

## Union Calendar No. 518

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5786

[Report No. 115-673]

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.

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### IN THE HOUSE OF REPRESENTATIVES

MAY 11, 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

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## A BILL

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



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 “The fund established in section 1013(d) of the  
13 Demonstration Cities and Metropolitan Development  
14 Act of 1966 (42 U.S.C. 3374)”, \$15,000,000:

15 *Provided*, That no amounts may be rescinded from  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

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

1 tions of the Senate, and the Subcommittee on Military  
2 Construction and Veterans Affairs of the Committee on  
3 Appropriations of the House of Representatives.

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

8       SEC. 129. Notwithstanding any other provision of  
9 law, none of the funds appropriated or otherwise made  
10 available by this or any other Act may be used to consoli-  
11 date or relocate any element of a United States Air Force  
12 Rapid Engineer Deployable Heavy Operational Repair  
13 Squadron Engineer (RED HORSE) outside of the United  
14 States until the Secretary of the Air Force (1) completes  
15 an analysis and comparison of the cost and infrastructure  
16 investment required to consolidate or relocate a RED  
17 HORSE squadron outside of the United States versus  
18 within the United States; (2) provides to the Committees  
19 on Appropriations of both Houses of Congress (“the Com-  
20 mittees”) a report detailing the findings of the cost anal-  
21 ysis; and (3) certifies in writing to the Committees that  
22 the preferred site for the consolidation or relocation yields  
23 the greatest savings for the Air Force: *Provided*, That the  
24 term “United States” in this section does not include any  
25 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.

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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, \$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



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 For necessary expenses for the operation of the  
17 United States Court of Appeals for Veterans Claims as  
18 authorized by sections 7251 through 7298 of title 38,  
19 United States Code, \$33,600,000: *Provided* , That  
20 \$2,580,000 shall be available for the purpose of providing  
21 financial assistance as described and in accordance with  
22 the process and reporting procedures set forth under this  
23 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”, \$261,250,000, to remain available until Sep-  
7 tember 30, 2023, for projects outside of the United States:  
8 *Provided*, That such amount is designated by the Congress  
9 for Overseas Contingency Operations/Global War on Ter-  
10 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
11 anced Budget and Emergency Deficit Control Act of 1985:  
12 *Provided further*, That none of the funds made available  
13 under this heading shall be for construction of the High  
14 Value Detention Facility, Guantanamo Bay, Cuba, unless  
15 authorized in an Act authorizing appropriations for fiscal  
16 year 2019 for military construction.

17 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

18 For an additional amount for “Military Construction,  
19 Navy and Marine Corps”, \$227,320,000, to remain avail-  
20 able until September 30, 2023, for projects outside of the  
21 United States: *Provided*, That such amount is designated  
22 by the Congress for Overseas Contingency Operations/  
23 Global War on Terrorism pursuant to section  
24 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
25 Deficit Control Act of 1985.

## 1           MILITARY CONSTRUCTION, AIR FORCE

2           For an additional amount for “Military Construction,  
3 Air Force” \$345,800,000, to remain available until Sep-  
4 tember 30, 2023, for projects outside of the United States:  
5 *Provided*, That such amount is designated by the Congress  
6 for Overseas Contingency Operations/Global War on Ter-  
7 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
8 anced Budget and Emergency Deficit Control Act of 1985.

## 9           MILITARY CONSTRUCTION, DEFENSE-WIDE

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

## 18           ADMINISTRATIVE PROVISIONS

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



1 “E-Commerce” technologies and procedures in the con-  
2 duct of their business practices and public service activi-  
3 ties.

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

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

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

22       SEC. 507. (a) Any agency receiving funds made avail-  
23 able in this Act, shall, subject to subsections (b) and (c),  
24 post on the public Web site of that agency any report re-  
25 quired to be submitted by the Congress in this or any

1 other Act, upon the determination by the head of the agen-  
2 cy that it shall serve the national interest.

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

4 (1) the public posting of the report com-  
5 promises national security; or

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

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

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

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

20 SEC. 509. None of the funds made available in this  
21 Act may be used by an agency of the executive branch  
22 to pay for first-class travel by an employee of the agency  
23 in contravention of sections 301–10.122 through 301–  
24 10.124 of title 41, Code of Federal Regulations.



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

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

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

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

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

1           (1) is not a citizen of the United States or a  
2           member of the Armed Forces of the United States;  
3           and

4           (2) is—

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

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

9                   SPENDING REDUCTION ACCOUNT

10           SEC. 513. \$0

11           This Act may be cited as the “Military Construction,  
12 Veterans Affairs, and Related Agencies Appropriations  
13 Act, 2019”.



Union Calendar No. 518

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 5786**

[Report No. 115-673]

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## **A BILL**

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

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MAY 11, 2018

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