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Union Calendar No. _____

113TH CONGRESS
1ST SESSION

H. R. _____

[Report No. 113-____]

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY --, 2013

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

A BILL

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

1 the Committees on Appropriations of both Houses of Con-
2 gress of the determination and the reasons therefor.

3 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

4 For acquisition, construction, installation, and equip-
5 ment of temporary or permanent public works, naval in-
6 stallations, facilities, and real property for the Navy and
7 Marine Corps as currently authorized by law, including
8 personnel in the Naval Facilities Engineering Command
9 and other personal services necessary for the purposes of
10 this appropriation, \$1,616,281,000, to remain available
11 until September 30, 2018: *Provided*, That of this amount,
12 not to exceed \$89,830,000 shall be available for study,
13 planning, design, and architect and engineer services, as
14 authorized by law, unless the Secretary of 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, \$1,127,273,000, to remain
24 available until September 30, 2018: *Provided*, That of this
25 amount, not to exceed \$11,314,000 shall be available for

1 study, planning, design, and architect and engineer serv-
2 ices, as authorized by law, unless the Secretary of Air
3 Force determines that additional obligations are necessary
4 for such purposes and notifies the Committees on Appro-
5 priations of both Houses of Congress of the determination
6 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 \$3,707,923,000, to remain available until September 30,
15 2018: *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 appro-
23 priated, not to exceed \$237,838,000 shall be available for
24 study, planning, design, and architect and engineer serv-
25 ices, as authorized by law, unless the Secretary of Defense

1 determines that additional obligations are necessary for
2 such purposes and notifies the Committees on Appropria-
3 tions of both Houses of Congress of the determination and
4 the reasons therefor: *Provided further*, That of the amount
5 appropriated, notwithstanding any other provision of law,
6 \$38,513,000 shall be available for payments to the North
7 Atlantic Treaty Organization for the planning, design, and
8 construction of a new North Atlantic Treaty Organization
9 headquarters.

10 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

11 For construction, acquisition, expansion, rehabilita-
12 tion, and conversion of facilities for the training and ad-
13 ministration of the Army National Guard, and contribu-
14 tions therefor, as authorized by law, \$315,815,000, to re-
15 main available until September 30, 2018: *Provided*, That
16 of the amount appropriated, not to exceed \$24,005,000
17 shall be available for study, planning, design, and architect
18 and engineer services, as authorized by law, unless the Di-
19 rector of the Army National Guard determines that addi-
20 tional obligations are necessary for such purposes and no-
21 tifies the Committees on Appropriations of both Houses
22 of Congress of the determination and the reasons therefor.

23 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

24 For construction, acquisition, expansion, rehabilita-
25 tion, and conversion of facilities for the training and ad-

1 ministration of the Air National Guard, and contributions
2 therefor, as authorized by law, \$107,800,000, to remain
3 available until September 30, 2018: *Provided*, That of the
4 amount appropriated, not to exceed \$13,400,000 shall be
5 available for study, planning, design, and architect and en-
6 gineer services, as authorized by law, unless the Director
7 of the Air National Guard determines that additional obli-
8 gations are necessary for such purposes and notifies the
9 Committees on Appropriations of both Houses of Congress
10 of the determination and the reasons therefor.

11 MILITARY CONSTRUCTION, ARMY RESERVE

12 For construction, acquisition, expansion, rehabilita-
13 tion, and conversion of facilities for the training and ad-
14 ministration of the Army Reserve as authorized by law,
15 \$174,060,000, to remain available until September 30,
16 2018: *Provided*, That of the amount appropriated, not to
17 exceed \$14,212,000 shall be available for study, planning,
18 design, and architect and engineer services, as authorized
19 by law, unless the Chief of the Army Reserve determines
20 that additional obligations are necessary for such purposes
21 and notifies the Committees on Appropriations of both
22 Houses of Congress of the determination and the reasons
23 therefor.

1 MILITARY CONSTRUCTION, NAVY RESERVE

2 For construction, acquisition, expansion, rehabilita-
3 tion, and conversion of facilities for the training and ad-
4 ministration of the reserve components of the Navy and
5 Marine Corps as authorized by law, \$32,976,000, to re-
6 main available until September 30, 2018: *Provided*, That
7 of the amount appropriated, not to exceed \$2,540,000
8 shall be available for study, planning, design, and architect
9 and engineer services, as authorized by law, unless the
10 Secretary of Navy determines that additional obligations
11 are necessary for such purposes and notifies the Commit-
12 tees on Appropriations of both Houses of Congress of the
13 determination and the reasons therefor.

14 MILITARY CONSTRUCTION, AIR FORCE RESERVE

15 For construction, acquisition, expansion, rehabilita-
16 tion, and conversion of facilities for the training and ad-
17 ministration of the Air Force Reserve as authorized by
18 law, \$45,659,000, to remain available until September 30,
19 2018: *Provided*, That of the amount appropriated, not to
20 exceed \$2,229,000 shall be available for study, planning,
21 design, and architect and engineer services, as authorized
22 by law, unless the Chief of the Air Force Reserve deter-
23 mines that additional obligations are necessary for such
24 purposes and notifies the Committees on Appropriations

1 of both Houses of Congress of the determination and the
2 reasons therefor.

3 NORTH ATLANTIC TREATY ORGANIZATION

4 SECURITY INVESTMENT PROGRAM

5 For the United States share of the cost of the North
6 Atlantic Treaty Organization Security Investment Pro-
7 gram for the acquisition and construction of military fa-
8 cilities and installations (including international military
9 headquarters) and for related expenses for the collective
10 defense of the North Atlantic Treaty Area as authorized
11 by section 2806 of title 10, United States Code, and Mili-
12 tary Construction Authorization Acts, \$199,700,000, to
13 remain available until expended.

14 FAMILY HOUSING CONSTRUCTION, ARMY

15 For expenses of family housing for the Army for con-
16 struction, including acquisition, replacement, addition, ex-
17 pansion, extension, and alteration, as authorized by law,
18 \$44,008,000, to remain available until September 30,
19 2018.

20 FAMILY HOUSING OPERATION AND MAINTENANCE,

21 ARMY

22 For expenses of family housing for the Army for op-
23 eration and maintenance, including debt payment, leasing,
24 minor construction, principal and interest charges, and in-
25 surance premiums, as authorized by law, \$512,871,000.

1 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE
2 CORPS

3 For expenses of family housing for the Navy and Ma-
4 rine Corps for construction, including acquisition, replace-
5 ment, addition, expansion, extension, and alteration, as
6 authorized by law, \$73,407,000, to remain available until
7 September 30, 2018.

8 FAMILY HOUSING OPERATION AND MAINTENANCE,
9 NAVY AND MARINE CORPS

10 For expenses of family housing for the Navy and Ma-
11 rine Corps for operation and maintenance, including debt
12 payment, leasing, minor construction, principal and inter-
13 est charges, and insurance premiums, as authorized by
14 law, \$389,844,000.

15 FAMILY HOUSING CONSTRUCTION, AIR FORCE

16 For expenses of family housing for the Air Force for
17 construction, including acquisition, replacement, addition,
18 expansion, extension, and alteration, as authorized by law,
19 \$76,360,000, to remain available until September 30,
20 2018.

21 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
22 FORCE

23 For expenses of family housing for the Air Force for
24 operation and maintenance, including debt payment, leas-
25 ing, minor construction, principal and interest charges,

10

1 and insurance premiums, as authorized by law,
2 \$388,598,000.

3 FAMILY HOUSING OPERATION AND MAINTENANCE,
4 DEFENSE-WIDE

5 For expenses of family housing for the activities and
6 agencies of the Department of Defense (other than the
7 military departments) for operation and maintenance,
8 leasing, and minor construction, as authorized by law,
9 \$55,845,000.

10 DEPARTMENT OF DEFENSE FAMILY HOUSING
11 IMPROVEMENT FUND

12 For the Department of Defense Family Housing Im-
13 provement Fund, \$1,780,000, to remain available until ex-
14 pended, for family housing initiatives undertaken pursu-
15 ant to section 2883 of title 10, United States Code, pro-
16 viding alternative means of acquiring and improving mili-
17 tary family housing and supporting facilities.

18 CHEMICAL DEMILITARIZATION CONSTRUCTION,
19 DEFENSE-WIDE

20 For expenses of construction, not otherwise provided
21 for, necessary for the destruction of the United States
22 stockpile of lethal chemical agents and munitions in ac-
23 cordance with section 1412 of the Department of Defense
24 Authorization Act, 1986 (50 U.S.C. 1521), and for the
25 destruction of other chemical warfare materials that are

1 not in the chemical weapon stockpile, as currently author-
2 ized by law, \$122,536,000, to remain available until Sep-
3 30, 2018, which shall be only for the Assembled
4 Chemical Weapons Alternatives program.

5 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

6 For deposit into the Department of Defense Base
7 Closure Account, established by section 2906(a) of the De-
8 fense Base Closure and Realignment Act of 1990 (10
9 U.S.C. 2687 note), as amended by section 2711 of the
10 National Defense Authorization Act for Fiscal Year 2013
11 (Public Law 112-239), \$451,357,000, to remain available
12 until expended.

13 ADMINISTRATIVE PROVISIONS

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

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

24 SEC. 103. Funds made available in this title for con-
25 struction may be used for advances to the Federal High-

1 way Administration, Department of Transportation, for
2 the construction of access roads as authorized by section
3 210 of title 23, United States Code, when projects author-
4 ized therein are certified as important to the national de-
5 fense by the Secretary of Defense.

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

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

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

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

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

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

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

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

1 awarded to United States firms or United States firms
2 in joint venture with host nation firms.

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

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

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

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

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

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 117. In addition to any other transfer authority
3 available to the Department of Defense, proceeds depos-
4 ited to the Department of Defense Base Closure Account
5 established by section 207(a)(1) of the Defense Authoriza-
6 tion Amendments and Base Closure and Realignment Act
7 (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C)
8 of such Act, may be transferred to the account established
9 by section 2906(a)(1) of the Defense Base Closure and
10 Realignment Act of 1990 (10 U.S.C. 2687 note), to be
11 merged with, and to be available for the same purposes
12 and the same time period as that account.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 118. Subject to 30 days prior notification, or
15 14 days for a notification provided in an electronic me-
16 dium pursuant to sections 480 and 2883 of title 10,
17 United States Code, to the Committees on Appropriations
18 of both Houses of Congress, such additional amounts as
19 may be determined by the Secretary of Defense may be
20 transferred to: (1) the Department of Defense Family
21 Housing Improvement Fund from amounts appropriated
22 for construction in “Family Housing” accounts, to be
23 merged with and to be available for the same purposes
24 and for the same period of time as amounts appropriated
25 directly to the Fund; or (2) the Department of Defense

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

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 119. In addition to any other transfer authority
17 available to the Department of Defense, amounts may be
18 transferred from the accounts established by sections
19 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure
20 and Realignment Act of 1990 (10 U.S.C. 2687 note), to
21 the fund established by section 1013(d) of the Demonstra-
22 tion Cities and Metropolitan Development Act of 1966 (42
23 U.S.C. 3374) to pay for expenses associated with the
24 Homeowners Assistance Program incurred under 42
25 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be

1 merged with and be available for the same purposes and
2 for the same time period as the fund to which transferred.

3 SEC. 120. Notwithstanding any other provision of
4 law, funds made available in this title for operation and
5 maintenance of family housing shall be the exclusive
6 source of funds for repair and maintenance of all family
7 housing units, including general or flag officer quarters:
8 *Provided*, That not more than \$35,000 per unit may be
9 spent annually for the maintenance and repair of any gen-
10 eral or flag officer quarters without 30 days prior notifica-
11 tion, or 14 days for a notification provided in an electronic
12 medium pursuant to sections 480 and 2883 of title 10,
13 United States Code, to the Committees on Appropriations
14 of both Houses of Congress, except that an after-the-fact
15 notification shall be submitted if the limitation is exceeded
16 solely due to costs associated with environmental remedi-
17 ation that could not be reasonably anticipated at the time
18 of the budget submission: *Provided further*, That the
19 Under Secretary of Defense (Comptroller) is to report an-
20 nually to the Committees on Appropriations of both
21 Houses of Congress all operation and maintenance ex-
22 penditures for each individual general or flag officer quar-
23 ters for the prior fiscal year.

24 SEC. 121. Amounts contained in the Ford Island Im-
25 provement Account established by subsection (h) of sec-

1 tion 2814 of title 10, United States Code, are appro-
2 priated and shall be available until expended for the pur-
3 poses specified in subsection (i)(1) of such section or until
4 transferred pursuant to subsection (i)(3) of such section.

5 SEC. 122. None of the funds made available in this
6 title, or in any Act making appropriations for military con-
7 struction which remain available for obligation, may be ob-
8 ligated or expended to carry out a military construction,
9 land acquisition, or family housing project at or for a mili-
10 tary installation approved for closure, or at a military in-
11 stallation for the purposes of supporting a function that
12 has been approved for realignment to another installation,
13 in 2005 under the Defense Base Closure and Realignment
14 Act of 1990 (part A of title XXIX of Public Law 101–
15 510; 10 U.S.C. 2687 note), unless such a project at a mili-
16 tary installation approved for realignment will support a
17 continuing mission or function at that installation or a
18 new mission or function that is planned for that installa-
19 tion, or unless the Secretary of Defense certifies that the
20 cost to the United States of carrying out such project
21 would be less than the cost to the United States of cancel-
22 ling such project, or if the project is at an active compo-
23 nent base that shall be established as an enclave or in the
24 case of projects having multi-agency use, that another
25 Government agency has indicated it will assume ownership

1 of the completed project. The Secretary of Defense may
2 not transfer funds made available as a result of this limi-
3 tation from any military construction project, land acquisi-
4 tion, or family housing project to another account or use
5 such funds for another purpose or project without the
6 prior approval of the Committees on Appropriations of
7 both Houses of Congress. This section shall not apply to
8 military construction projects, land acquisition, or family
9 housing projects for which the project is vital to the na-
10 tional security or the protection of health, safety, or envi-
11 ronmental quality: *Provided*, That the Secretary of De-
12 fense shall notify the congressional defense committees
13 within seven days of a decision to carry out such a military
14 construction project.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 123. During the 5-year period after appropria-
17 tions available in this Act to the Department of Defense
18 for military construction and family housing operation and
19 maintenance and construction have expired for obligation,
20 upon a determination that such appropriations will not be
21 necessary for the liquidation of obligations or for making
22 authorized adjustments to such appropriations for obliga-
23 tions incurred during the period of availability of such ap-
24 propriations, unobligated balances of such appropriations
25 may be transferred into the appropriation “Foreign Cur-

1 rency Fluctuations, Construction, Defense”, to be merged
2 with and to be available for the same time period and for
3 the same purposes as the appropriation to which trans-
4 ferred.

5 SEC. 124. None of the funds made available by this
6 Act may be used for any action that relates to or promotes
7 the expansion of the boundaries or size of the Pinon Can-
8 yon Maneuver Site, Colorado.

9 SEC. 125. (a) Except as provided in subsection (b),
10 none of the funds made available in this Act may be used
11 by the Secretary of the Army to relocate a unit in the
12 Army that—

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

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

23 (b) EXCEPTION.—Subsection (a) shall not apply if
24 the Secretary of the Army certifies to the congressional
25 defense committees that in proposing the relocation of the

1 unit of the Army, the Secretary complied with Army Regu-
2 lation 5–10 relating to the policy, procedures, and respon-
3 sibilities for Army stationing actions.

4 (INCLUDING RESCISSION OF FUNDS)

5 SEC. 126. Of the unobligated balances available for
6 “Military Construction, Army”, from prior appropriations
7 Acts (other than appropriations designated by law as
8 being for contingency operations directly related to the
9 global war on terrorism or as an emergency requirement),
10 \$14,000,000 are hereby rescinded.

11 (INCLUDING RESCISSION OF FUNDS)

12 SEC. 127. Of the unobligated balances available for
13 “Military Construction, Navy and Marine Corps”, from
14 prior appropriations Acts (other than appropriations des-
15 ignated by law as being for contingency operations directly
16 related to the global war on terrorism or as an emergency
17 requirement), \$49,920,000 are hereby rescinded.

18 (INCLUDING RESCISSION OF FUNDS)

19 SEC. 128. Of the unobligated balances available for
20 “Military Construction, Defense-Wide”, from prior appro-
21 priations Acts (other than appropriations designated by
22 law as being for contingency operations directly related to
23 the global war on terrorism or as an emergency require-
24 ment), \$358,400,000 are hereby rescinded.

1 (INCLUDING RESCISSION OF FUNDS)

2 SEC. 129. Of the unobligated balances available for
3 “Military Construction, Army”, from prior appropriations
4 Acts (other than appropriations designated by law as
5 being for contingency operations directly related to the
6 global war on terrorism or as an emergency requirement),
7 \$50,000,000 are hereby rescinded.

8 (INCLUDING RESCISSION OF FUNDS)

9 SEC. 130. Of the unobligated balances available for
10 “Military Construction, Defense-Wide”, from prior appro-
11 priations Acts (other than appropriations designated by
12 law as being for contingency operations directly related to
13 the global war on terrorism or as an emergency require-
14 ment), \$16,470,000 are hereby rescinded.

15 (INCLUDING RESCISSION OF FUNDS)

16 SEC. 131. Of the unobligated balances available for
17 “Military Construction, Air National Guard”, from prior
18 appropriations Acts (other than appropriations designated
19 by law as being for contingency operations directly related
20 to the global war on terrorism or as an emergency require-
21 ment), \$45,623,000 are hereby rescinded.

22 (INCLUDING RESCISSION OF FUNDS)

23 SEC. 132. Of the unobligated balances made available
24 in prior appropriation Acts for the fund established in sec-
25 tion 1013(d) of the Demonstration Cities and Metropoli-

1 tan Development Act of 1966 (42 U.S.C. 3374) (other
2 than appropriations designated by law as being for contin-
3 gency operations directly related to the global war on ter-
4 rorism or as an emergency requirement), \$50,000,000 are
5 hereby rescinded.

6 SEC. 133. Discretionary appropriations in this title
7 are hereby reduced by \$4,668,000.

8 SEC. 134. Notwithstanding section 116, the Sec-
9 retary of the Army may obligate from any available mili-
10 tary construction funds such additional funds that the
11 Secretary determines are necessary to complete the Explo-
12 sive Research and Development Loading Facility,
13 Picatinny Arsenal, New Jersey.

14 TITLE II

15 DEPARTMENT OF VETERANS AFFAIRS

16 VETERANS BENEFITS ADMINISTRATION

17 COMPENSATION AND PENSIONS

18 (INCLUDING TRANSFER OF FUNDS)

19 For the payment of compensation benefits to or on
20 behalf of veterans and a pilot program for disability ex-
21 aminations as authorized by section 107 and chapters 11,
22 13, 18, 51, 53, 55, and 61 of title 38, United States Code;
23 pension benefits to or on behalf of veterans as authorized
24 by chapters 15, 51, 53, 55, and 61 of title 38, United
25 States Code; and burial benefits, the Reinstated Entitle-

1 ment Program for Survivors, emergency and other offi-
2 cers' retirement pay, adjusted-service credits and certifi-
3 cates, payment of premiums due on commercial life insur-
4 ance policies guaranteed under the provisions of title IV
5 of the Servicemembers Civil Relief Act (50 U.S.C. App.
6 541 et seq.) and for other benefits as authorized by sec-
7 tions 107, 1312, 1977, and 2106, and chapters 23, 51,
8 53, 55, and 61 of title 38, United States Code,
9 \$71,248,171,000, to remain available until expended: *Pro-*
10 *vided*, That not to exceed \$9,232,000 of the amount ap-
11 propriated under this heading shall be reimbursed to
12 "General Operating Expenses, Veterans Benefits Adminis-
13 tration" and "Information Technology Systems" for nec-
14 essary expenses in implementing the provisions of chapters
15 51, 53, and 55 of title 38, United States Code, the funding
16 source for which is specifically provided as the "Com-
17 pensation and Pensions" appropriation: *Provided further*,
18 That such sums as may be earned on an actual qualifying
19 patient basis, shall be reimbursed to "Medical Care Collec-
20 tions Fund" to augment the funding of individual medical
21 facilities for nursing home care provided to pensioners as
22 authorized.

23 READJUSTMENT BENEFITS

24 For the payment of readjustment and rehabilitation
25 benefits to or on behalf of veterans as authorized by chap-

1 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and
2 61 of title 38, United States Code, and for the payment
3 of benefits under the Veterans Retraining Assistance Pro-
4 gram, \$13,135,898,000, to remain available until ex-
5 pended: *Provided*, That expenses for rehabilitation pro-
6 gram services and assistance which the Secretary is au-
7 thorized to provide under subsection (a) of section 3104
8 of title 38, United States Code, other than under para-
9 graphs (1), (2), (5), and (11) of that subsection, shall be
10 charged to this account.

11 VETERANS INSURANCE AND INDEMNITIES

12 For military and naval insurance, national service life
13 insurance, servicemen's indemnities, service-disabled vet-
14 erans insurance, and veterans mortgage life insurance as
15 authorized by chapters 19 and 21, title 38, United States
16 Code, \$77,567,000, to remain available until expended.

17 VETERANS HOUSING BENEFIT PROGRAM FUND

18 For the cost of direct and guaranteed loans, such
19 sums as may be necessary to carry out the program, as
20 authorized by subchapters I through III of chapter 37 of
21 title 38, United States Code: *Provided*, That such costs,
22 including the cost of modifying such loans, shall be as de-
23 fined in section 502 of the Congressional Budget Act of
24 1974: *Provided further*, That during fiscal year 2014,
25 within the resources available, not to exceed \$500,000 in

1 gross obligations for direct loans are authorized for spe-
2 cially adapted housing loans.

3 In addition, for administrative expenses to carry out
4 the direct and guaranteed loan programs, \$158,430,000.

5 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

6 For the cost of direct loans, \$5,000, as authorized
7 by chapter 31 of title 38, United States Code: *Provided*,
8 That such costs, including the cost of modifying such
9 loans, shall be as defined in section 502 of the Congres-
10 sional Budget Act of 1974: *Provided further*, That funds
11 made available under this heading are available to sub-
12 sidize gross obligations for the principal amount of direct
13 loans not to exceed \$2,500,000.

14 In addition, for administrative expenses necessary to
15 carry out the direct loan program, \$354,000, which may
16 be paid to the appropriation for “General Operating Ex-
17 penses, Veterans Benefits Administration”.

18 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM

19 ACCOUNT

20 For administrative expenses to carry out the direct
21 loan program authorized by subchapter V of chapter 37
22 of title 38, United States Code, \$1,109,000.

1 VETERANS HEALTH ADMINISTRATION

2 MEDICAL SERVICES

3 For necessary expenses for furnishing, as authorized
4 by law, inpatient and outpatient care and treatment to
5 beneficiaries of the Department of Veterans Affairs and
6 veterans described in section 1705(a) of title 38, United
7 States Code, including care and treatment in facilities not
8 under the jurisdiction of the Department, and including
9 medical supplies and equipment, bioengineering services,
10 food services, and salaries and expenses of health care em-
11 ployees hired under title 38, United States Code, aid to
12 State homes as authorized by section 1741 of title 38,
13 United States Code, assistance and support services for
14 caregivers as authorized by section 1720G of title 38,
15 United States Code, loan repayments authorized by sec-
16 tion 604 of the Caregivers and Veterans Omnibus Health
17 Services Act of 2010 (Public Law 111–163; 124 Stat.
18 1174; 38 U.S.C. 7681 note), and hospital care and med-
19 ical services authorized by section 1787 of title 38, United
20 States Code, \$45,015,527,000, plus reimbursements, shall
21 become available on October 1, 2014, and shall remain
22 available until September 30, 2015: *Provided*, That not-
23 withstanding any other provision of law, the Secretary of
24 Veterans Affairs shall establish a priority for the provision
25 of medical treatment for veterans who have service-con-

1 nected disabilities, lower income, or have special needs:
2 *Provided further*, That notwithstanding any other provi-
3 sion of law, the Secretary of Veterans Affairs shall give
4 priority funding for the provision of basic medical benefits
5 to veterans in enrollment priority groups 1 through 6: *Pro-*
6 *vided further*, That notwithstanding any other provision
7 of law, the Secretary of Veterans Affairs may authorize
8 the dispensing of prescription drugs from Veterans Health
9 Administration facilities to enrolled veterans with privately
10 written prescriptions based on requirements established by
11 the Secretary: *Provided further*, That the implementation
12 of the program described in the previous proviso shall
13 incur no additional cost to the Department of Veterans
14 Affairs.

15 MEDICAL SUPPORT AND COMPLIANCE

16 For necessary expenses in the administration of the
17 medical, hospital, nursing home, domiciliary, construction,
18 supply, and research activities, as authorized by law; ad-
19 ministrative expenses in support of capital policy activi-
20 ties; and administrative and legal expenses of the Depart-
21 ment for collecting and recovering amounts owed the De-
22 partment as authorized under chapter 17 of title 38,
23 United States Code, and the Federal Medical Care Recov-
24 ery Act (42 U.S.C. 2651 et seq.), \$5,879,700,000, plus
25 reimbursements, shall become available on October 1,

1 2014, and shall remain available until September 30,
2 2015.

3 MEDICAL FACILITIES

4 For necessary expenses for the maintenance and op-
5 eration of hospitals, nursing homes, domiciliary facilities,
6 and other necessary facilities of the Veterans Health Ad-
7 ministration; for administrative expenses in support of
8 planning, design, project management, real property ac-
9 quisition and disposition, construction, and renovation of
10 any facility under the jurisdiction or for the use of the
11 Department; for oversight, engineering, and architectural
12 activities not charged to project costs; for repairing, alter-
13 ing, improving, or providing facilities in the several hos-
14 pitals and homes under the jurisdiction of the Depart-
15 ment, not otherwise provided for, either by contract or by
16 the hire of temporary employees and purchase of mate-
17 rials; for leases of facilities; and for laundry services,
18 \$4,739,000,000, plus reimbursements, shall become avail-
19 able on October 1, 2014, and shall remain available until
20 September 30, 2015.

21 MEDICAL AND PROSTHETIC RESEARCH

22 For necessary expenses in carrying out programs of
23 medical and prosthetic research and development as au-
24 thorized by chapter 73 of title 38, United States Code,

1 \$585,664,000, plus reimbursements, shall remain avail-
2 able until September 30, 2015.

3 NATIONAL CEMETERY ADMINISTRATION

4 For necessary expenses of the National Cemetery Ad-
5 ministration for operations and maintenance, not other-
6 wise provided for, including uniforms or allowances there-
7 for; cemeterial expenses as authorized by law; purchase
8 of one passenger motor vehicle for use in cemeterial oper-
9 ations; hire of passenger motor vehicles; and repair, alter-
10 ation or improvement of facilities under the jurisdiction
11 of the National Cemetery Administration, \$250,000,000,
12 of which not to exceed \$25,000,000 shall remain available
13 until September 30, 2015.

14 DEPARTMENTAL ADMINISTRATION

15 GENERAL ADMINISTRATION

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary operating expenses of the Department
18 of Veterans Affairs, not otherwise provided for, including
19 administrative expenses in support of Department-Wide
20 capital planning, management and policy activities, uni-
21 forms, or allowances therefor; not to exceed \$25,000 for
22 official reception and representation expenses; hire of pas-
23 senger motor vehicles; and reimbursement of the General
24 Services Administration for security guard services,
25 \$403,023,000, of which not to exceed \$20,151,000 shall

1 remain available until September 30, 2015: *Provided*,
2 That funds provided under this heading may be trans-
3 ferred to “General Operating Expenses, Veterans Benefits
4 Administration”.

5 GENERAL OPERATING EXPENSES, VETERANS BENEFITS
6 ADMINISTRATION

7 For necessary operating expenses of the Veterans
8 Benefits Administration, not otherwise provided for, in-
9 cluding hire of passenger motor vehicles, reimbursement
10 of the General Services Administration for security guard
11 services, and reimbursement of the Department of De-
12 fense for the cost of overseas employee mail,
13 \$2,455,490,000: *Provided*, That expenses for services and
14 assistance authorized under paragraphs (1), (2), (5), and
15 (11) of section 3104(a) of title 38, United States Code,
16 that the Secretary of Veterans Affairs determines are nec-
17 essary to enable entitled veterans: (1) to the maximum ex-
18 tent feasible, to become employable and to obtain and
19 maintain suitable employment; or (2) to achieve maximum
20 independence in daily living, shall be charged to this ac-
21 count: *Provided further*, That of the funds made available
22 under this heading, not to exceed \$123,000,000 shall re-
23 main available until September 30, 2015.

1 INFORMATION TECHNOLOGY SYSTEMS
2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses for information technology
4 systems and telecommunications support, including devel-
5 opmental information systems and operational information
6 systems; for pay and associated costs; and for the capital
7 asset acquisition of information technology systems, in-
8 cluding management and related contractual costs of said
9 acquisitions, including contractual costs associated with
10 operations authorized by section 3109 of title 5, United
11 States Code, \$3,683,344,000, plus reimbursements: *Pro-*
12 *vided*, That \$1,026,400,000 shall be for pay and associ-
13 ated costs, of which not to exceed \$30,792,000 shall re-
14 main available until September 30, 2015: *Provided further*,
15 That \$2,161,653,000 shall be for operations and mainte-
16 nance, of which not to exceed \$151,316,000 shall remain
17 available until September 30, 2015: *Provided further*, That
18 \$495,291,000 shall be for information technology systems
19 development, modernization, and enhancement, and shall
20 remain available until September 30, 2015: *Provided fur-*
21 *ther*, That amounts made available for information tech-
22 nology systems development, modernization, and enhance-
23 ment may not be obligated or expended until the Secretary
24 of Veterans Affairs or the Chief Information Officer of
25 the Department of Veterans Affairs submits to the Com-

1 mittees on Appropriations of both Houses of Congress a
2 certification of the amounts, in parts or in full, to be obli-
3 gated and expended for each development project: *Pro-*
4 *vided further*, That amounts made available for salaries
5 and expenses, operations and maintenance, and informa-
6 tion technology systems development, modernization, and
7 enhancement may be transferred among the three sub-ac-
8 counts after the Secretary of Veterans Affairs requests
9 from the Committees on Appropriations of both Houses
10 of Congress the authority to make the transfer and an
11 approval is issued: *Provided further*, That amounts made
12 available for the “Information Technology Systems” ac-
13 count for development, modernization, and enhancement
14 may be transferred among projects or to newly defined
15 projects: *Provided further*, That no project may be in-
16 creased or decreased by more than \$1,000,000 of cost
17 prior to submitting a request to the Committees on Appro-
18 priations of both Houses of Congress to make the transfer
19 and an approval is issued, or absent a response, a period
20 of 30 days has elapsed: *Provided further*, That none of
21 the funds made available under this Act may be obligated
22 or expended for the development or procurement of an
23 electronic health record unless the health record will be
24 a single, joint, common, integrated health record with an
25 open architecture that will be used by both the Depart-

1 ment of Veterans Affairs and the Department of Defense:
2 *Provided further*, That funds made available for such an
3 integrated electronic health record may not be obligated
4 or expended until the Secretaries of the Departments of
5 Defense and Veterans Affairs jointly certify in writing to
6 the Committees on Appropriations of both Houses of Con-
7 gress that the proposed integrated electronic health record
8 will be the sole electronic health record system used by
9 each Department and that it meets the requirements es-
10 tablished in the previous proviso: *Provided further*, That
11 not more than 25 percent of the funds made available for
12 the integrated electronic health record may be obligated
13 or expended until: (1) the Government Accountability Of-
14 fice confirms to the Committees, after reviewing the Secre-
15 taries' certification, that the proposed integrated elec-
16 tronic health record system does in fact meet the require-
17 ments established in this paragraph; and (2) the Secre-
18 taries of the Departments of Defense and Veterans Affairs
19 submit to the Committees, and such Committees approve,
20 a plan for expenditure that: (A) defines the budget and
21 cost baseline for development and procurement of the inte-
22 grated electronic health record; (B) identifies the deploy-
23 ment timeline for the system for both Departments and
24 the performance benchmarks for deployment; and (C)
25 identifies annual and total spending on such efforts for

1 each Department: *Provided further*, That the funds made
2 available under this heading for information technology
3 systems development, modernization, and enhancement,
4 shall be for the projects, and in the amounts, specified
5 under this heading in the report accompanying this Act.

6 OFFICE OF INSPECTOR GENERAL

7 For necessary expenses of the Office of Inspector
8 General, to include information technology, in carrying out
9 the provisions of the Inspector General Act of 1978 (5
10 U.S.C. App.), \$116,411,000, of which \$6,000,000 shall re-
11 main available until September 30, 2015.

12 CONSTRUCTION, MAJOR PROJECTS

13 For constructing, altering, extending, and improving
14 any of the facilities, including parking projects, under the
15 jurisdiction or for the use of the Department of Veterans
16 Affairs, or for any of the purposes set forth in sections
17 316, 2404, 2406, and chapter 81 of title 38, United States
18 Code, not otherwise provided for, including planning, ar-
19 chitectural and engineering services, construction manage-
20 ment services, maintenance or guarantee period services
21 costs associated with equipment guarantees provided
22 under the project, services of claims analysts, offsite utility
23 and storm drainage system construction costs, and site ac-
24 quisition, where the estimated cost of a project is more
25 than the amount set forth in section 8104(a)(3)(A) of title

1 38, United States Code, or where funds for a project were
2 made available in a previous major project appropriation,
3 \$342,130,000, of which \$322,130,000 shall remain avail-
4 able until September 30, 2018, and of which \$20,000,000
5 shall remain available until expended: *Provided further,*
6 That except for advance planning activities, including
7 needs assessments which may or may not lead to capital
8 investments, and other capital asset management related
9 activities, including portfolio development and manage-
10 ment activities, and investment strategy studies funded
11 through the advance planning fund and the planning and
12 design activities funded through the design fund, including
13 needs assessments which may or may not lead to capital
14 investments, and salaries and associated costs of the resi-
15 dent engineers who oversee those capital investments
16 funded through this account, and funds provided for the
17 purchase of land for the National Cemetery Administra-
18 tion through the land acquisition line item, none of the
19 funds made available under this heading shall be used for
20 any project which has not been approved by the Congress
21 in the budgetary process: *Provided further,* That funds
22 made available under this heading for fiscal year 2014,
23 for each approved project shall be obligated: (1) by the
24 awarding of a construction documents contract by Sep-
25 tember 30, 2014; and (2) by the awarding of a construc-

1 tion contract by September 30, 2015: *Provided further*,
2 That the Secretary of Veterans Affairs shall promptly sub-
3 mit to the Committees on Appropriations of both Houses
4 of Congress a written report on any approved major con-
5 struction project for which obligations are not incurred
6 within the time limitations established above.

7 CONSTRUCTION, MINOR PROJECTS

8 For constructing, altering, extending, and improving
9 any of the facilities, including parking projects, under the
10 jurisdiction or for the use of the Department of Veterans
11 Affairs, including planning and assessments of needs
12 which may lead to capital investments, architectural and
13 engineering services, maintenance or guarantee period
14 services costs associated with equipment guarantees pro-
15 vided under the project, services of claims analysts, offsite
16 utility and storm drainage system construction costs, and
17 site acquisition, or for any of the purposes set forth in
18 sections 316, 2404, 2406, and chapter 81 of title 38,
19 United States Code, not otherwise provided for, where the
20 estimated cost of a project is equal to or less than the
21 amount set forth in section 8104(a)(3)(A) of title 38,
22 United States Code, \$714,870,000, to remain available
23 until September 30, 2018, along with unobligated balances
24 of previous “Construction, Minor Projects” appropriations
25 which are hereby made available for any project where the

1 estimated cost is equal to or less than the amount set forth
2 in such section: *Provided*, That funds made available
3 under this heading shall be for: (1) repairs to any of the
4 nonmedical facilities under the jurisdiction or for the use
5 of the Department which are necessary because of loss or
6 damage caused by any natural disaster or catastrophe;
7 and (2) temporary measures necessary to prevent or to
8 minimize further loss by such causes.

9 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
10 FACILITIES

11 For grants to assist States to acquire or construct
12 State nursing home and domiciliary facilities and to re-
13 model, modify, or alter existing hospital, nursing home,
14 and domiciliary facilities in State homes, for furnishing
15 care to veterans as authorized by sections 8131 through
16 8137 of title 38, United States Code, \$82,650,000, to re-
17 main available until expended.

18 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

19 For grants to assist States and tribal organizations
20 in establishing, expanding, or improving veterans ceme-
21 teries as authorized by section 2408 of title 38, United
22 States Code, \$44,650,000, to remain available until ex-
23 pended.

1 ADMINISTRATIVE PROVISIONS

2 (INCLUDING TRANSFER OF FUNDS)

3 SEC. 201. Any appropriation for fiscal year 2014 for
4 “Compensation and Pensions”, “Readjustment Benefits”,
5 and “Veterans Insurance and Indemnities” may be trans-
6 ferred as necessary to any other of the mentioned appro-
7 priations: *Provided*, That before a transfer may take place,
8 the Secretary of Veterans Affairs shall request from the
9 Committees on Appropriations of both Houses of Congress
10 the authority to make the transfer and such Committees
11 issue an approval, or absent a response, a period of 30
12 days has elapsed.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 202. Amounts made available for the Depart-
15 ment of Veterans Affairs for fiscal year 2014, in this Act
16 or any other Act, under the “Medical Services”, “Medical
17 Support and Compliance”, and “Medical Facilities” ac-
18 counts may be transferred among the accounts: *Provided*,
19 That any transfers between the “Medical Services” and
20 “Medical Support and Compliance” accounts of 1 percent
21 or less of the total amount appropriated to the account
22 in this or any other Act may take place subject to notifica-
23 tion from the Secretary of Veterans Affairs to the Com-
24 mittees on Appropriations of both Houses of Congress of
25 the amount and purpose of the transfer: *Provided further*,

1 That any transfers between the “Medical Services” and
2 “Medical Support and Compliance” accounts in excess of
3 1 percent, or exceeding the cumulative 1 percent for the
4 fiscal year, may take place only after the Secretary re-
5 quests from the Committees on Appropriations of both
6 Houses of Congress the authority to make the transfer
7 and an approval is issued: *Provided further*, That any
8 transfers to or from the “Medical Facilities” account may
9 take place only after the Secretary requests from the Com-
10 mittees on Appropriations of both Houses of Congress the
11 authority to make the transfer and an approval is issued.

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

19 SEC. 204. No appropriations in this title (except the
20 appropriations for “Construction, Major Projects” and
21 “Construction, Minor Projects”) shall be available for the
22 purchase of any site for or toward the construction of any
23 new hospital or home.

24 SEC. 205. No appropriations in this title shall be
25 available for hospitalization or examination of any persons

1 (except beneficiaries entitled to such hospitalization or ex-
2 amination under the laws providing such benefits to vet-
3 erans, and persons receiving such treatment under sec-
4 tions 7901 through 7904 of title 5, United States Code,
5 or the Robert T. Stafford Disaster Relief and Emergency
6 Assistance Act (42 U.S.C. 5121 et seq.)), unless reim-
7 bursement of the cost of such hospitalization or examina-
8 tion is made to the “Medical Services” account at such
9 rates as may be fixed by the Secretary of Veterans Affairs.

10 SEC. 206. Appropriations available in this title for
11 “Compensation and Pensions”, “Readjustment Benefits”,
12 and “Veterans Insurance and Indemnities” shall be avail-
13 able for payment of prior year accrued obligations re-
14 quired to be recorded by law against the corresponding
15 prior year accounts within the last quarter of fiscal year
16 2013.

17 SEC. 207. Appropriations available in this title shall
18 be available to pay prior year obligations of corresponding
19 prior year appropriations accounts resulting from sections
20 3328(a), 3334, and 3712(a) of title 31, United States
21 Code, except that if such obligations are from trust fund
22 accounts they shall be payable only from “Compensation
23 and Pensions”.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 208. Notwithstanding any other provision of
3 law, during fiscal year 2014, the Secretary of Veterans
4 Affairs shall, from the National Service Life Insurance
5 Fund under section 1920 of title 38, United States Code,
6 the Veterans' Special Life Insurance Fund under section
7 1923 of title 38, United States Code, and the United
8 States Government Life Insurance Fund under section
9 1955 of title 38, United States Code, reimburse the "Gen-
10 eral Operating Expenses, Veterans Benefits Administra-
11 tion" and "Information Technology Systems" accounts for
12 the cost of administration of the insurance programs fi-
13 nanced through those accounts: *Provided*, That reimburse-
14 ment shall be made only from the surplus earnings accu-
15 mulated in such an insurance program during fiscal year
16 2014 that are available for dividends in that program after
17 claims have been paid and actuarially determined reserves
18 have been set aside: *Provided further*, That if the cost of
19 administration of such an insurance program exceeds the
20 amount of surplus earnings accumulated in that program,
21 reimbursement shall be made only to the extent of such
22 surplus earnings: *Provided further*, That the Secretary
23 shall determine the cost of administration for fiscal year
24 2014 which is properly allocable to the provision of each
25 such insurance program and to the provision of any total

1 disability income insurance included in that insurance pro-
2 gram.

3 SEC. 209. Amounts deducted from enhanced-use
4 lease proceeds to reimburse an account for expenses in-
5 curred by that account during a prior fiscal year for pro-
6 viding enhanced-use lease services, may be obligated dur-
7 ing the fiscal year in which the proceeds are received.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 210. Funds available in this title or funds for
10 salaries and other administrative expenses shall also be
11 available to reimburse the Office of Resolution Manage-
12 ment of the Department of Veterans Affairs and the Of-
13 fice of Employment Discrimination Complaint Adjudica-
14 tion under section 319 of title 38, United States Code,
15 for all services provided at rates which will recover actual
16 costs but not exceed \$42,904,000 for the Office of Resolu-
17 tion Management and \$3,360,000 for the Office of Em-
18 ployment and Discrimination Complaint Adjudication:
19 *Provided*, That payments may be made in advance for
20 services to be furnished based on estimated costs: *Provided*
21 *further*, That amounts received shall be credited to the
22 “General Administration” and “Information Technology
23 Systems” accounts for use by the office that provided the
24 service.

1 SEC. 211. No appropriations in this title shall be
2 available to enter into any new lease of real property if
3 the estimated annual rental cost is more than \$1,000,000,
4 unless the Secretary submits a report which the Commit-
5 tees on Appropriations of both Houses of Congress ap-
6 prove within 30 days following the date on which the re-
7 port is received.

8 SEC. 212. No funds of the Department of Veterans
9 Affairs shall be available for hospital care, nursing home
10 care, or medical services provided to any person under
11 chapter 17 of title 38, United States Code, for a non-serv-
12 ice-connected disability described in section 1729(a)(2) of
13 such title, unless that person has disclosed to the Sec-
14 retary of Veterans Affairs, in such form as the Secretary
15 may require, current, accurate third-party reimbursement
16 information for purposes of section 1729 of such title: *Pro-*
17 *vided*, That the Secretary may recover, in the same man-
18 ner as any other debt due the United States, the reason-
19 able charges for such care or services from any person who
20 does not make such disclosure as required: *Provided fur-*
21 *ther*, That any amounts so recovered for care or services
22 provided in a prior fiscal year may be obligated by the
23 Secretary during the fiscal year in which amounts are re-
24 ceived.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 213. Notwithstanding any other provision of
3 law, proceeds or revenues derived from enhanced-use leas-
4 ing activities (including disposal) may be deposited into
5 the “Construction, Major Projects” and “Construction,
6 Minor Projects” accounts and be used for construction
7 (including site acquisition and disposition), alterations,
8 and improvements of any medical facility under the juris-
9 diction or for the use of the Department of Veterans Af-
10 fairs. Such sums as realized are in addition to the amount
11 provided for in “Construction, Major Projects” and “Con-
12 struction, Minor Projects”.

13 SEC. 214. Amounts made available under “Medical
14 Services” are available—

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

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

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 215. Such sums as may be deposited to the
22 Medical Care Collections Fund pursuant to section 1729A
23 of title 38, United States Code, may be transferred to
24 “Medical Services”, to remain available until expended for
25 the purposes of that account.

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

4 SEC. 218. None of the funds made available in this
5 title may be used to implement any policy prohibiting the
6 Directors of the Veterans Integrated Services Networks
7 from conducting outreach or marketing to enroll new vet-
8 erans within their respective Networks.

9 SEC. 219. The Secretary of Veterans Affairs shall
10 submit to the Committees on Appropriations of both
11 Houses of Congress a quarterly report on the financial
12 status of the Veterans Health Administration.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 220. Amounts made available under the “Med-
15 ical Services”, “Medical Support and Compliance”, “Med-
16 ical Facilities”, “General Operating Expenses, Veterans
17 Benefits Administration”, “General Administration”, and
18 “National Cemetery Administration” accounts for fiscal
19 year 2014 may be transferred to or from the “Information
20 Technology Systems” account: *Provided*, That before a
21 transfer may take place, the Secretary of Veterans Affairs
22 shall request from the Committees on Appropriations of
23 both Houses of Congress the authority to make the trans-
24 fer and an approval is issued.

1 transferred from accounts designated in this section to the
2 Joint Department of Defense-Department of Veterans Af-
3 fairs Medical Facility Demonstration Fund upon written
4 notification by the Secretary of Veterans Affairs to the
5 Committees on Appropriations of both Houses of Con-
6 gress.

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 223. Such sums as may be deposited to the
9 Medical Care Collections Fund pursuant to section 1729A
10 of title 38, United States Code, for health care provided
11 at facilities designated as combined Federal medical facili-
12 ties as described by section 706 of the Duncan Hunter
13 National Defense Authorization Act for Fiscal Year 2009
14 (Public Law 110–417; 122 Stat. 4500) shall also be avail-
15 able: (1) for transfer to the Joint Department of Defense-
16 Department of Veterans Affairs Medical Facility Dem-
17 onstration Fund, established by section 1704 of the Na-
18 tional Defense Authorization Act for Fiscal Year 2010
19 (Public Law 111–84; 123 Stat. 3571); and (2) for oper-
20 ations of the facilities designated as combined Federal
21 medical facilities as described by section 706 of the Dun-
22 can Hunter National Defense Authorization Act for Fiscal
23 Year 2009 (Public Law 110–417; 122 Stat. 4500).

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 224. Of the amounts available in this title for
3 “Medical Services”, “Medical Support and Compliance”,
4 and “Medical Facilities”, a minimum of \$15,000,000,
5 shall be transferred to the DOD–VA Health Care Sharing
6 Incentive Fund, as authorized by section 8111(d) of title
7 38, United States Code, to remain available until ex-
8 pended, for any purpose authorized by section 8111 of
9 title 38, United States Code.

10 (INCLUDING RESCISSIONS OF FUNDS)

11 SEC. 225. (a) Of the discretionary funds made avail-
12 able to the Department of Veterans Affairs for fiscal year
13 2014, the following amounts which became available on
14 October 1, 2013, are hereby rescinded from the following
15 accounts in the amounts specified:

16 (1) “Department of Veterans Affairs, Medical Serv-
17 ices”, \$1,400,000,000.

18 (2) “Department of Veterans Affairs, Medical Sup-
19 port and Compliance”, \$100,000,000.

20 (3) “Department of Veterans Affairs, Medical Facili-
21 ties”, \$250,000,000.

22 (b) In addition to amounts provided elsewhere in this
23 Act, an additional amount is appropriated to the following
24 accounts in the amounts specified to remain available until
25 September 30, 2015:

1 (1) “Department of Veterans Affairs, Medical Serv-
2 ices”, \$1,400,000,000.

3 (2) “Department of Veterans Affairs, Medical Sup-
4 port and Compliance”, \$100,000,000.

5 (3) “Department of Veterans Affairs, Medical Facili-
6 ties”, \$250,000,000.

7 SEC. 226. The Secretary of the Department of Vet-
8 erans Affairs shall notify the Committees on Appropria-
9 tions of both Houses of Congress of all bid savings in
10 major construction projects that total at least \$5,000,000,
11 or 5 percent of the programmed amount of the project,
12 whichever is less: *Provided*, That such notification shall
13 occur within 14 days of a contract identifying the pro-
14 grammed amount: *Provided further*, That the Secretary
15 shall notify the Committees on Appropriations of both
16 Houses of Congress 14 days prior to the obligation of such
17 bid savings and shall describe the anticipated use of such
18 savings.

19 SEC. 227. The scope of work for a project included
20 in “Construction, Major Projects” may not be increased
21 above the scope specified for that project in the original
22 justification data provided to the Congress as part of the
23 request for appropriations.

24 SEC. 228. The Secretary of the Department of Vet-
25 erans Affairs shall provide on a quarterly basis to the

1 Committees on Appropriations of both Houses of Congress
2 notification of any single national outreach and awareness
3 marketing campaign in which obligations exceed
4 \$2,000,000.

5 SEC. 229. The Secretary shall submit to the Commit-
6 tees on Appropriations of both Houses of Congress a re-
7 programming request if at any point during fiscal year
8 2014, the funding allocated for a medical care initiative
9 identified in the fiscal year 2014 expenditure plan is ad-
10 justed by more than \$25,000,000 from the allocation
11 shown in the corresponding congressional budget justifica-
12 tion. Such a reprogramming request may go forward only
13 if the Committees on Appropriations of both Houses of
14 Congress approve the request or if a period of 14 days
15 has elapsed.

16 (INCLUDING RESCISSION OF FUNDS)

17 SEC. 230. Discretionary fiscal year 2014 appropria-
18 tions in this title are hereby reduced by \$24,000,000: *Pro-*
19 *vided*, That the Secretary of Veterans Affairs shall allocate
20 this reduction within the accounts to which the reduction
21 is applied: *Provided further*, That \$156,000,000 are here-
22 by rescinded from the fiscal year 2014 funds appropriated
23 in title II of division E of Public Law 113-6 for “Depart-
24 ment of Veterans Affairs, Medical Services”, “Department
25 of Veterans Affairs, Medical Support and Compliance”,

1 and “Department of Veterans Affairs, Medical Facilities”:
2 *Provided further*, That the Secretary shall allocate this re-
3 scission among the three accounts.

4 TITLE III

5 RELATED AGENCIES

6 AMERICAN BATTLE MONUMENTS COMMISSION

7 SALARIES AND EXPENSES

8 For necessary expenses, not otherwise provided for,
9 of the American Battle Monuments Commission, including
10 the acquisition of land or interest in land in foreign coun-
11 tries; purchases and repair of uniforms for caretakers of
12 national cemeteries and monuments outside of the United
13 States and its territories and possessions; rent of office
14 and garage space in foreign countries; purchase (one-for-
15 one replacement basis only) and hire of passenger motor
16 vehicles; not to exceed \$7,500 for official reception and
17 representation expenses; and insurance of official motor
18 vehicles in foreign countries, when required by law of such
19 countries, \$57,980,000, to remain available until ex-
20 pended.

21 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

22 For necessary expenses, not otherwise provided for,
23 of the American Battle Monuments Commission, such
24 sums as may be necessary, to remain available until ex-

1 pended, for purposes authorized by section 2109 of title
2 36, United States Code.

3 UNITED STATES COURT OF APPEALS FOR VETERANS

4 CLAIMS

5 SALARIES AND EXPENSES

6 For necessary expenses for the operation of the
7 United States Court of Appeals for Veterans Claims as
8 authorized by sections 7251 through 7298 of title 38,
9 United States Code, \$35,272,000: *Provided*, That
10 \$2,500,000 shall be available for the purpose of providing
11 financial assistance as described, and in accordance with
12 the process and reporting procedures set forth, under this
13 heading in Public Law 102–229.

14 DEPARTMENT OF DEFENSE—CIVIL

15 CEMETERIAL EXPENSES, ARMY

16 SALARIES AND EXPENSES

17 For necessary expenses, as authorized by law, for
18 maintenance, operation, and improvement of Arlington
19 National Cemetery and Soldiers' and Airmen's Home Na-
20 tional Cemetery, including the purchase or lease of pas-
21 senger motor vehicles for replacement on a one-for-one
22 basis only, and not to exceed \$1,000 for official reception
23 and representation expenses, \$70,685,000. In addition,
24 such sums as may be necessary for parking maintenance,
25 repairs and replacement, to be derived from the "Lease

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

3 ARMED FORCES RETIREMENT HOME

4 TRUST FUND

5 For expenses necessary for the Armed Forces Retire-
6 ment Home to operate and maintain the Armed Forces
7 Retirement Home—Washington, District of Columbia,
8 and the Armed Forces Retirement Home—Gulfport, Mis-
9 sissippi, to be paid from funds available in the Armed
10 Forces Retirement Home Trust Fund, \$67,400,000, of
11 which \$1,000,000 shall remain available until expended
12 for construction and renovation of the physical plants at
13 the Armed Forces Retirement Home—Washington, Dis-
14 trict of Columbia, and the Armed Forces Retirement
15 Home—Gulfport, Mississippi.

16 ADMINISTRATIVE PROVISION

17 SEC. 301. Funds appropriated in this Act under the
18 heading “Department of Defense—Civil, Cemeterial Ex-
19 penses, Army”, may be provided to Arlington County, Vir-
20 ginia, for the relocation of the federally owned water main
21 at Arlington National Cemetery, making additional land
22 available for ground burials.

1

TITLE IV

2

GENERAL PROVISIONS

3

SEC. 401. No part of any appropriation contained in
4 this Act shall remain available for obligation beyond the
5 current fiscal year unless expressly so provided herein.

6

SEC. 402. None of the funds made available in this
7 Act may be used for any program, project, or activity,
8 when it is made known to the Federal entity or official
9 to which the funds are made available that the program,
10 project, or activity is not in compliance with any Federal
11 law relating to risk assessment, the protection of private
12 property rights, or unfunded mandates.

13

SEC. 403. No part of any funds appropriated in this
14 Act shall be used by an agency of the executive branch,
15 other than for normal and recognized executive-legislative
16 relationships, for publicity or propaganda purposes, and
17 for the preparation, distribution, or use of any kit, pam-
18 phlet, booklet, publication, radio, television, or film presen-
19 tation designed to support or defeat legislation pending
20 before Congress, except in presentation to Congress itself.

21

SEC. 404. All departments and agencies funded under
22 this Act are encouraged, within the limits of the existing
23 statutory authorities and funding, to expand their use of
24 “E-Commerce” technologies and procedures in the con-

1 duct of their business practices and public service activi-
2 ties.

3 SEC. 405. Unless stated otherwise, all reports and no-
4 tifications required by this Act shall be submitted to the
5 Subcommittee on Military Construction and Veterans Af-
6 fairs, and Related Agencies of the Committee on Appro-
7 priations of the House of Representatives and the Sub-
8 committee on Military Construction and Veterans Affairs,
9 and Related Agencies of the Committee on Appropriations
10 of the Senate.

11 SEC. 406. None of the funds made available in this
12 Act may be transferred to any department, agency, or in-
13 strumentality of the United States Government except
14 pursuant to a transfer made by, or transfer authority pro-
15 vided in, this or any other appropriations Act.

16 SEC. 407. None of the funds made available in this
17 Act may be used for a project or program named for an
18 individual serving as a Member, Delegate, or Resident
19 Commissioner of the United States House of Representa-
20 tives.

21 SEC. 408. (a) Any agency receiving funds made avail-
22 able in this Act, shall, subject to subsections (b) and (c),
23 post on the public website of that agency any report re-
24 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. 409. (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. 410. None of the funds made available in this
21 Act may be distributed to the Association of Community
22 Organizations for Reform Now (ACORN) or its subsidi-
23 aries or successors.

24 SEC. 411. None of the funds made available in this
25 Act may be used by an agency of the executive branch

1 to exercise the power of eminent domain (to take the pri-
2 vate property for public use) without the payment of just
3 compensation.

4 SEC. 412. None of the funds made available in this
5 Act may be used by an agency of the executive branch
6 to pay for first-class travel by an employee of the agency
7 in contravention of sections 301–10.122 through 301–
8 10.124 of title 41, Code of Federal Regulations.

9 SEC. 413. (a) IN GENERAL.—None of the funds ap-
10 propriated or otherwise made available to the Department
11 of Defense in this Act may be used to construct, renovate,
12 or expand any facility in the United States, its territories,
13 or possessions to house any individual detained at United
14 States Naval Station, Guantanamo Bay, Cuba, for the
15 purposes of detention or imprisonment in the custody or
16 under the control of the Department of Defense.

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

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

23 (1) is not a citizen of the United States or a
24 member of the Armed Forces of the United States;
25 and

1 (2) is—

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

4 (B) otherwise under detention at United
5 States Naval Station, Guantanamo Bay, Cuba.

6 SEC. 414. None of the funds made available in this
7 Act may be used to execute a contract for goods or serv-
8 ices, including construction services, where the contractor
9 has not complied with Executive Order No. 12989.

10 SEC. 415. None of the funds made available by this
11 Act may be used to enter into a contract, memorandum
12 of understanding, or cooperative agreement with, make a
13 grant to, or provide a loan or loan guarantee to, any cor-
14 poration that was convicted of a felony criminal violation
15 under any Federal law within the preceding 24 months,
16 where the awarding agency is aware of the conviction, un-
17 less the agency has considered suspension or debarment
18 of the corporation and has made a determination that this
19 further action is not necessary to protect the interests of
20 the Government.

21 SEC. 416. None of the funds made available by this
22 Act may be used to enter into a contract, memorandum
23 of understanding, or cooperative agreement with, make a
24 grant to, or provide a loan or loan guarantee to, any cor-
25 poration that has any unpaid Federal tax liability that has

1 been assessed, for which all judicial and administrative
2 remedies have been exhausted or have lapsed, and that
3 is not being paid in a timely manner pursuant to an agree-
4 ment with the authority responsible for collecting the tax
5 liability, where the awarding agency is aware of the unpaid
6 tax liability, unless the agency has considered suspension
7 or debarment of the corporation and has made a deter-
8 mination that this further action is not necessary to pro-
9 tect the interests of the Government.

10 SEC. 417. None of the funds made available in this
11 Act may be used to wind down or otherwise alter the im-
12 plementation of a program, project, or activity in anticipa-
13 tion of any change (including any elimination or reduction
14 of funding) proposed in a budget request, until such pro-
15 posed change is subsequently enacted in an appropriation
16 Act.

17 SPENDING REDUCTION ACCOUNT

18 SEC. 418. The amount by which the applicable alloca-
19 tion of new budget authority made by the Committee on
20 Appropriations of the House of Representatives under sec-
21 tion 302(b) of the Congressional Budget Act of 1974 ex-
22 ceeds the amount of proposed new budget authority is \$0.

23 This Act may be cited as the “Military Construction
24 and Veterans Affairs, and Related Agencies Appropria-
25 tions Act, 2014”.

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Union Calendar No. _____

113TH CONGRESS
1ST Session

H. R.

[Report No. 113-____]

A BILL

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

, 2013

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