); (2) submits to the Committees on Appropriations of both Houses of Congress the VistA Evolution Business Case and supporting documents regarding continuation of VistA Evolution or alternatives to VistA Evolution, including an analysis of necessary or desired capabilities, technical and security requirements, the plan for modernizing the platform framework, and all associated costs; and (3) submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, the following: a report that describes a strategic plan for VistA Evolution, or any successor, and the associated implementation plan including metrics and timelines; a master schedule and lifecycle cost estimate for VistA
Evolution or any successor; and an implementation plan for the transition from the Project Management Accountability System (PMAS) to the new project delivery framework (the Veteran-focused Integration Process (VIP)) that includes the methodology by which projects will be tracked, progress measured, and deliverables evaluated:

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

OFFICE OF INSPECTOR GENERAL

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

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, ar-
chitectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, $528,110,000, of which $494,310,000 shall remain available until September 30, 2021, and of which $33,800,000 shall remain available until expended: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account and contracting officers who manage specific major construction projects, and funds provided for the purchase of land, security, and maintenance for
the National Cemetery Administration through the land
acquisition line item, none of the funds made available
under this heading shall be used for any project which has
not been approved by the Congress in the budgetary proc-
ess: Provided further, That funds made available under
this heading for fiscal year 2017, for each approved
project shall be obligated: (1) by the awarding of a con-
struction documents contract by September 30, 2017; and
(2) by the awarding of a construction contract by Sep-
tember 30, 2018: Provided further, That the Secretary of
Veterans Affairs shall promptly submit to the Committees
on Appropriations of both Houses of Congress a written
report on any approved major construction project for
which obligations are not incurred within the time limita-
tions established above: Provided further, That, of the
amount made available under this heading, $222,620,000
for Veterans Health Administration major construction
projects shall not be available until the Department of
Veterans Affairs—

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

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

CONSTRUCTION, MINOR PROJECTS

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

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, $80,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

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

**Administrative Provisions**

**Including Transfer of Funds**

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

**Including Transfer of Funds**

Sec. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2017, in this or any other Act, under the “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, and “Medical Facilities” accounts may be transferred among the accounts: Provided, That any transfers among the “Medical Services”, “Medical Community Care”, and “Medical Support and Compliance” accounts of 1 percent or less of the total amount appropriated to the account
in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: \textit{Provided further,}

That any transfers among the “Medical Services”, “Medical Community Care”, and “Medical Support and Compliance” accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: \textit{Provided further,}

That any transfers to or from the “Medical Facilities” account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

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

\textbf{Sec. 204.} No appropriations in this title (except the appropriations for “Construction, Major Projects”, and
“Construction, Minor Projects”) shall be available for the
purchase of any site for or toward the construction of any
new hospital or home.

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

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

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

(INCLUDING TRANSFER OF FUNDS)

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

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not to exceed $47,668,000 for the Office of Resolution Management and $3,532,000 for the Office of Employment Discrimination Complaint Adjudication: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to the “General
administration” and “information technology systems” accounts for use by the office that provided the service.

SEC. 211. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title:

Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required:

Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

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

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

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

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

(INCLUDING TRANSFER OF FUNDS)

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

SEC. 215. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, and Indian tribes and tribal organizations serving rural Alaska which have en-
tered into contracts with the Indian Health Service under
the Indian Self Determination and Educational Assistance
Act, to provide healthcare, including behavioral health and
dental care. The Secretary shall require participating vet-
erans and facilities to comply with all appropriate rules
and regulations, as established by the Secretary. The term
“rural Alaska” shall mean those lands sited within the ex-
ternal boundaries of the Alaska Native regions specified
in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native
Claims Settlement Act, as amended (43 U.S.C. 1606), and
those lands within the Alaska Native regions specified in
sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims
Settlement Act, as amended (43 U.S.C. 1606), which are
not within the boundaries of the municipality of Anchor-
age, the Fairbanks North Star Borough, the Kenai Penin-
sula Borough or the Matanuska Susitna Borough.

(INCLUDING TRANSFER OF FUNDS)

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

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

SEC. 218. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a report on the financial status of the Department of Veterans Affairs for the preceding quarter: Provided, That, at a minimum, the report shall include the direction contained in the explanatory statement described in section 4 in the matter preceding division A of the Consolidated Appropriations Act, 2016, Public Law 114–113 in title II of Division J of the consolidated Act in the paragraph entitled “Quarterly Report”, under the heading “General Administration”.

(INCLUDING TRANSFER OF FUNDS)

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

(INCLUDING TRANSFER OF FUNDS)

Sec. 220. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2017 for “Medical Services”, “Medical Support and Compliance”, “Medical Facilities”, “Construction, Minor Projects”, and “Information Technology Systems”, up to $274,731,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written
notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress: Provided further, That section 223 of title II of Division J of Public Law 114–113 is repealed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. Of the amounts appropriated to the Department of Veterans Affairs which become available on October 1, 2017, for “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, and “Medical Facilities”, up to $280,802,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.
SEC. 222. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

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

SEC. 224. The Secretary of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in a major construction project that total at least $5,000,000, or 5 percent of the programmed amount of the project, whichever is less: Provided, That such notification shall occur within 14 days of a contract identifying the programmed amount: Provided further, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 225. None of the funds made available for “Construction, Major Projects” may be used for a project in excess of the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations unless the Secretary of Veterans Affairs receives approval from the Committees on Appropriations of both Houses of Congress.

SEC. 226. Of the funds provided to the Department of Veterans Affairs for fiscal year 2017 for “Medical Support and Compliance”, a maximum of $40,000,000 may be obligated from the “Medical Support and Compliance” account for the VistA Evolution and electronic health
record interoperability projects: *Provided*, That funds in addition to these amounts may be obligated for the VistA Evolution and electronic health record interoperability projects upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

**Sec. 227.** The Secretary of Veterans Affairs shall provide written notification to the Committees on Appropriations of both Houses of Congress 15 days prior to organizational changes which result in the transfer of 25 or more full-time equivalents from one organizational unit of the Department of Veterans Affairs to another.

**Sec. 228.** The Secretary of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed $2,000,000.

(INCLUDING TRANSFER OF FUNDS)

**Sec. 229.** The Secretary of Veterans Affairs, upon determination that such action is necessary to address needs of the Veterans Health Administration, may transfer to the “Medical Services” account any discretionary appropriations made available for fiscal year 2017 in this title (except appropriations made to the “General Operating Expenses, Veterans Benefits Administration” ac-
count) or any discretionary unobligated balances within the Department of Veterans Affairs, including those appropriated for fiscal year 2017, that were provided in advance by appropriations Acts: Provided, That transfers shall be made only with the approval of the Office of Management and Budget: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority provided by law: Provided further, That no amounts may be transferred from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That such authority to transfer may not be used unless for higher priority items, based on emergent healthcare requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: Provided further, That, upon determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation and shall be available for the same purposes as originally appropriated: Provided further, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on
Appropriations of both Houses of Congress the authority
to make the transfer and receive approval of that request.

(INCLUDING TRANSFER OF FUNDS)

Sec. 230. Amounts made available for the Department of Veterans Affairs for fiscal year 2017, under the “Board of Veterans Appeals” and the “General Operating Expenses, Veterans Benefits Administration” accounts may be transferred between such accounts: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval from such Committees for such request.

Sec. 231. The Secretary of Veterans Affairs may not reprogram funds among major construction projects or programs if such instance of reprogramming will exceed $5,000,000, unless such reprogramming is approved by the Committees on Appropriations of both Houses of Congress.

(RESCISSON OF FUNDS)

Sec. 232. Of the unobligated balances available within the “DOD–VA Health Care Sharing Incentive Fund”, $30,000,000 are hereby rescinded.
(RESCISSIONS OF FUNDS)

SEC. 233. Of the discretionary funds made available in Public Law 114–113 for the Department of Veterans Affairs for fiscal year 2017, $266,760,000 are rescinded from “Medical Services”, $52,031,000 are rescinded from “Medical Support and Compliance”, and $18,591,000 are rescinded from “Medical Facilities”.

SEC. 234. The amounts otherwise made available by this Act for the following accounts of the Department of Veterans Affairs are hereby reduced by the following amounts:

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

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

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

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

(5) “Departmental Administration—General Operating Expenses, Veterans Benefits Administration”, $24,849,000.

(6) “Departmental Administration—Information Technology Systems”, $12,535,000.
(7) “Departmental Administration—Office of Inspector General”, $1,302,000.

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

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

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

SEC. 236. (a) The Secretary of Veterans Affairs shall treat a marriage and family therapist described in subsection (b) as qualified to serve as a marriage and family therapist in the Department of Veterans Affairs, regardless of any requirements established by the Commission on Accreditation for Marriage and Family Therapy Education.

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

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

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

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

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

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

(1) the subject of an environmental impact statement in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(2) designated as a National Historic Landmark by the National Park Service; and

(3) located in a highly rural area.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

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

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

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

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

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

**DEPARTMENT OF DEFENSE—CIVIL**

**CEMETERIAL EXPENSES, ARMY**

**SALARIES AND EXPENSES**

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

**ARMED FORCES RETIREMENT HOME**

**TRUST FUND**

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

Administrative Provisions

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

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

OVERSEAS CONTINGENCY OPERATIONS

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

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

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

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

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for “Military Construction, Air Force” $88,291,000, to remain available until September 30, 2021, for projects outside of the United States: Provided, That such amount is designated by the Congress
for Overseas Contingency Operations/Global War on Ter-
rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-

**MILITARY CONSTRUCTION, DEFENSE-WIDE**

For an additional amount for “Military Construction,
Defense-Wide”, $5,000,000, to remain available until Sep-
tember 30, 2021, for projects outside of the United States:

_provided_, That such amount is designated by the Congress
for Overseas Contingency Operations/Global War on Ter-
rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-

**TITLE V**

**GENERAL PROVISIONS**

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

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

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

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

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

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

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

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

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

(2) the report contains confidential or proprietary information.

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

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

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

Sec. 509. None of the funds made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.
SEC. 510. None of the funds made available in this Act may be used to execute a contract for goods or services, including construction services, where the contractor has not complied with Executive Order No. 12989.

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

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

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

(e) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—
(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

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

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

SEC. 513. Unobligated balances of amounts appropriated under title VI of the Departments of Labor, Health and Human Services, Education and Related Agencies Appropriations Act, 2015 (division G of Public Law 113–235) and title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall also be available for necessary expenses to prevent, prepare for, and respond to Zika virus, domestically and internationally: Provided, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.
SPENDING REDUCTION ACCOUNT

SEC. 514. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

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

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

(1) within a 3-year period preceding this offer has been convicted of or had a civil judgment rendered against it for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records,
making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property;

(2) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated above in paragraph (1); or

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

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

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

(1) carry out the memorandum from the Veterans Benefit Administration known as Fast Letter 13–10, issued on May 20, 2013; or

(2) create or maintain any patient record-keeping system other than those currently approved by the Department of Veterans Affairs Central Office in Washington, D.C.

SEC. 519. (a) For an additional amount for “Veterans Health Administration—Medical Services” for grants to States under subchapter III of chapter 81 of title 38, United States Code, to expand, remodel, or alter
existing buildings for furnishing nursing home care to veterans in State homes that are former nursing home facilities of the Department of Veterans Affairs, as authorized by section 8133 of such subchapter, there is hereby appropriated, and the amount otherwise provided by this Act for “Departmental Administration—General Administration” is hereby reduced by, $10,000,000.

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

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

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

SEC. 522. None of the funds made available in this Act may be used to enforce VA Adjudication Procedure Manual M21–1, Part IV, Subpart II, Chapter 1, Section H, Topic 28.h related to Developing Claims Based on Service Aboard Ships Offshore the RVN.
SEC. 523. None of the funds made available by this Act may be used to implement, administer, or enforce Veterans Health Administration directive 2011–004 (or directive of the same substance) with respect to the prohibition on “VA providers from completing forms seeking recommendations or opinions regarding a Veteran’s participation in a State marijuana program”.

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

SEC. 525. None of the funds made available by this Act may be used to implement section 8(d)(2) of the Department of Veterans Affairs National Cemetery Administration Directive 3220 of November 22, 2005.

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

Passed the House of Representatives May 19, 2016.

Attest: KAREN L. HAAS,

Clerk.
AN ACT

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other purposes.

Passed the House of Representatives May 26, 2016.

MAY 26, 2016

H. R. 4974

Calendar No. 503