IN THE HOUSE OF REPRESENTATIVES

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

A BILL

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2018, and for other purposes.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,
That the following sums are appropriated, out of any
money in the Treasury not otherwise appropriated, for
military construction, the Department of Veterans Affairs,
and related agencies for the fiscal year ending September
30, 2018, and for other purposes, namely:

TITLE I
DEPARTMENT OF DEFENSE
MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equip-
ment of temporary or permanent public works, military
installations, facilities, and real property for the Army as
currently authorized by law, including personnel in the
Army Corps of Engineers and other personal services nec-
essary for the purposes of this appropriation, and for con-
struction and operation of facilities in support of the func-
tions of the Commander in Chief, $923,994,000, to re-
main available until September 30, 2022: Provided, That,
of this amount, not to exceed $101,470,000 shall be avail-
able for study, planning, design, architect and engineer
services, and host nation support, as authorized by law,
unless the Secretary of the Army determines that addi-
tional obligations are necessary for such purposes and no-
tifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $1,558,085,000, to remain available until September 30, 2022: Provided, That, of this amount, not to exceed $219,069,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $1,540,474,000, to remain available until September 30, 2022: Provided, That, of this amount, not to exceed $97,852,000 shall be available
for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $2,791,272,000, to remain available until September 30, 2022: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That, of the amount, not to exceed $185,717,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense deter-
mines that additional obligations are necessary for such
purposes and notifies the Committees on Appropriations
of both Houses of Congress of the determination and the
reasons therefor.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilita-
tion, and conversion of facilities for the training and ad-
ministration of the Army National Guard, and contribu-
tions therefor, as authorized by chapter 1803 of title 10,
United States Code, and Military Construction Authoriza-
tion Acts, $210,652,000, to remain available until Sep-
tember 30, 2022: Provided, That, of the amount, not to
exceed $16,271,000 shall be available for study, planning,
design, and architect and engineer services, as authorized
by law, unless the Director of the Army National Guard
determines that additional obligations are necessary for
such purposes and notifies the Committees on Appropria-
tions of both Houses of Congress of the determination and
the reasons therefor.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilita-
tion, and conversion of facilities for the training and ad-
ministration of the Air National Guard, and contributions
therefor, as authorized by chapter 1803 of title 10, United
States Code, and Military Construction Authorization
Acts, $161,491,000, to remain available until September 30, 2022: *Provided*, That, of the amount, not to exceed $18,000,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, ARMY RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $73,712,000, to remain available until September 30, 2022: *Provided*, That, of the amount, not to exceed $6,887,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.
MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $65,271,000, to remain available until September 30, 2022: Provided, That, of the amount, not to exceed $4,430,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $63,535,000, to remain available until September 30, 2022: Provided, That, of the amount, not to exceed $4,725,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are
necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That, the Chief of the Air Force Reserve shall take immediate action to address unfunded military construction requirements for access control points and security issues at Air Force Reserve facilities.

NORTH ATLANTIC TREATY ORGANIZATION
SECURITY INVESTMENT PROGRAM

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

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

For deposit into the Department of Defense Base Closure Account, established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $290,867,000, to remain available until expended.
FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $182,662,000, to remain available until September 30, 2022.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $346,625,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $83,682,000, to remain available until September 30, 2022.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and inter-
est charges, and insurance premiums, as authorized by law, $328,282,000.

**FAMILY HOUSING CONSTRUCTION, AIR FORCE**

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $85,062,000, to remain available until September 30, 2022.

**FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE**

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $318,324,000.

**FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE**

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $59,169,000.
DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, $2,726,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

DEPARTMENT OF DEFENSE MILITARY UNACCOMPANIED HOUSING IMPROVEMENT FUND

For the Department of Defense Military Unaccompanied Housing Improvement Fund, $623,000, to remain available until expended, for unaccompanied housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military unaccompanied housing and supporting facilities.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefore.
SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

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

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

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.
SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

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

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

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

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.
SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

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

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

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

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

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

(INCLUDING TRANSFER OF FUNDS)

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

(INCLUDING TRANSFER OF FUNDS)

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

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

SEC. 120. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 121. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation “Foreign Currency Fluctuations, Construction, Defense”, to be merged
with and to be available for the same time period and for
the same purposes as the appropriation to which trans-
ferred.

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

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

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

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

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

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

Sec. 125. For an additional amount for the accounts
and in the amounts specified, to remain available until
September 30, 2022:

“Military Construction, Army”, $43,800,000;
“Military Construction, Navy and Marine Corps”, $126,900,000;
“Military Construction, Air Force”, $70,300,000;
“Military Construction, Army National Guard”, $56,000,000;
“Military Construction, Army Reserve”, $56,000,000
“Military Construction, Air National Guard”, $41,900,000; and
“Military Construction, Air Force Reserve”, $44,100,000:

Provided, That such funds may only be obligated to carry out construction projects identified in the respective military department’s unfunded priority list for fiscal year 2018 submitted to Congress by the Secretary of Defense:

Provided further, That such projects are subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That not later than 30 days after enactment of this Act, the Secretary of the military department concerned, or his or her designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

(RESCISSIONS OF FUNDS)

Sec. 126. Of the unobligated balances available to the Department of Defense from prior appropriation Acts, the following funds are hereby rescinded from the following accounts in the amounts specified:

“Military Construction, Army”, $10,000,000;

“Military Construction, Navy and Marine Corps”, $10,000,000

“Military Construction, Defense-Wide”, $27,440,000;
“North Atlantic Treaty Organization Security Investment Program”, $25,000,000;

“Family Housing Construction, Army”, $18,000,00;

“Family Housing Construction, Navy and Marine Corps”, $8,000,00; and

“Family Housing Construction, Air Force”, $20,000,00:

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

Sec. 127. For the purposes of this Act, the term “congressional defense committees” means the Committees on Armed Services of the House of Representatives and the Senate, the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the Senate, and the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the House of Representatives.

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

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers’ retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, $95,768,462,000, to remain available until expended and to become available on October 1, 2018: Provided, That not to exceed $17,882,000 of the amount made available...
for fiscal year 2019 under this heading shall be reimbursed to “General Operating Expenses, Veterans Benefits Administration”, and “Information Technology Systems” for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the “Compensation and Pensions” appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to “Medical Care Collections Fund” to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, $11,832,175,000, to remain available until expended and to become available on October 1, 2018: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.
VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen’s indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, $121,529,000, which shall be in addition to remain available until expended, which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2017, of which $109,090,000 shall become available on October 1, 2018.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That, during fiscal year 2018, within the resources available, not to exceed $500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $178,626,000.
VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $30,000, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $2,356,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $395,000, which may be paid to the appropriation for “General Operating Expenses, Veterans Benefits Administration”.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

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

GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of De-
fense for the cost of overseas employee mail, $2,894,000,000: Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That, of the funds made available under this heading, not to exceed 5 percent shall remain available until September 30, 2019.

Veterans Health Administration

Medical Services

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bioengineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for
caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note), and hospital care and medical services authorized by section 1787 of title 38, United States Code; $1,031,808,000, which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2017; and, in addition, $49,161,165,000, plus reimbursements, shall become available on October 1, 2018, and shall remain available until September 30, 2019: Provided, That, of the amount made available on October 1, 2018, under this heading, $1,400,000,000 shall remain available until September 30, 2020: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescrip-
tion drugs from Veterans Health Administration facilities
to enrolled veterans with privately written prescriptions
based on requirements established by the Secretary: Pro-
vided further, That the implementation of the program de-
scribed in the previous proviso shall incur no additional
cost to the Department of Veterans Affairs.

MEDICAL COMMUNITY CARE

For necessary expenses for furnishing health care to
individuals pursuant to chapter 17 of title 38, United
States Code, at non-Department facilities, $254,000,000,
which shall be in addition to funds previously appropriated
under this heading that became available on October 1,
2017; and, in addition, $8,384,704,000, plus reimburse-
ments, shall become available on October 1, 2018, and
shall remain available until September 30, 2019: Provided,
That of the amount made available on October 1, 2018,
under this heading, $2,000,000,000 shall remain available
until September 30, 2022.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the
medical, hospital, nursing home, domiciliary, construction,
supply, and research activities, as authorized by law; ad-
ministrative expenses in support of capital policy activi-
ties; and administrative and legal expenses of the Depart-
ment for collecting and recovering amounts owed the De-
partment as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), $284,397,000, which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2017; and, in addition, $7,239,156,000, plus reimbursements, shall become available on October 1, 2018, and shall remain available until September 30, 2019: Provided, That, of the amount made available on October 1, 2018, under this heading, $100,000,000 shall remain available until September 30, 2020.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of mate-
rial; for leases of facilities; and for laundry services;
$1,079,795,000, which shall be in addition to funds pre-
viously appropriated under this heading that became avail-
able on October 1, 2017; and, in addition,
$5,914,288,000, plus reimbursements, shall become avail-
able on October 1, 2018, and shall remain available until
September 30, 2019: Provided, That, of the amount made
available on October 1, 2018, under this heading,
$250,000,000 shall remain available until September 30,
2020.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of
medical and prosthetic research and development as au-
thorized by chapter 73 of title 38, United States Code,
$698,228,000, plus reimbursements, shall remain avail-
able until September 30, 2019.

NATIONAL CEMETARY ADMINISTRATION

For necessary expenses of the National Cemetery Ad-
ministration for operations and maintenance, not oth-
wise provided for, including uniforms or allowances there-
for; cemeterial expenses as authorized by law; purchase
of one passenger motor vehicle for use in cemeterial oper-
ations; hire of passenger motor vehicles; and repair, alter-
ation or improvement of facilities under the jurisdiction
of the National Cemetery Administration, $306,193,000,
of which not to exceed 10 percent shall remain available until September 30, 2019.

**DEPARTMENTAL ADMINISTRATION**

**GENERAL ADMINISTRATION**

*(INCLUDING TRANSFER OF FUNDS)*

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, $346,891,000, of which not to exceed 5 percent shall remain available until September 30, 2019: Provided, That funds provided under this heading may be transferred to “General Operating Expenses, Veterans Benefits Administration”.

**BOARD OF VETERANS APPEALS**

For necessary operating expenses of the Board of Veterans Appeals, $156,096,000, of which not to exceed 10 percent shall remain available until September 30, 2019.
INFORMATION TECHNOLOGY SYSTEMS
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, $4,135,500,000, plus reimbursements: Provided, That $1,230,320,000 shall be for pay and associated costs, of which not to exceed $36,000,000 shall remain available until September 30, 2019: Provided further, That $2,486,650,000 shall be for operations and maintenance, of which not to exceed $174,000,000 shall remain available until September 30, 2019: Provided further, That $418,530,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2019: Provided further, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Com-
mittees on Appropriations of both Houses of Congress a
certification of the amounts, in parts or in full, to be obli-
gated and expended for each development project: Pro-
vided further, That amounts made available for salaries
and expenses, operations and maintenance, and informa-
tion technology systems development, modernization, and
enhancement may be transferred among the three sub-
accounts after the Secretary of Veterans Affairs requests
from the Committees on Appropriations of both Houses
of Congress the authority to make the transfer and an
approval is issued: Provided further, That amounts made
available for the “Information Technology Systems” ac-
count for development, modernization, and enhancement
may be transferred among projects or to newly defined
projects: Provided further, That no project may be in-
creased or decreased by more than $1,000,000 of cost
prior to submitting a request to the Committees on Approp-
riations of both Houses of Congress to make the transfer
and an approval is issued, or absent a response, a period
of 30 days has elapsed: Provided further, That funds under
this heading may be used by the Interagency Program Of-
fice through the Department of Veterans Affairs to define
data standards, code sets, and value sets used to enable
interoperability: Provided further, That, of the funds made
available for information technology systems development,
modernization, and enhancement for the development of an electronic health record, not more than 25 percent may be obligated or expended until the Secretary of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress:

(1) a detailed explanation of the solicitation submitted to Cerner Corporation for development of an electronic health record for the Department of Veterans Affairs;

(2) an explanation of how the electronic health record would replicate the Military Health System (MHS) Genesis record developed by Cerner for the Department of Defense, as well as the enhanced capabilities the Department of Veterans Affairs requires to achieve complete interoperability with the Department of Defense system and non-Department of Veterans Affairs providers who participate in the Department of Veterans Affairs healthcare system;

(3) a strategic plan for development of the electronic health record system, an associated implementation plan including timelines and performance milestones, a master schedule and annual and life-cycle cost estimates;

(4) information on plans to maintain current functionality and integration with Department of
Defense records during the transition to MHS Genesis; and

(5) Department of Veterans Affairs plans to manage the transition process to MHS Genesis, including possible pilot programs, training for users, and use of change management tools:

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

OFFICE OF INSPECTOR GENERAL


CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction manage-
ment 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 ac-
quisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, $410,530,000, of which $372,000,000 shall remain avail-
able until September 30, 2022, and of which $38,530,000 shall remain available until expended: Provided, That ex-
ccept for advance planning activities, including needs as-
essments which may or may not lead to capital invest-
ments, and other capital asset management related activi-
ties, including portfolio development and management ac-
tivities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital invest-
ments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account and contracting officers who manage specific major construction projects, and funds provided for the purchase, security, and maintenance of land for the National Cemetery Administration through the land
acquisition line item, none of the funds made available under this heading shall be used for any project that has not been notified to Congress through the budgetary process or that has not been approved by the Congress through statute, joint resolution, or in the explanatory statement accompanying such Act and presented to the President at the time of enrollment: Provided further, That funds made available under this heading for fiscal year 2018, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2018; and (2) by the awarding of a construction contract by September 30, 2019: Provided further, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above: Provided further, That, of the amount made available under this heading, $117,300,000 for Veterans Health Administration major construction projects shall not be available until the Department of Veterans Affairs—

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

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

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38,
United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, $342,570,000, to remain available until September 30, 2022, along with unobligated balances of previous “Construction, Minor Projects” appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: Provided, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to re-model, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, $90,000,000, to remain available until expended.
GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

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

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2018 for “Compensation and Pensions”, “Readjustment Benefits”, and “Veterans Insurance and Indemnities” may be transferred as necessary to any other of the mentioned appropriations: Provided, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2018, in this or any other Act, under the “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, and “Medical Facilities” accounts may be transferred among the accounts: Provided, That any transfers among
the “Medical Services”, “Medical Community Care”, and “Medical Support and Compliance” accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: Provided further, That any transfers among the “Medical Services”, “Medical Community Care”, and “Medical Support and Compliance” accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That any transfers to or from the “Medical Facilities” account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

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

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

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

SEC. 206. Appropriations available in this title for “Compensation and Pensions”, “Readjustment Benefits”, and “Veterans Insurance and Indemnities” shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2017.
SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from “Compensation and Pensions”.

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2018, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans’ Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the “General Operating Expenses, Veterans Benefits Administration” and “Information Technology Systems” accounts for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2018 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of
administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2018 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management, the Office of Employment Discrimination Complaint Adjudication, the Office of Accountability Review, the Central Whistleblower Office, the Office of Diversity and Inclusion, and the Office of the Executive Director of Accountability and Whistleblower Protection, for all services provided at rates which will recover actual costs but not to exceed $47,668,000 for the Office of Resolution Man-
agement, $3,932,000 for the Office of Employment Discrimination Complaint Adjudication, $10,057,000 for the Office of Accountability Review, $6,646,000 for the Central Whistleblower Office, $2,973,000 for the Office of Diversity and Inclusion, and $917,000 for the Office of the Executive Director of Accountability and Whistleblower Protection: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to the “General Administration” and “Information Technology Systems” accounts for use by the office that provided the service.

SEC. 211. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further,
ther, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

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

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

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

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.
SEC. 214. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to the “Medical Services” and “Medical Community Care” accounts to remain available until expended for the purposes of these accounts.

SEC. 215. The Secretary of Veterans Affairs may enter into agreements with Federally Qualified Health Centers in the State of Alaska and Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, to provide healthcare, including behavioral health and dental care, to veterans in rural Alaska. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term “rural Alaska” shall mean those lands which are not within the boundaries of the municipality of Anchorage or the Fairbanks North Star Borough.

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

SEC. 217. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a report on the financial status of the Department of Veterans Affairs for the preceding quarter:

Provided, That, at a minimum, the report shall include the direction contained in the paragraph entitled “Quarterly reporting”, under the heading “General Administration” in the joint explanatory statement accompanying Public Law 114-223.

(INCLUDING TRANSFER OF FUNDS)

SEC. 218. Amounts made available under the “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, “Medical Facilities”, “General Operating Expenses, Veterans Benefits Administration”, “Board of Veterans Appeals”, “General Administration”, and “National Cemetery Administration” accounts for fiscal year 2018 may be transferred to or from the “Information Technology Systems” account: Provided, That such transfers may not result in a more than 10 percent aggregate increase in the total amount made available by this Act for the “Information Technology Systems” account: Provided further, That, before a transfer may take place,
the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 219. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2018 for “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, “Medical Facilities”, “Construction, Minor Projects”, and “Information Technology Systems”, up to $297,137,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appro-
appropriations of both Houses of Congress: Provided further,

That section 222 of title II of division A of Military Con-
struction, Veterans Affairs, and Related Agencies Appropri-
ations Act, 2017 (Public Law 114–223) is repealed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Of the amounts appropriated to the De-
partment of Veterans Affairs which become available on
October 1, 2018, for “Medical Services”, “Medical Com-
community Care”, “Medical Support and Compliance”, and
“Medical Facilities”, up to $306,378,000, plus reimburse-
ments, may be transferred to the Joint Department of De-
fense-Department of Veterans Affairs Medical Facility
Demonstration Fund, established by section 1704 of the
(Public Law 111–84; 123 Stat. 3571) and may be used
for operation of the facilities designated as combined Fed-
eral medical facilities as described by section 706 of the
Duncan Hunter National Defense Authorization Act for
Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500):
Provided, That additional funds may be transferred from
accounts designated in this section to the Joint Depart-
ment of Defense-Department of Veterans Affairs Medical
Facility Demonstration Fund upon written notification by
the Secretary of Veterans Affairs to the Committees on
Appropriations of both Houses of Congress.
SEC. 221. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

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

SEC. 223. None of the funds available to the Department of Veterans Affairs, in this or any other Act, may be used to replace the current system by which the Veterans Integrated Service Networks select and contract for diabetes monitoring supplies and equipment.

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

SEC. 225. None of the funds made available for “Construction, Major Projects” may be used for a project in excess of the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations unless the Secretary of Veterans Affairs receives approval from the Committees on Appropriations of both Houses of Congress.
Sec. 226. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report containing performance measures and data from each Veterans Benefits Administration Regional Office: Provided, That, at a minimum, the report shall include the direction contained in the section entitled “Disability claims backlog”, under the heading “General Operating Expenses, Veterans Benefits Administration” in the joint explanatory statement accompanying Public Law 114-223: Provided further, That the report shall also include information on the number of appeals pending at the Veterans Benefits Administration as well as the Board of Veterans Appeals on a quarterly basis.

Sec. 227. Of the amounts made available for fiscal year 2018 for the “Medical Services” and “Medical Support and Compliance” accounts, not more than $226,012,000 shall be available to develop an electronic health record: Provided, That not more than 25 percent of the amount made available for such purpose may be obligated or expended until the Secretary of Veterans Affairs submits to the Committees on Appropriations of both House of Congress a detailed explanation of the activities to develop the Military Health System Genesis electronic
health record to be funded by the Veterans Health Admin-
istration rather than the Office of Information Tech-
ology, a timeline for completion, master schedule, per-
formance milestones, and annual and life-cycle Veterans
Health Administration cost estimates.

SEC. 228. The Secretary of Veterans Affairs shall
provide written notification to the Committees on Appro-
priations of both Houses of Congress 15 days prior to or-
ganizational changes which result in the transfer of 25 or
more full-time equivalents from one organizational unit of
the Department of Veterans Affairs to another.

SEC. 229. The Secretary of Veterans Affairs shall
provide on a quarterly basis to the Committees on Appro-
priations of both Houses of Congress notification of any
single national outreach and awareness marketing cam-
paign in which obligations exceed $2,000,000.

(INCLUDING TRANSFER OF FUNDS)

SEC. 230. The Secretary of Veterans Affairs, upon
determination that such action is necessary to address
needs of the Veterans Health Administration, may trans-
fer to the “Medical Services” account any discretionary
appropriations made available for fiscal year 2018 in this
title (except appropriations made to the “General Oper-
ating Expenses, Veterans Benefits Administration” ac-
count) or any discretionary unobligated balances within
the Department of Veterans Affairs, including those appropriated for fiscal year 2018, that were provided in advance by appropriations Acts: Provided, That transfers shall be made only with the approval of the Office of Management and Budget: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority provided by law: Provided further, That no amounts may be transferred from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That such authority to transfer may not be used unless for higher priority items, based on emergent healthcare requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: Provided further, That, upon determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation and shall be available for the same purposes as originally appropriated: Provided further, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.
SEC. 231. Amounts made available for the Department of Veterans Affairs for fiscal year 2018, under the “Board of Veterans Appeals” and the “General Operating Expenses, Veterans Benefits Administration” accounts may be transferred between such accounts: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

SEC. 232. The Secretary of Veterans Affairs may not reprogram funds among major construction projects or programs if such instance of reprogramming will exceed $5,000,000, unless such reprogramming is approved by the Committees on Appropriations of both Houses of Congress.

SEC. 233. Of the discretionary funds made available in Public Law 114-223 for the Department of Veterans Affairs for fiscal year 2018, $313,730,000 are rescinded from “Medical Services”, $63,282,000 are rescinded from “Medical Support and Compliance”, and $22,960,000 are rescinded from “Medical Facilities”.

SEC. 234. The amounts otherwise made available by this Act for the following accounts of the Department of Veterans Affairs for fiscal year 2018:
Veterans Affairs are hereby reduced by the following amounts:

1. “Veterans Health Administration—Medical and Prosthetic Research”, $6,823,000.
2. “National Cemetery Administration”, $3,003,000.
3. “Departmental Administration—General Administration”, $3,600,000.
4. “Departmental Administration—Board of Veterans Appeals”, $1,579,000.

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

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

(2) adheres to all requirements of the American Association of Suicidology.
SEC. 236. None of the funds in this or any other Act may be used to close Department of Veterans Affairs (VA) hospitals, domiciliaries, or clinics, conduct an environmental assessment, or to diminish healthcare services at existing Veterans Health Administration medical facilities located in Veterans Integrated Service Network 23 as part of a planned realignment of VA services until the Secretary provides to the Committees on Appropriations of both Houses of Congress a report including the following elements:

(1) a national realignment strategy that includes a detailed description of realignment plans within each Veterans Integrated Services Network (VISN), including an updated Long Range Capital Plan to implement realignment requirements;

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

(3) a cost versus benefit analysis of each planned realignment, including the cost of replacing Veterans Health Administration services with contract care or other outsourced services;

(4) an analysis of how any such planned realignment of services will impact access to care for veterans living in rural or highly rural areas, includ-
ing travel distances and transportation costs to access a VA medical facility and availability of local specialty and primary care;

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

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

(7) consideration given for reuse of historic buildings within newly identified realignment requirements: Provided, That, this provision shall not apply to capital projects in VISN 23, or any other VISN, which have been authorized or approved by Congress.

SEC. 237. Section 8109(b) of title 38, United States Code, is amended—

(1) in paragraph (2), by striking “and” at the end;

(2) in paragraph (3), by striking the period and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(4) notwithstanding subsection (a) of section 1344 of title 31, may use a passenger carrier (as such term is
defined in subsection (h)(1) of such section) to transport
such an employee between a parking facility and the med-
ical facility of the Department at which the employee
works.”

Sec. 238. None of the funds made available to the
Secretary of Veterans Affairs by this or any other Act may
be obligated or expended in contravention of the “Veterans
Health Administration Clinical Preventive Services Guid-
ance Statement on the Veterans Health Administration’s
Screening for Breast Cancer Guidance” published on May
10, 2017, as issued by the Veterans Health Administra-
tion National Center for Health Promotion and Disease
Prevention.

Sec. 239. (a) Notwithstanding any other provision
of law, the amounts appropriated or otherwise made avail-
able to the Department of Veterans Affairs for the “Med-
ical Services” account may be used to provide—

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

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

(b) In this section:
(1) The term “service-connected” has the meaning given such term in section 101 of title 38, United States Code.

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

(3) The term “assisted reproductive technology” means benefits relating to reproductive assistance provided to a member of the Armed Forces who incurs a serious injury or illness on active duty pursuant to section 1074(c)(4)(A) of title 10, United States Code, as described in the memorandum on the subject of “Policy for Assisted Reproductive Services for the Benefit of Seriously or Severely Ill/Injured (Category II or III) Active Duty Service Members” issued by the Assistant Secretary of Defense for Health Affairs on April 3, 2012, and the guidance issued to implement such policy, including any limitations on the amount of such benefits available to such a member except that —

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

(B) such term includes embryo cryopreservation and storage without limitation on the duration of such cryopreservation and storage.

(4) The term “adoption reimbursement” means reimbursement for the adoption-related expenses for an adoption that is finalized after the date of the enactment of this Act under the same terms as apply under the adoption reimbursement program of the Department of Defense, as authorized in Department of Defense Instruction 1341.09, including the reimbursement limits and requirements set forth in such instruction.

(e) Amounts made available for the purposes specified in subsection (a) of this section are subject to the requirements for funds contained in section 508 of division H of the Consolidated Appropriations Act, 2017 (Public Law 115–31).
TITLE III
RELATED AGENCIES
AMERICAN BATTLE MONUMENTS COMMISSION
SALARIES AND EXPENSES
For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed $7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $75,100,000, to remain available until expended.
FOREIGN CURRENCY FLUCTUATIONS ACCOUNT
For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.
UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, $33,600,000: Provided, That of the amount, $800,000 shall be transferred to the General Services Administration for planning and design of a courthouse: Provided further, That $2,580,000 shall be available for the purpose of providing financial assistance as described and in accordance with the process and reporting procedures set forth under this heading in Public Law 102-229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers’ and Airmen’s Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed $1,000 for official reception and representation expenses, $78,800,000, of which not to exceed $15,000,000 shall re-
main available until September 30, 2020. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the “Lease of Department of Defense Real Property for Defense Agencies” account.

ARMED FORCES RETIREMENT HOME

TRUST FUND

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

ADMINISTRATIVE PROVISIONS

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

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

TITLE IV

OVERSEAS CONTINGENCY OPERATIONS

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For an additional amount for “Military Construction, Army”, $147,158,000, to remain available until September 30, 2022, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for “Military Construction, Navy and Marine Corps”, $31,890,000, to remain available until September 30, 2022, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for “Military Construction, Air Force” $434,652,000, to remain available until September 30, 2022, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, DEFENSE-WIDE

For an additional amount for “Military Construction, Defense-Wide”, $24,300,000, to remain available until September 30, 2022, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ADMINISTRATIVE PROVISION

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

TITLE V
GENERAL PROVISIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 510. None of the funds made available in this Act may be used to execute a contract for goods or services, including construction services, where the contractor has not complied with Executive Order No. 12989.

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

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

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

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

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

(2) is—

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

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.
SEC. 513. $0.

This Act may be cited as the “Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2018”.
A BILL

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2018, and for other purposes.

115TH CONGRESS
1ST SESSION

H. R.

[Report No. 115– ]

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