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116TH CONGRESS
1ST SESSION

H. R. _____

[Report No. 116-____]

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2020, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

____ --, 2019

Ms. WASSERMAN SCHULTZ, 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, 2020, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for
5 military construction, the Department of Veterans Affairs,
6 and related agencies for the fiscal year ending September
7 30, 2020, and for other purposes, namely:

8 TITLE I

9 DEPARTMENT OF DEFENSE

10 MILITARY CONSTRUCTION, ARMY

11 For acquisition, construction, installation, and equip-
12 ment of temporary or permanent public works, military
13 installations, facilities, and real property for the Army as
14 currently authorized by law, including personnel in the
15 Army Corps of Engineers and other personal services nec-
16 essary for the purposes of this appropriation, and for con-
17 struction and operation of facilities in support of the func-
18 tions of the Commander in Chief, \$1,132,499,000, to re-
19 main available until September 30, 2024: *Provided*, That,
20 of this amount, not to exceed \$136,099,000 shall be avail-
21 able for study, planning, design, architect and engineer
22 services, and host nation support, as authorized by law,
23 unless the Secretary of the Army determines that addi-
24 tional obligations are necessary for such purposes and no-

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

3 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

4 For acquisition, construction, installation, and equip-
5 ment of temporary or permanent public works, naval in-
6 stallations, facilities, and real property for the Navy and
7 Marine Corps as currently authorized by law, including
8 personnel in the Naval Facilities Engineering Command
9 and other personal services necessary for the purposes of
10 this appropriation, \$2,205,771,000, to remain available
11 until September 30, 2024: *Provided*, That, of this amount,
12 not to exceed \$178,715,000 shall be available for study,
13 planning, design, and architect and engineer services, as
14 authorized by law, unless the Secretary of the Navy deter-
15 mines that additional obligations are necessary for such
16 purposes and notifies the Committees on Appropriations
17 of both Houses of Congress of the determination and the
18 reasons therefor.

19 MILITARY CONSTRUCTION, AIR FORCE

20 For acquisition, construction, installation, and equip-
21 ment of temporary or permanent public works, military
22 installations, facilities, and real property for the Air Force
23 as currently authorized by law, \$1,558,730,000, to remain
24 available until September 30, 2024: *Provided*, That, of
25 this amount, not to exceed \$153,148,000 shall be available

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

7 MILITARY CONSTRUCTION, DEFENSE-WIDE

8 (INCLUDING TRANSFER OF FUNDS)

9 For acquisition, construction, installation, and equip-
10 ment of temporary or permanent public works, installa-
11 tions, facilities, and real property for activities and agen-
12 cies of the Department of Defense (other than the military
13 departments), as currently authorized by law,
14 \$2,025,799,000, to remain available until September 30,
15 2024: *Provided*, That such amounts of this appropriation
16 as may be determined by the Secretary of Defense may
17 be transferred to such appropriations of the Department
18 of Defense available for military construction or family
19 housing as the Secretary may designate, to be merged with
20 and to be available for the same purposes, and for the
21 same time period, as the appropriation or fund to which
22 transferred: *Provided further*, That, of the amount, not to
23 exceed \$252,355,000 shall be available for study, plan-
24 ning, design, and architect and engineer services, as au-
25 thorized by law, unless the Secretary of Defense deter-

1 mines that additional obligations are necessary for such
2 purposes and notifies the Committees on Appropriations
3 of both Houses of Congress of the determination and the
4 reasons therefor.

5 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

6 For construction, acquisition, expansion, rehabilita-
7 tion, and conversion of facilities for the training and ad-
8 ministration of the Army National Guard, and contribu-
9 tions therefor, as authorized by chapter 1803 of title 10,
10 United States Code, and Military Construction Authoriza-
11 tion Acts, \$210,819,000, to remain available until Sep-
12 tember 30, 2024: *Provided*, That, of the amount, not to
13 exceed \$20,469,000 shall be available for study, planning,
14 design, and architect and engineer services, as authorized
15 by law, unless the Director of the Army National Guard
16 determines that additional obligations are necessary for
17 such purposes and notifies the Committees on Appropria-
18 tions of both Houses of Congress of the determination and
19 the reasons therefor.

20 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

21 For construction, acquisition, expansion, rehabilita-
22 tion, and conversion of facilities for the training and ad-
23 ministration of the Air National Guard, and contributions
24 therefor, as authorized by chapter 1803 of title 10, United
25 States Code, and Military Construction Authorization

1 Acts, \$115,971,000, to remain available until September
2 30, 2024: *Provided*, That, of the amount, not to exceed
3 \$17,000,000 shall be available for study, planning, design,
4 and architect and engineer services, as authorized by law,
5 unless the Director of the Air National Guard determines
6 that additional obligations are necessary for such purposes
7 and notifies the Committees on Appropriations of both
8 Houses of Congress of the determination and the reasons
9 therefor.

10 MILITARY CONSTRUCTION, ARMY RESERVE

11 For construction, acquisition, expansion, rehabilita-
12 tion, and conversion of facilities for the training and ad-
13 ministration of the Army Reserve as authorized by chapter
14 1803 of title 10, United States Code, and Military Con-
15 struction Authorization Acts, \$60,928,000, to remain
16 available until September 30, 2024: *Provided*, That, of the
17 amount, not to exceed \$6,000,000 shall be available for
18 study, planning, design, and architect and engineer serv-
19 ices, as authorized by law, unless the Chief of the Army
20 Reserve determines that additional obligations are nec-
21 essary for such purposes and notifies the Committees on
22 Appropriations of both Houses of Congress of the deter-
23 mination and the reasons 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 chapter 1803 of title 10,
6 United States Code, and Military Construction Authoriza-
7 tion Acts, \$54,955,000, to remain available until Sep-
8 tember 30, 2024: *Provided*, That, of the amount, not to
9 exceed \$4,780,000 shall be available for study, planning,
10 design, and architect and engineer services, as authorized
11 by law, unless the Secretary of the Navy determines that
12 additional obligations are necessary for such purposes and
13 notifies the Committees on Appropriations of both Houses
14 of Congress of the determination and the reasons therefor.

15 MILITARY CONSTRUCTION, AIR FORCE RESERVE

16 For construction, acquisition, expansion, rehabilita-
17 tion, and conversion of facilities for the training and ad-
18 ministration of the Air Force Reserve as authorized by
19 chapter 1803 of title 10, United States Code, and Military
20 Construction Authorization Acts, \$59,750,000, to remain
21 available until September 30, 2024: *Provided*, That, of the
22 amount, not to exceed \$4,604,000 shall be available for
23 study, planning, design, and architect and engineer serv-
24 ices, as authorized by law, unless the Chief of the Air
25 Force Reserve determines that additional obligations are

1 necessary for such purposes and notifies the Committees
2 on Appropriations of both Houses of Congress of the de-
3 termination and the reasons therefor.

4 NORTH ATLANTIC TREATY ORGANIZATION

5 SECURITY INVESTMENT PROGRAM

6 For the United States share of the cost of the North
7 Atlantic Treaty Organization Security Investment Pro-
8 gram for the acquisition and construction of military fa-
9 cilities and installations (including international military
10 headquarters) and for related expenses for the collective
11 defense of the North Atlantic Treaty Area as authorized
12 by section 2806 of title 10, United States Code, and Mili-
13 tary Construction Authorization Acts, \$172,005,000, to
14 remain available until expended.

15 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

16 For deposit into the Department of Defense Base
17 Closure Account, established by section 2906(a) of the De-
18 fense Base Closure and Realignment Act of 1990 (10
19 U.S.C. 2687 note), \$398,526,000, to remain available
20 until expended.

21 FAMILY HOUSING CONSTRUCTION, ARMY

22 For expenses of family housing for the Army for con-
23 struction, including acquisition, replacement, addition, ex-
24 pansion, extension, and alteration, as authorized by law,

1 \$141,372,000, to remain available until September 30,
2 2024.

3 FAMILY HOUSING OPERATION AND MAINTENANCE,

4 ARMY

5 For expenses of family housing for the Army for op-
6 eration and maintenance, including debt payment, leasing,
7 minor construction, principal and interest charges, and in-
8 surance premiums, as authorized by law, \$407,907,000.

9 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE

10 CORPS

11 For expenses of family housing for the Navy and Ma-
12 rine Corps for construction, including acquisition, replace-
13 ment, addition, expansion, extension, and alteration, as
14 authorized by law, \$47,661,000, to remain available until
15 September 30, 2024.

16 FAMILY HOUSING OPERATION AND MAINTENANCE,

17 NAVY AND MARINE CORPS

18 For expenses of family housing for the Navy and Ma-
19 rine Corps for operation and maintenance, including debt
20 payment, leasing, minor construction, principal and inter-
21 est charges, and insurance premiums, as authorized by
22 law, \$377,470,000.

23 FAMILY HOUSING CONSTRUCTION, AIR FORCE

24 For expenses of family housing for the Air Force for
25 construction, including acquisition, replacement, addition,

1 expansion, extension, and alteration, as authorized by law,
2 \$103,631,000, to remain available until September 30,
3 2024.

4 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
5 FORCE

6 For expenses of family housing for the Air Force for
7 operation and maintenance, including debt payment, leas-
8 ing, minor construction, principal and interest charges,
9 and insurance premiums, as authorized by law,
10 \$326,216,000.

11 FAMILY HOUSING OPERATION AND MAINTENANCE,
12 DEFENSE-WIDE

13 For expenses of family housing for the activities and
14 agencies of the Department of Defense (other than the
15 military departments) for operation and maintenance,
16 leasing, and minor construction, as authorized by law,
17 \$57,000,000.

18 DEPARTMENT OF DEFENSE FAMILY HOUSING
19 IMPROVEMENT FUND

20 For the Department of Defense Family Housing Im-
21 provement Fund, \$3,045,000, to remain available until ex-
22 pended, for family housing initiatives undertaken pursu-
23 ant to section 2883 of title 10, United States Code, pro-
24 viding alternative means of acquiring and improving mili-
25 tary family housing and supporting facilities.

1 MILITARY UNACCOMPANIED HOUSING IMPROVEMENT
2 FUND

3 For the Department of Defense Military Unaccom-
4 panied Housing Improvement Fund, \$500,000, to remain
5 available until expended, for unaccompanied housing ini-
6 tiatives undertaken pursuant to section 2883 of title 10,
7 United States Code, providing alternative means of acquir-
8 ing and improving military unaccompanied housing and
9 supporting facilities.

10 ADMINISTRATIVE PROVISIONS

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

18 SEC. 102. Funds made available in this title for con-
19 struction shall be available for hire of passenger motor ve-
20 hicles.

21 SEC. 103. Funds made available in this title for con-
22 struction may be used for advances to the Federal High-
23 way Administration, Department of Transportation, for
24 the construction of access roads as authorized by section
25 210 of title 23, United States Code, when projects author-

1 ized therein are certified as important to the national de-
2 fense by the Secretary of Defense.

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

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

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

23 SEC. 107. None of the funds made available in this
24 title for minor construction may be used to transfer or
25 relocate any activity from one base or installation to an-

1 other, without prior notification to the Committees on Ap-
2 propriations of both Houses of Congress.

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

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

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

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

24 SEC. 112. None of the funds made available in this
25 title for military construction in the United States terri-

1 tories and possessions in the Pacific and on Kwajalein
2 Atoll, or in countries bordering the Arabian Gulf, may be
3 used to award any contract estimated by the Government
4 to exceed \$1,000,000 to a foreign contractor: *Provided*,
5 That this section shall not be applicable to contract
6 awards for which the lowest responsive and responsible bid
7 of a United States contractor exceeds the lowest respon-
8 sive and responsible bid of a foreign contractor by greater
9 than 20 percent: *Provided further*, That this section shall
10 not apply to contract awards for military construction on
11 Kwajalein Atoll for which the lowest responsive and re-
12 sponsible bid is submitted by a Marshallese contractor.

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

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

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

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

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 117. Subject to 30 days prior notification, or
21 14 days for a notification provided in an electronic me-
22 dium pursuant to sections 480 and 2883 of title 10,
23 United States Code, to the Committees on Appropriations
24 of both Houses of Congress, such additional amounts as
25 may be determined by the Secretary of Defense may be

1 transferred to: (1) the Department of Defense Family
2 Housing Improvement Fund from amounts appropriated
3 for construction in “Family Housing” accounts, to be
4 merged with and to be available for the same purposes
5 and for the same period of time as amounts appropriated
6 directly to the Fund; or (2) the Department of Defense
7 Military Unaccompanied Housing Improvement Fund
8 from amounts appropriated for construction of military
9 unaccompanied housing in “Military Construction” ac-
10 counts, to be merged with and to be available for the same
11 purposes and for the same period of time as amounts ap-
12 propriated directly to the Fund: *Provided*, That appropria-
13 tions made available to the Funds shall be available to
14 cover the costs, as defined in section 502(5) of the Con-
15 gressional Budget Act of 1974, of direct loans or loan
16 guarantees issued by the Department of Defense pursuant
17 to the provisions of subchapter IV of chapter 169 of title
18 10, United States Code, pertaining to alternative means
19 of acquiring and improving military family housing, mili-
20 tary unaccompanied housing, and supporting facilities.

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 118. In addition to any other transfer authority
23 available to the Department of Defense, amounts may be
24 transferred from the Department of Defense Base Closure
25 Account to the fund established by section 1013(d) of the

1 Demonstration Cities and Metropolitan Development Act
2 of 1966 (42 U.S.C. 3374) to pay for expenses associated
3 with the Homeowners Assistance Program incurred under
4 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall
5 be merged with and be available for the same purposes
6 and for the same time period as the fund to which trans-
7 ferred.

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

24 SEC. 120. 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 (INCLUDING TRANSFER OF FUNDS)

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

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 122. Amounts appropriated or otherwise made
22 available in an account funded under the headings in this
23 title may be transferred among projects and activities
24 within the account in accordance with the reprogramming
25 guidelines for military construction and family housing

1 construction contained in Department of Defense Finan-
2 cial Management Regulation 7000.14–R, Volume 3, Chap-
3 ter 7, of March 2011, as in effect on the date of enactment
4 of this Act.

5 SEC. 123. None of the funds made available in this
6 title may be obligated or expended for planning and design
7 and construction of projects at Arlington National Ceme-
8 tery.

9 SEC. 124. For an additional amount for the accounts
10 and in the amounts specified, to remain available until
11 September 30, 2024:

12 “Military Construction, Army”, \$79,500,000;

13 “Military Construction, Navy and Marine
14 Corps”, \$546,800,000;

15 “Military Construction, Air Force”,
16 \$230,400,000;

17 “Military Construction, Army National Guard”,
18 \$155,000,000;

19 “Military Construction, Air National Guard”,
20 \$57,000,000; and

21 “Military Construction, Air Force Reserve”,
22 \$24,800,000:

23 *Provided*, That such funds may only be obligated to carry
24 out construction projects identified in the respective mili-
25 tary department’s unfunded priority list for fiscal year

1 2020 submitted to Congress: *Provided further*, That such
2 projects are subject to authorization prior to obligation
3 and expenditure of funds to carry out construction: *Pro-*
4 *vided further*, That not later than 30 days after enactment
5 of this Act, the Secretary of the military department con-
6 cerned, or his or her designee, shall submit to the Commit-
7 tees on Appropriations of both Houses of Congress an ex-
8 penditure plan for funds provided under this section.

9 (RESCISSION OF FUNDS)

10 SEC. 125. Of the unobligated balances available to
11 the Department of Defense from prior appropriation Acts,
12 the following funds are hereby rescinded from the fol-
13 lowing accounts in the amounts specified:

14 “Military Construction, Defense-Wide”,
15 \$45,055,000.

16 SEC. 126. For the purposes of this Act, the term
17 “congressional defense committees” means the Commit-
18 tees on Armed Services of the House of Representatives
19 and the Senate, the Subcommittee on Military Construc-
20 tion and Veterans Affairs of the Committee on Appropria-
21 tions of the Senate, and the Subcommittee on Military
22 Construction and Veterans Affairs of the Committee on
23 Appropriations of the House of Representatives.

24 SEC. 127. All amounts appropriated to the “Depart-
25 ment of Defense—Military Construction, Army”, “De-

1 partment of Defense—Military Construction, Navy and
2 Marine Corps”, “Department of Defense—Military Con-
3 struction, Air Force”, and “Department of Defense—Mili-
4 tary Construction, Defense-Wide” accounts pursuant to
5 the authorization of appropriations in a National Defense
6 Authorization Act specified for fiscal year 2020 in the
7 funding table in section 4601 of that Act shall be imme-
8 diately available and allotted to contract for the full scope
9 of authorized projects.

10

TITLE II

11

DEPARTMENT OF VETERANS AFFAIRS

12

VETERANS BENEFITS ADMINISTRATION

13

COMPENSATION AND PENSIONS

14

(INCLUDING TRANSFER OF FUNDS)

15

For the payment of compensation benefits to or on
16 behalf of veterans and a pilot program for disability ex-
17 aminations as authorized by section 107 and chapters 11,
18 13, 18, 51, 53, 55, and 61 of title 38, United States Code;
19 pension benefits to or on behalf of veterans as authorized
20 by chapters 15, 51, 53, 55, and 61 of title 38, United
21 States Code; and burial benefits, the Reinstated Entitle-
22 ment Program for Survivors, emergency and other offi-
23 cers’ retirement pay, adjusted-service credits and certifi-
24 cates, payment of premiums due on commercial life insur-
25 ance policies guaranteed under the provisions of title IV

1 of the Servicemembers Civil Relief Act (50 U.S.C. App.
2 541 et seq.) and for other benefits as authorized by sec-
3 tions 107, 1312, 1977, and 2106, and chapters 23, 51,
4 53, 55, and 61 of title 38, United States Code,
5 \$116,801,316,000, shall become available on October 1,
6 2020: *Provided*, That not to exceed \$18,147,000 of the
7 amount made available for fiscal year 2021 under this
8 heading shall be reimbursed to “General Operating Ex-
9 penses, Veterans Benefits Administration”, and “Informa-
10 tion Technology Systems” for necessary expenses in imple-
11 menting the provisions of chapters 51, 53, and 55 of title
12 38, United States Code, the funding source for which is
13 specifically provided as the “Compensation and Pensions”
14 appropriation: *Provided further*, That such sums as may
15 be earned on an actual qualifying patient basis, shall be
16 reimbursed to “Medical Care Collections Fund” to aug-
17 ment the funding of individual medical facilities for nurs-
18 ing home care provided to pensioners as authorized.

19 READJUSTMENT BENEFITS

20 For the payment of readjustment and rehabilitation
21 benefits to or on behalf of veterans as authorized by chap-
22 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and
23 61 of title 38, United States Code, \$12,578,965,000, to
24 remain available until expended and to become available
25 on October 1, 2020: *Provided*, That expenses for rehabili-

1 tation program services and assistance which the Sec-
2 retary is authorized to provide under subsection (a) of sec-
3 tion 3104 of title 38, United States Code, other than
4 under paragraphs (1), (2), (5), and (11) of that sub-
5 section, shall be charged to this account.

6 VETERANS INSURANCE AND INDEMNITIES

7 For military and naval insurance, national service life
8 insurance, servicemen's indemnities, service-disabled vet-
9 erans insurance, and veterans mortgage life insurance as
10 authorized by chapters 19 and 21, title 38, United States
11 Code, \$17,620,000, to remain available until expended,
12 which shall be in addition to funds previously appropriated
13 under this heading that become available on October 1,
14 2019; and in addition, \$129,224,000, to remain available
15 until expended, which shall become available on October
16 1, 2020.

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 2020,
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, \$200,377,391.

5 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

6 For the cost of direct loans, \$57,729, 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 \$2,008,232.

14 In addition, for administrative expenses necessary to
15 carry out the direct loan program, \$401,880, 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, \$1,186,000.

1 GENERAL OPERATING EXPENSES, VETERANS BENEFITS
2 ADMINISTRATION

3 For necessary operating expenses of the Veterans
4 Benefits Administration, not otherwise provided for, in-
5 cluding hire of passenger motor vehicles, reimbursement
6 of the General Services Administration for security guard
7 services, and reimbursement of the Department of De-
8 fense for the cost of overseas employee mail,
9 \$3,025,000,000: *Provided*, That expenses for services and
10 assistance authorized under paragraphs (1), (2), (5), and
11 (11) of section 3104(a) of title 38, United States Code,
12 that the Secretary of Veterans Affairs determines are nec-
13 essary to enable entitled veterans: (1) to the maximum ex-
14 tent feasible, to become employable and to obtain and
15 maintain suitable employment; or (2) to achieve maximum
16 independence in daily living, shall be charged to this ac-
17 count: *Provided further*, That, of the funds made available
18 under this heading, not to exceed 10 percent shall remain
19 available until September 30, 2021.

20 VETERANS HEALTH ADMINISTRATION
21 MEDICAL SERVICES

22 For necessary expenses for furnishing, as authorized
23 by law, inpatient and outpatient care and treatment to
24 beneficiaries of the Department of Veterans Affairs and
25 veterans described in section 1705(a) of title 38, United

1 States Code, including care and treatment in facilities not
2 under the jurisdiction of the Department, and including
3 medical supplies and equipment, bioengineering services,
4 food services, and salaries and expenses of healthcare em-
5 ployees hired under title 38, United States Code, aid to
6 State homes as authorized by section 1741 of title 38,
7 United States Code, assistance and support services for
8 caregivers as authorized by section 1720G of title 38,
9 United States Code, loan repayments authorized by sec-
10 tion 604 of the Caregivers and Veterans Omnibus Health
11 Services Act of 2010 (Public Law 111–163; 124 Stat.
12 1174; 38 U.S.C. 7681 note), monthly assistance allow-
13 ances authorized by section 322(d) of title 38, United
14 States Code, grants authorized by section 521A of title
15 38, United States Code, and administrative expenses nec-
16 essary to carry out sections 322(d) and 521A of title 38,
17 United States Code, and hospital care and medical serv-
18 ices authorized by section 1787 of title 38, United States
19 Code; \$169,160,000, which shall be in addition to funds
20 previously appropriated under this heading that become
21 available on October 1, 2019; and, in addition,
22 \$56,158,015,000, plus reimbursements, shall become
23 available on October 1, 2020, and shall remain available
24 until September 30, 2021: *Provided*, That, of the amount
25 made available on October 1, 2020, under this heading,

1 \$1,500,000,000 shall remain available until September 30,
2 2022: *Provided further*, That, notwithstanding any other
3 provision of law, the Secretary of Veterans Affairs shall
4 establish a priority for the provision of medical treatment
5 for veterans who have service-connected disabilities, lower
6 income, or have special needs: *Provided further*, That, not-
7 withstanding any other provision of law, the Secretary of
8 Veterans Affairs shall give priority funding for the provi-
9 sion of basic medical benefits to veterans in enrollment
10 priority groups 1 through 6: *Provided further*, That, not-
11 withstanding any other provision of law, the Secretary of
12 Veterans Affairs may authorize the dispensing of prescrip-
13 tion drugs from Veterans Health Administration facilities
14 to enrolled veterans with privately written prescriptions
15 based on requirements established by the Secretary: *Pro-*
16 *vided further*, That the implementation of the program de-
17 scribed in the previous proviso shall incur no additional
18 cost to the Department of Veterans Affairs: *Provided fur-*
19 *ther*, That the Secretary of Veterans Affairs shall ensure
20 that sufficient amounts appropriated under this heading
21 for medical supplies and equipment are available for the
22 acquisition of prosthetics designed specifically for female
23 veterans: *Provided further*, That of the amount made
24 available on October 1, 2019, under this heading, not less

1 than \$581,514,000 shall be for gender-specific care for
2 women as described in the report accompanying this Act.

3 MEDICAL COMMUNITY CARE

4 For necessary expenses for furnishing health care to
5 individuals pursuant to chapter 17 of title 38, United
6 States Code, at non-Department facilities,
7 \$4,521,400,000, which shall be in addition to funds pre-
8 viously appropriated under this heading that become avail-
9 able on October 1, 2019; and, in addition,
10 \$17,131,179,000, plus reimbursements, shall become
11 available on October 1, 2020, and shall remain available
12 until September 30, 2021: *Provided*, That, of the amount
13 made available on October 1, 2020, under this heading,
14 \$2,000,000,000 shall remain available until September 30,
15 2022.

16 MEDICAL SUPPORT AND COMPLIANCE

17 For necessary expenses in the administration of the
18 medical, hospital, nursing home, domiciliary, construction,
19 supply, and research activities, as authorized by law; ad-
20 ministrative expenses in support of capital policy activi-
21 ties; and administrative and legal expenses of the Depart-
22 ment for collecting and recovering amounts owed the De-
23 partment as authorized under chapter 17 of title 38,
24 United States Code, and the Federal Medical Care Recov-
25 ery Act (42 U.S.C. 2651 et seq.), \$98,800,000, which shall

1 be in addition to funds previously appropriated under this
2 heading that become available on October 1, 2019; and,
3 in addition, \$7,914,191,000, plus reimbursements, shall
4 become available on October 1, 2020, and shall remain
5 available until September 30, 2021: *Provided*, That, of the
6 amount made available on October 1, 2020, under this
7 heading, \$150,000,000 shall remain available until Sep-
8 tember 30, 2022.

9 MEDICAL FACILITIES

10 For necessary expenses for the maintenance and op-
11 eration of hospitals, nursing homes, domiciliary facilities,
12 and other necessary facilities of the Veterans Health Ad-
13 ministration; for administrative expenses in support of
14 planning, design, project management, real property ac-
15 quisition and disposition, construction, and renovation of
16 any facility under the jurisdiction or for the use of the
17 Department; for oversight, engineering, and architectural
18 activities not charged to project costs; for repairing, alter-
19 ing, improving, or providing facilities in the several hos-
20 pitals and homes under the jurisdiction of the Depart-
21 ment, not otherwise provided for, either by contract or by
22 the hire of temporary employees and purchase of mate-
23 rials; for leases of facilities; and for laundry services;
24 \$20,000,000, which shall be in addition to funds pre-
25 viously appropriated under this heading that become avail-

1 able on October 1, 2019; and, in addition,
2 \$6,433,265,000, plus reimbursements, shall become avail-
3 able on October 1, 2020, and shall remain available until
4 September 30, 2021: *Provided*, That, of the amount made
5 available on October 1, 2020, under this heading,
6 \$250,000,000 shall remain available until September 30,
7 2022.

8 MEDICAL AND PROSTHETIC RESEARCH

9 For necessary expenses in carrying out programs of
10 medical and prosthetic research and development as au-
11 thorized by chapter 73 of title 38, United States Code,
12 \$840,000,000, plus reimbursements, shall remain avail-
13 able until September 30, 2021.

14 NATIONAL CEMETERY ADMINISTRATION

15 For necessary expenses of the National Cemetery Ad-
16 ministration for operations and maintenance, not other-
17 wise provided for, including uniforms or allowances there-
18 for; cemeterial expenses as authorized by law; purchase
19 of one passenger motor vehicle for use in cemeterial oper-
20 ations; hire of passenger motor vehicles; and repair, alter-
21 ation or improvement of facilities under the jurisdiction
22 of the National Cemetery Administration, \$329,000,000,
23 of which not to exceed 10 percent shall remain available
24 until September 30, 2021.

1 DEPARTMENTAL ADMINISTRATION

2 GENERAL ADMINISTRATION

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary operating expenses of the Department
5 of Veterans Affairs, not otherwise provided for, including
6 administrative expenses in support of Department-wide
7 capital planning, management and policy activities, uni-
8 forms, or allowances therefor; not to exceed \$25,000 for
9 official reception and representation expenses; hire of pas-
10 senger motor vehicles; and reimbursement of the General
11 Services Administration for security guard services,
12 \$369,200,000, of which not to exceed 10 percent shall re-
13 main available until September 30, 2021: *Provided*, That
14 funds provided under this heading may be transferred to
15 “General Operating Expenses, Veterans Benefits Adminis-
16 tration”.

17 BOARD OF VETERANS APPEALS

18 For necessary operating expenses of the Board of
19 Veterans Appeals, \$182,000,000, of which not to exceed
20 10 percent shall remain available until September 30,
21 2021.

22 INFORMATION TECHNOLOGY SYSTEMS

23 (INCLUDING TRANSFER OF FUNDS)

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

1 opmental information systems and operational information
2 systems; for pay and associated costs; and for the capital
3 asset acquisition of information technology systems, in-
4 cluding management and related contractual costs of said
5 acquisitions, including contractual costs associated with
6 operations authorized by section 3109 of title 5, United
7 States Code, \$4,343,000,000, plus reimbursements: *Pro-*
8 *vided*, That \$1,204,238,000 shall be for pay and associ-
9 ated costs, of which not to exceed 3 percent shall remain
10 available until September 30, 2021: *Provided further*, That
11 \$2,737,482,000 shall be for operations and maintenance,
12 of which not to exceed 5 percent shall remain available
13 until September 30, 2021: *Provided further*, That
14 \$401,280,000 shall be for information technology systems
15 development, and shall remain available until September
16 30, 2021: *Provided further*, That amounts made available
17 for salaries and expenses, operations and maintenance,
18 and information technology systems development may be
19 transferred among the three subaccounts after the Sec-
20 retary of Veterans Affairs requests from the Committees
21 on Appropriations of both Houses of Congress the author-
22 ity to make the transfer and an approval is issued: *Pro-*
23 *vided further*, That amounts made available for the “Infor-
24 mation Technology Systems” account for development
25 may be transferred among projects or to newly defined

1 projects: *Provided further*, That no project may be in-
2 creased or decreased by more than \$1,000,000 of cost
3 prior to submitting a request to the Committees on Appro-
4 priations of both Houses of Congress to make the transfer
5 and an approval is issued, or absent a response, a period
6 of 30 days has elapsed: *Provided further*, That the funds
7 made available under this heading for information tech-
8 nology systems development shall be for the projects, and
9 in the amounts, specified under this heading in the report
10 accompanying this Act.

11 VETERANS ELECTRONIC HEALTH RECORD

12 For activities related to implementation, preparation,
13 development, interface, management, rollout, and mainte-
14 nance of a Veterans Electronic Health Record system, in-
15 cluding contractual costs associated with operations au-
16 thorized by section 3109 of title 5, United States Code,
17 and salaries and expenses of employees hired under titles
18 5 and 38, United States Code, \$1,603,000,000, to remain
19 available until September 30, 2022: *Provided*, That the
20 Secretary of Veterans Affairs shall submit to the Commit-
21 tees on Appropriations of both Houses of Congress quar-
22 terly reports detailing obligations, expenditures, and de-
23 ployment implementation by facility: *Provided further*,
24 That the funds provided in this account shall only be avail-
25 able to the Office of the Deputy Secretary, to be adminis-

1 tered by that Office: *Provided further*, That none of the
2 funds made available under this heading may be obligated
3 in a manner inconsistent with deployment schedules pro-
4 vided to the Committees on Appropriations unless the Sec-
5 retary of Veterans Affairs provides notification to the
6 Committees on Appropriations of such change and an ap-
7 proval is issued.

8 OFFICE OF INSPECTOR GENERAL

9 For necessary expenses of the Office of Inspector
10 General, to include information technology, in carrying out
11 the provisions of the Inspector General Act of 1978 (5
12 U.S.C. App.), \$222,000,000, of which not to exceed 10
13 percent shall remain available until September 30, 2021.

14 CONSTRUCTION, MAJOR PROJECTS

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

1 quisation, where the estimated cost of a project is more
2 than the amount set forth in section 8104(a)(3)(A) of title
3 38, United States Code, or where funds for a project were
4 made available in a previous major project appropriation,
5 \$1,235,200,000, of which \$1,036,600,000 shall remain
6 available until September 30, 2024, and of which
7 \$198,600,000 shall remain available until expended, of
8 which \$35,000,000 shall be available for seismic improve-
9 ment projects and seismic program management activities,
10 including for projects that would otherwise be funded by
11 the Construction, Minor Projects, Medical Facilities or
12 National Cemetery Administration accounts: *Provided*,
13 That except for advance planning activities, including
14 needs assessments which may or may not lead to capital
15 investments, and other capital asset management related
16 activities, including portfolio development and manage-
17 ment activities, and investment strategy studies funded
18 through the advance planning fund and the planning and
19 design activities funded through the design fund, including
20 needs assessments which may or may not lead to capital
21 investments, and funds provided for the purchase, secu-
22 rity, and maintenance of land for the National Cemetery
23 Administration through the land acquisition line item,
24 none of the funds made available under this heading shall
25 be used for any project that has not been notified to Con-

1 gress through the budgetary process or that has not been
2 approved by the Congress through statute, joint resolu-
3 tion, or in the explanatory statement accompanying such
4 Act and presented to the President at the time of enroll-
5 ment: *Provided further*, That such sums as may be nec-
6 essary shall be available to reimburse the “General Admin-
7 istration” account for payment of salaries and expenses
8 of all Office of Construction and Facilities Management
9 employees to support the full range of capital infrastruc-
10 ture services provided, including minor construction and
11 leasing services: *Provided further*, That funds made avail-
12 able under this heading for fiscal year 2020, for each ap-
13 proved project shall be obligated: (1) by the awarding of
14 a construction documents contract by September 30,
15 2020; and (2) by the awarding of a construction contract
16 by September 30, 2021: *Provided further*, That the Sec-
17 retary of Veterans Affairs shall promptly submit to the
18 Committees on Appropriations of both Houses of Congress
19 a written report on any approved major construction
20 project for which obligations are not incurred within the
21 time limitations established above: *Provided further*, That
22 notwithstanding the requirements of section 8104(a) of
23 title 38, United States Code, amounts made available
24 under this heading for seismic improvement projects and
25 seismic program management activities shall be available

1 for the completion of both new and existing seismic
2 projects of the Department.

3 CONSTRUCTION, MINOR PROJECTS

4 For constructing, altering, extending, and improving
5 any of the facilities, including parking projects, under the
6 jurisdiction or for the use of the Department of Veterans
7 Affairs, including planning and assessments of needs
8 which may lead to capital investments, architectural and
9 engineering services, maintenance or guarantee period
10 services costs associated with equipment guarantees pro-
11 vided under the project, services of claims analysts, offsite
12 utility and storm drainage system construction costs, and
13 site acquisition, or for any of the purposes set forth in
14 sections 316, 2404, 2406 and chapter 81 of title 38,
15 United States Code, not otherwise provided for, where the
16 estimated cost of a project is equal to or less than the
17 amount set forth in section 8104(a)(3)(A) of title 38,
18 United States Code, \$421,117,000, to remain available
19 until September 30, 2024, along with unobligated balances
20 of previous “Construction, Minor Projects” appropriations
21 which are hereby made available for any project where the
22 estimated cost is equal to or less than the amount set forth
23 in such section: *Provided*, That funds made available
24 under this heading shall be for: (1) repairs to any of the
25 nonmedical facilities under the jurisdiction or for the use

1 of the Department which are necessary because of loss or
2 damage caused by any natural disaster or catastrophe;
3 and (2) temporary measures necessary to prevent or to
4 minimize further loss by such causes.

5 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
6 FACILITIES

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

14 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

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

20 ADMINISTRATIVE PROVISIONS

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 201. Any appropriation for fiscal year 2020 for
23 “Compensation and Pensions”, “Readjustment Benefits”,
24 and “Veterans Insurance and Indemnities” may be trans-
25 ferred as necessary to any other of the mentioned appro-

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

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 202. Amounts made available for the Depart-
9 ment of Veterans Affairs for fiscal year 2020, in this or
10 any other Act, under the “Medical Services”, “Medical
11 Community Care”, “Medical Support and Compliance”,
12 and “Medical Facilities” accounts may be transferred
13 among the accounts: *Provided*, That any transfers among
14 the “Medical Services”, “Medical Community Care”, and
15 “Medical Support and Compliance” accounts of 1 percent
16 or less of the total amount appropriated to the account
17 in this or any other Act may take place subject to notifica-
18 tion from the Secretary of Veterans Affairs to the Com-
19 mittees on Appropriations of both Houses of Congress of
20 the amount and purpose of the transfer: *Provided further*,
21 That any transfers among the “Medical Services”, “Med-
22 ical Community Care”, and “Medical Support and Compli-
23 ance” accounts in excess of 1 percent, or exceeding the
24 cumulative 1 percent for the fiscal year, may take place
25 only after the Secretary requests from the Committees on

1 Appropriations of both Houses of Congress the authority
2 to make the transfer and an approval is issued: *Provided*
3 *further*, That any transfers to or from the “Medical Facili-
4 ties” account 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.

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

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

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

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

6 SEC. 206. Appropriations available in this title for
7 “Compensation and Pensions”, “Readjustment Benefits”,
8 and “Veterans Insurance and Indemnities” shall be avail-
9 able for payment of prior year accrued obligations re-
10 quired to be recorded by law against the corresponding
11 prior year accounts within the last quarter of fiscal year
12 2019.

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

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 208. Notwithstanding any other provision of
22 law, during fiscal year 2020, the Secretary of Veterans
23 Affairs shall, from the National Service Life Insurance
24 Fund under section 1920 of title 38, United States Code,
25 the Veterans’ Special Life Insurance Fund under section

1 1923 of title 38, United States Code, and the United
2 States Government Life Insurance Fund under section
3 1955 of title 38, United States Code, reimburse the “Gen-
4 eral Operating Expenses, Veterans Benefits Administra-
5 tion” and “Information Technology Systems” accounts for
6 the cost of administration of the insurance programs fi-
7 nanced through those accounts: *Provided*, That reimburse-
8 ment shall be made only from the surplus earnings accu-
9 mulated in such an insurance program during fiscal year
10 2020 that are available for dividends in that program after
11 claims have been paid and actuarially determined reserves
12 have been set aside: *Provided further*, That if the cost of
13 administration of such an insurance program exceeds the
14 amount of surplus earnings accumulated in that program,
15 reimbursement shall be made only to the extent of such
16 surplus earnings: *Provided further*, That the Secretary
17 shall determine the cost of administration for fiscal year
18 2020 which is properly allocable to the provision of each
19 such insurance program and to the provision of any total
20 disability income insurance included in that insurance pro-
21 gram.

22 SEC. 209. Amounts deducted from enhanced-use
23 lease proceeds to reimburse an account for expenses in-
24 curred by that account during a prior fiscal year for pro-

1 viding enhanced-use lease services, may be obligated dur-
2 ing the fiscal year in which the proceeds are received.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 210. Funds available in this title or funds for
5 salaries and other administrative expenses shall also be
6 available to reimburse the Office of Resolution Manage-
7 ment, the Office of Employment Discrimination Complaint
8 Adjudication, and the Office of Diversity and Inclusion for
9 all services provided at rates which will recover actual
10 costs but not to exceed \$57,263,000 for the Office of Reso-
11 lution Management, \$6,000,000 for the Office of Employ-
12 ment Discrimination Complaint Adjudication, and
13 \$4,628,000 for the Office of Diversity and Inclusion: *Pro-*
14 *vided*, That payments may be made in advance for services
15 to be furnished based on estimated costs: *Provided further*,
16 That amounts received shall be credited to the “General
17 Administration” and “Information Technology Systems”
18 accounts for use by the office that provided the service.

19 SEC. 211. No funds of the Department of Veterans
20 Affairs shall be available for hospital care, nursing home
21 care, or medical services provided to any person under
22 chapter 17 of title 38, United States Code, for a non-serv-
23 ice-connected disability described in section 1729(a)(2) of
24 such title, unless that person has disclosed to the Sec-
25 retary of Veterans Affairs, in such form as the Secretary

1 may require, current, accurate third-party reimbursement
2 information for purposes of section 1729 of such title: *Pro-*
3 *vided*, That the Secretary may recover, in the same man-
4 ner as any other debt due the United States, the reason-
5 able charges for such care or services from any person who
6 does not make such disclosure as required: *Provided fur-*
7 *ther*, That any amounts so recovered for care or services
8 provided in a prior fiscal year may be obligated by the
9 Secretary during the fiscal year in which amounts are re-
10 ceived.

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 212. Notwithstanding any other provision of
13 law, proceeds or revenues derived from enhanced-use leas-
14 ing activities (including disposal) may be deposited into
15 the “Construction, Major Projects” and “Construction,
16 Minor Projects” accounts and be used for construction
17 (including site acquisition and disposition), alterations,
18 and improvements of any medical facility under the juris-
19 diction or for the use of the Department of Veterans Af-
20 fairs. Such sums as realized are in addition to the amount
21 provided for in “Construction, Major Projects” and “Con-
22 struction, Minor Projects”.

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

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

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

6 (INCLUDING TRANSFER OF FUNDS)

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

13 SEC. 215. The Secretary of Veterans Affairs may
14 enter into agreements with Federally Qualified Health
15 Centers in the State of Alaska and Indian tribes and tribal
16 organizations which are party to the Alaska Native Health
17 Compact with the Indian Health Service, to provide
18 healthcare, including behavioral health and dental care, to
19 veterans in rural Alaska. The Secretary shall require par-
20 ticipating veterans and facilities to comply with all appro-
21 priate rules and regulations, as established by the Sec-
22 retary. The term “rural Alaska” shall mean those lands
23 which are not within the boundaries of the municipality
24 of Anchorage or the Fairbanks North Star Borough.

1 (INCLUDING TRANSFER OF FUNDS)

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

8 SEC. 217. Not later than 30 days after the end of
9 each fiscal quarter, the Secretary of Veterans Affairs shall
10 submit to the Committees on Appropriations of both
11 Houses of Congress a report on the financial status of the
12 Department of Veterans Affairs for the preceding quarter:
13 *Provided*, That, at a minimum, the report shall include
14 the direction contained in the paragraph entitled “Quar-
15 terly reporting”, under the heading “General Administra-
16 tion” in the joint explanatory statement accompanying
17 Public Law 114–223.

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 218. Amounts made available under the “Med-
20 ical Services”, “Medical Community Care”, “Medical Sup-
21 port and Compliance”, “Medical Facilities”, “General Op-
22 erating Expenses, Veterans Benefits Administration”,
23 “Board of Veterans Appeals”, “General Administration”,
24 and “National Cemetery Administration” accounts for fis-
25 cal year 2020 may be transferred to or from the “Informa-

1 tion Technology Systems” account: *Provided*, That such
2 transfers may not result in a more than 10 percent aggre-
3 gate increase in the total amount made available by this
4 Act for the “Information Technology Systems” account:
5 *Provided further*, That, before a transfer may take place,
6 the Secretary of Veterans Affairs shall request from the
7 Committees on Appropriations of both Houses of Congress
8 the authority to make the transfer and an approval is
9 issued.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 219. Of the amounts appropriated to the De-
12 partment of Veterans Affairs for fiscal year 2020 for
13 “Medical Services”, “Medical Community Care”, “Medical
14 Support and Compliance”, “Medical Facilities”, “Con-
15 struction, Minor Projects”, and “Information Technology
16 Systems”, up to \$314,409,000, plus reimbursements, may
17 be transferred to the Joint Department of Defense—De-
18 partment of Veterans Affairs Medical Facility Demonstra-
19 tion Fund, established by section 1704 of the National De-
20 fense Authorization Act for Fiscal Year 2010 (Public Law
21 111–84; 123 Stat. 2571) and may be used for operation
22 of the facilities designated as combined Federal medical
23 facilities as described by section 706 of the Duncan Hun-
24 ter National Defense Authorization Act for Fiscal Year
25 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*,

1 That additional funds may be transferred from accounts
2 designated in this section to the Joint Department of De-
3 fense—Department of Veterans Affairs Medical Facility
4 Demonstration Fund upon written notification by the Sec-
5 retary of Veterans Affairs to the Committees on Appro-
6 priations of both Houses of Congress: *Provided further*,
7 That section 220 of title II of division C of Public Law
8 115–244 is repealed.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 220. Of the amounts appropriated to the De-
11 partment of Veterans Affairs which become available on
12 October 1, 2020, for “Medical Services”, “Medical Com-
13 munity Care”, “Medical Support and Compliance”, and
14 “Medical Facilities”, up to \$322,931,000, plus reimburse-
15 ments, may be transferred to the Joint Department of De-
16 fense—Department of Veterans Affairs Medical Facility
17 Demonstration Fund, established by section 1704 of the
18 National Defense Authorization Act for Fiscal Year 2010
19 (Public Law 111–84; 123 Stat. 3571) and may be used
20 for operation of the facilities designated as combined Fed-
21 eral medical facilities as described by section 706 of the
22 Duncan Hunter National Defense Authorization Act for
23 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500):
24 *Provided*, That additional funds may be transferred from
25 accounts designated in this section to the Joint Depart-

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

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 221. Such sums as may be deposited to the
7 Medical Care Collections Fund pursuant to section 1729A
8 of title 38, United States Code, for healthcare provided
9 at facilities designated as combined Federal medical facili-
10 ties as described by section 706 of the Duncan Hunter
11 National Defense Authorization Act for Fiscal Year 2009
12 (Public Law 110–417; 122 Stat. 4500) shall also be avail-
13 able: (1) for transfer to the Joint Department of De-
14 fense—Department of Veterans Affairs Medical Facility
15 Demonstration Fund, established by section 1704 of the
16 National Defense Authorization Act for Fiscal Year 2010
17 (Public Law 111–84; 123 Stat. 3571); and (2) for oper-
18 ations of the facilities designated as combined Federal
19 medical facilities as described by section 706 of the Dun-
20 can Hunter National Defense Authorization Act for Fiscal
21 Year 2009 (Public Law 110–417; 122 Stat. 4500): *Pro-*
22 *vided*, That, notwithstanding section 1704(b)(3) of the
23 National Defense Authorization Act for Fiscal Year 2010
24 (Public Law 111–84; 123 Stat. 2573), amounts trans-
25 ferred to the Joint Department of Defense—Department

1 of Veterans Affairs Medical Facility Demonstration Fund
2 shall remain available until expended.

3 (INCLUDING TRANSFER OF FUNDS)

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

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

23 SEC. 224. None of the funds made available for
24 “Construction, Major Projects” may be used for a project
25 in excess of the scope specified for that project in the origi-

1 nal justification data provided to the Congress as part of
2 the request for appropriations unless the Secretary of Vet-
3 erans Affairs receives approval from the Committees on
4 Appropriations of both Houses of Congress.

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

20 SEC. 226. The Secretary of Veterans Affairs shall
21 provide written notification to the Committees on Appro-
22 priations of both Houses of Congress 15 days prior to or-
23 ganizational changes which result in the transfer of 25 or
24 more full-time equivalents from one organizational unit of
25 the Department of Veterans Affairs to another.

1 SEC. 227. The Secretary of Veterans Affairs shall
2 provide on a quarterly basis to the Committees on Appro-
3 priations of both Houses of Congress notification of any
4 single national outreach and awareness marketing cam-
5 paign in which obligations exceed \$1,000,000.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 228. The Secretary of Veterans Affairs, upon
8 determination that such action is necessary to address
9 needs of the Veterans Health Administration, may trans-
10 fer to the “Medical Services” account any discretionary
11 appropriations made available for fiscal year 2020 in this
12 title (except appropriations made to the “General Oper-
13 ating Expenses, Veterans Benefits Administration” ac-
14 count) or any discretionary unobligated balances within
15 the Department of Veterans Affairs, including those ap-
16 propriated for fiscal year 2020, that were provided in ad-
17 vance by appropriations Acts: *Provided*, That transfers
18 shall be made only with the approval of the Office of Man-
19 agement and Budget: *Provided further*, That the transfer
20 authority provided in this section is in addition to any
21 other transfer authority provided by law: *Provided further*,
22 That no amounts may be transferred from amounts that
23 were designated by Congress as an emergency requirement
24 pursuant to a concurrent resolution on the budget or the
25 Balanced Budget and Emergency Deficit Control Act of

1 1985: *Provided further*, That such authority to transfer
2 may not be used unless for higher priority items, based
3 on emergent healthcare requirements, than those for
4 which originally appropriated and in no case where the
5 item for which funds are requested has been denied by
6 Congress: *Provided further*, That, upon determination that
7 all or part of the funds transferred from an appropriation
8 are not necessary, such amounts may be transferred back
9 to that appropriation and shall be available for the same
10 purposes as originally appropriated: *Provided further*,
11 That before a transfer may take place, the Secretary of
12 Veterans Affairs shall request from the Committees on
13 Appropriations of both Houses of Congress the authority
14 to make the transfer and receive approval of that request.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 229. Amounts made available for the Depart-
17 ment of Veterans Affairs for fiscal year 2020, under the
18 “Board of Veterans Appeals” and the “General Operating
19 Expenses, Veterans Benefits Administration” accounts
20 may be transferred between such accounts: *Provided*, That
21 before a transfer may take place, the Secretary of Vet-
22 erans Affairs shall request from the Committees on Appro-
23 priations of both Houses of Congress the authority to
24 make the transfer and receive approval of that request.

1 SEC. 230. The Secretary of Veterans Affairs may not
2 reprogram funds among major construction projects or
3 programs if such instance of reprogramming will exceed
4 \$7,000,000, unless such reprogramming is approved by
5 the Committees on Appropriations of both Houses of Con-
6 gress.

7 SEC. 231. (a) The Secretary of Veterans Affairs shall
8 ensure that the toll-free suicide hotline under section
9 1720F(h) of title 38, United States Code—

10 (1) provides to individuals who contact the hot-
11 line immediate assistance from a trained profes-
12 sional; and

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

15 (b)(1) None of the funds made available by this Act
16 may be used to enforce or otherwise carry out any Execu-
17 tive action that prohibits the Secretary of Veterans Affairs
18 from appointing an individual to occupy a vacant civil
19 service position, or establishing a new civil service position,
20 at the Department of Veterans Affairs with respect to
21 such a position relating to the hotline specified in sub-
22 section (a).

23 (2) In this subsection—

1 (A) the term “civil service” has the meaning
2 given such term in section 2101(1) of title 5, United
3 States Code; and

4 (B) the term “Executive action” includes—

5 (i) any Executive order, presidential memo-
6 randum, or other action by the President; and

7 (ii) any agency policy, order, or other di-
8 rective.

9 SEC. 232. None of the funds in this or any other Act
10 may be used to close Department of Veterans Affairs (VA)
11 hospitals, domiciliaries, or clinics, conduct an environ-
12 mental assessment, or to diminish healthcare services at
13 existing Veterans Health Administration medical facilities
14 located in Veterans Integrated Service Network 23 as part
15 of a planned realignment of VA services until the Sec-
16 retary provides to the Committees on Appropriations of
17 both Houses of Congress a report including the following
18 elements:

19 (1) a national realignment strategy that in-
20 cludes a detailed description of realignment plans
21 within each Veterans Integrated Services Network
22 (VISN), including an updated Long Range Capital
23 Plan to implement realignment requirements;

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

4 (3) a cost versus benefit analysis of each
5 planned realignment, including the cost of replacing
6 Veterans Health Administration services with con-
7 tract care or other outsourced services;

8 (4) an analysis of how any such planned re-
9 alignment of services will impact access to care for
10 veterans living in rural or highly rural areas, includ-
11 ing travel distances and transportation costs to ac-
12 cess a VA medical facility and availability of local
13 specialty and primary care;

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

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

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

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

11 SEC. 234. (a) Chapter 17 of title 38, United States
12 Code, is amended by inserting after section 1720I the fol-
13 lowing new section:

14 **“§ 1720J. Provision of assisted reproductive tech-**
15 **nology or adoption reimbursements for**
16 **certain disabled veterans**

17 “(a) PROVISION OF SERVICES.—Subject to the avail-
18 ability of appropriations, the Secretary may provide—

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

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

24 “(b) LIMITATIONS.—Amounts made available for the
25 purposes specified in subsection (a) are subject to the re-

1 requirements for funds contained in section 508 of division
2 H of the Consolidated Appropriations Act, 2017 (Public
3 Law 115–31).

4 “(c) DEFINITIONS.—In this section:

5 “(1) The term ‘adoption reimbursement’ means
6 reimbursement for the adoption-related expenses for
7 an adoption that is finalized after the date of the en-
8 actment of this section under the same terms as
9 apply under the adoption reimbursement program of
10 the Department of Defense, as authorized in De-
11 partment of Defense Instruction 1341.09, including
12 the reimbursement limits and requirements set forth
13 in such instruction, as in effect on the date of the
14 enactment of this section.

15 “(2) The term ‘assisted reproductive tech-
16 nology’ means benefits relating to reproductive as-
17 sistance provided to a member of the Armed Forces
18 who incurs a serious injury or illness on active duty
19 pursuant to section 1074(c)(4)(A) of title 10, as de-
20 scribed in the memorandum on the subject of ‘Policy
21 for Assisted Reproductive Services for the Benefit of
22 Seriously or Severely Ill/Injured (Category II or III)
23 Active Duty Service Members’ issued by the Assist-
24 ant Secretary of Defense for Health Affairs on April
25 3, 2012, and the guidance issued to implement such

1 policy, as in effect on the date of the enactment of
2 this section, including any limitations on the amount
3 of such benefits available to such a member, except
4 that—

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

9 “(B) such term includes embryo
10 cryopreservation and storage without limitation
11 on the duration of such cryopreservation and
12 storage.

13 “(3) The term ‘covered veteran’ means a vet-
14 eran who has a service-connected disability that re-
15 sults in the inability of the veteran to procreate
16 without the use of fertility treatment.”.

17 (b) The table of sections at the beginning of such
18 chapter is amended by inserting after the item relating
19 to section 1720I the following new item:

“1720J. Provision of assisted reproductive technology or adoption reimburse-
ments for certain disabled veterans.”.

20 SEC. 235. None of the funds appropriated or other-
21 wise made available by this Act or any other Act for the
22 Department of Veterans Affairs may be used in a manner
23 that is inconsistent with: (1) section 842 of the Transpor-
24 tation, Treasury, Housing and Urban Development, the

1 Judiciary, the District of Columbia, and Independent
2 Agencies Appropriations Act, 2006 (Public Law 109–115;
3 119 Stat. 2506); or (2) section 8110(a)(5) of title 38,
4 United States Code.

5 SEC. 236. Section 842 of Public Law 109–115 shall
6 not apply to conversion of an activity or function of the
7 Veterans Health Administration, Veterans Benefits Ad-
8 ministration, or National Cemetery Administration to con-
9 tractor performance by a business concern that is at least
10 51 percent owned by one or more Indian tribes as defined
11 in section 5304(e) of title 25, United States Code, or one
12 or more Native Hawaiian Organizations as defined in sec-
13 tion 637(a)(15) of title 15, United States Code.

14 SEC. 237. (a) Except as provided in subsection (b),
15 the Secretary of Veterans Affairs, in consultation with the
16 Secretary of Defense and the Secretary of Labor, shall dis-
17 continue using Social Security account numbers to identify
18 individuals in all information systems of the Department
19 of Veterans Affairs as follows:

20 (1) For all veterans submitting to the Secretary
21 of Veterans Affairs new claims for benefits under
22 laws administered by the Secretary, not later than 5
23 years after the date of the enactment of this Act.

1 (2) For all individuals not described in para-
2 graph (1), not later than 8 years after the date of
3 the enactment of this Act.

4 (b) The Secretary of Veterans Affairs may use a So-
5 cial Security account number to identify an individual in
6 an information system of the Department of Veterans Af-
7 fairs only if the use of such number is required to obtain
8 information the Secretary requires from an information
9 system that is not under the jurisdiction of the Secretary.

10 SEC. 238. For funds provided to the Department of
11 Veterans Affairs for each of fiscal year 2020 and 2021
12 for “Medical Services”, section 239 of Division A of Public
13 Law 114–223 shall apply.

14 SEC. 239. None of the funds appropriated in this or
15 prior appropriations Acts or otherwise made available to
16 the Department of Veterans Affairs may be used to trans-
17 fer any amounts from the Filipino Veterans Equity Com-
18 pensation Fund to any other account within the Depart-
19 ment of Veterans Affairs.

20 SEC. 240. Of the funds provided to the Department
21 of Veterans Affairs for each of fiscal year 2020 and fiscal
22 year 2021 for “Medical Services”, funds may be used in
23 each year to carry out and expand the child care program
24 authorized by section 205 of Public Law 111–163, not-
25 withstanding subsection (e) of such section.

1 SEC. 241. None of the funds appropriated or other-
2 wise made available in this title may be used by the Sec-
3 retary of Veterans Affairs to enter into an agreement re-
4 lated to resolving a dispute or claim with an individual
5 that would restrict in any way the individual from speak-
6 ing to members of Congress or their staff on any topic
7 not otherwise prohibited from disclosure by Federal law
8 or required by Executive Order to be kept secret in the
9 interest of national defense or the conduct of foreign af-
10 fairs.

11 SEC. 242. For funds provided to the Department of
12 Veterans Affairs for each of fiscal year 2020 and 2021,
13 section 258 of Division A of Public Law 114–223 shall
14 apply.

15 SEC. 243. For an additional amount for the Depart-
16 ment of Veterans Affairs, \$1,000,000,000 to remain avail-
17 able until expended, for infrastructure improvements, in-
18 cluding new construction, and in addition to amounts oth-
19 erwise made available in this Act for such purpose, of
20 which:

21 (1) \$850,000,000 shall be available for seismic
22 improvement projects and seismic program manage-
23 ment activities, including projects that would other-
24 wise be funded by the Construction, Major Projects,

1 the Construction, Minor Projects, Medical Facilities,
2 or National Cemetery Administration accounts;

3 (2) \$150,000,000 shall be for “Departmental
4 Administration—Construction, Minor Projects”:

5 *Provided*, That the additional amounts appropriated under
6 this section for the purpose of minor construction may be
7 used to carry out critical life-safety projects identified in
8 the Department’s annual facility condition assessments;
9 sustainment projects; modernization projects; infrastruc-
10 ture repair; renovations at existing Veterans Health Ad-
11 ministration medical centers and outpatient clinics; and
12 projects included in the Strategic Capital Investment
13 Process plan: *Provided further*, That notwithstanding the
14 requirements of section 8104(a) of title 38, United States
15 Code, amounts made available under this heading for seis-
16 mic improvement projects and seismic program manage-
17 ment activities shall be available for the completion of both
18 new and existing projects of the Department: *Provided*
19 *further*, That the additional amounts appropriated under
20 this section may not be obligated or expended until the
21 Secretary of Veterans Affairs submits to the Committees
22 on Appropriations of both Houses of Congress, and such
23 Committees approve, a detailed expenditure plan, includ-
24 ing project descriptions and costs, for any minor construc-
25 tion, major construction, or seismic improvement project

1 being funded with the additional amounts made available
2 in this administrative provision.

3 SEC. 244. (a) None of the funds appropriated or oth-
4 erwise made available by this Act may be used to deny
5 an Inspector General funded under this Act timely access
6 to any records, documents, or other materials available to
7 the department or agency of the United States Govern-
8 ment over which such Inspector General has responsibil-
9 ities under the Inspector General Act of 1978 (5 U.S.C.
10 App.), or to prevent or impede the access of such Inspector
11 General to such records, documents, or other materials,
12 under any provision of law, except a provision of law that
13 expressly refers to such Inspector General and expressly
14 limits the right of access of such Inspector General.

15 (b) A department or agency covered by this section
16 shall provide its Inspector General access to all records,
17 documents, and other materials in a timely manner.

18 (c) Each Inspector General covered by this section
19 shall ensure compliance with statutory limitations on dis-
20 closure relevant to the information provided by the depart-
21 ment or agency over which that Inspector General has re-
22 sponsibilities under the Inspector General Act of 1978 (5
23 U.S.C. App.).

24 (d) Each Inspector General covered by this section
25 shall report to the Committee on Appropriations of the

1 Senate and the Committee on Appropriations of the House
2 of Representatives within 5 calendar days of any failure
3 by any department or agency covered by this section to
4 comply with this section.

5 SEC. 245. None of the funds made available in this
6 Act may be used in a manner that would increase wait
7 times for veterans who seek care at medical facilities of
8 the Department of Veterans Affairs.

9 SEC. 246. None of the funds appropriated or other-
10 wise made available by this Act to the Veterans Health
11 Administration may be used in fiscal year 2020 to convert
12 any program which received specific purpose funds in fis-
13 cal year 2019 to a general purpose funded program unless
14 the Secretary of Veterans Affairs submits written notifica-
15 tion of any such proposal to the Committees on Appropria-
16 tions of both Houses of Congress at least thirty days prior
17 to any such action and an approval is issued by the Com-
18 mittees.

19 SEC. 247. (a) Except as provided by subsection (b),
20 none of the funds made available by this Act may be used
21 by the Secretary of Veterans Affairs to purchase, breed,
22 transport, house, feed, maintain, dispose of, or experiment
23 on, dogs as part of the conduct of any study including
24 an assignment of pain category D or E, as defined by the
25 Pain and Distress Categories of the Department of Agri-

1 culture (or such successor categories developed pursuant
2 to section 13 of the Animal Welfare Act (7 U.S.C. 2143)).

3 (b) Subsection (a) shall not apply to training pro-
4 grams or studies of service dogs described in section 1714
5 of title 38, United States Code, or section 17.148 of title
6 38, Code of Federal Regulations.

7 SEC. 248. None of the funds made available by this
8 Act may be used by the Secretary of Veterans Affairs to
9 close the community based outpatient clinic located in
10 Bainbridge, New York, until the Secretary of Veterans Af-
11 fairs submits to the Committees on Appropriations of the
12 House of Representatives and the Senate a market area
13 assessment.

14 SEC. 249. (a) Not later than 180 days after the date
15 of the enactment of this Act, and not less frequently than
16 once every five-year period thereafter, the Secretary of
17 Veterans Affairs shall update the handbook of the Depart-
18 ment of Veterans Affairs titled “Planning and Activating
19 Community Based Outpatient Clinics”, or a successor
20 handbook, to reflect current policies, best practices, and
21 clarify the roles and responsibilities of the personnel of
22 the Department involved in the leasing projects of the De-
23 partment.

24 (b) The Secretary shall ensure that the handbook
25 specified in subsection (a) defines “community based out-

1 patient clinic” in the same manner as such term is defined
2 in the Veterans Health Administration Site Tracking
3 database (commonly known as “VAST”) as of the date
4 of the enactment of this Act.

5 (c) The Secretary shall ensure that the Veterans
6 Health Administration incorporates the best practices con-
7 tained in the handbook specified in subsection (a) in con-
8 ducting oversight of the medical centers of the Depart-
9 ment of Veterans Affairs and the Veterans Integrated
10 Service Network.

11 (d) Not later than 180 days after the date of the en-
12 actment of this Act, the Secretary shall provide guidance
13 and training to employees of the Veterans Health Admin-
14 istration for the use of the handbook specified in sub-
15 section (a). The Secretary shall update such guidance and
16 training together with each update of such handbook.

17 (RESCISSION OF FUNDS)

18 SEC. 250. Of the funds made available for fiscal year
19 2019 under the heading “Department of Veterans Af-
20 fairs—Departmental Administration—Veterans Elec-
21 tronic Health Record” in title II of division C of the En-
22 ergy and Water, Legislative Branch, and Military Con-
23 struction and Veterans Affairs Appropriations Act, 2019
24 (Public Law 115–244), \$70,000,000 is hereby rescinded.

1 SEC. 251. Section 252 of the Military Construction,
2 Veterans Affairs, and Related Agencies Appropriations
3 Act, 2018 (division J of Public Law 115–141; 132 Stat.
4 825; 38 U.S.C. 1701 note) is amended by striking “The
5 Secretary may carry out a 2-year pilot program” and in-
6 serting “During the period preceding October 1, 2022, the
7 Secretary of Veterans Affairs may carry out a 2-year pilot
8 program”.

9 TITLE III

10 RELATED AGENCIES

11 AMERICAN BATTLE MONUMENTS COMMISSION

12 SALARIES AND EXPENSES

13 For necessary expenses, not otherwise provided for,
14 of the American Battle Monuments Commission, including
15 the acquisition of land or interest in land in foreign coun-
16 tries; purchases and repair of uniforms for caretakers of
17 national cemeteries and monuments outside of the United
18 States and its territories and possessions; rent of office
19 and garage space in foreign countries; purchase (one-for-
20 one replacement basis only) and hire of passenger motor
21 vehicles; not to exceed \$15,000 for official reception and
22 representation expenses; and insurance of official motor
23 vehicles in foreign countries, when required by law of such
24 countries, \$104,000,000, to remain available until ex-
25 pended.

1 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

2 For necessary expenses, not otherwise provided for,
3 of the American Battle Monuments Commission, such
4 sums as may be necessary, to remain available until ex-
5 pended, for purposes authorized by section 2109 of title
6 36, United States Code.

7 UNITED STATES COURT OF APPEALS FOR VETERANS

8 CLAIMS

9 SALARIES AND EXPENSES

10 For necessary expenses for the operation of the
11 United States Court of Appeals for Veterans Claims as
12 authorized by sections 7251 through 7298 of title 38,
13 United States Code, \$35,400,000: *Provided*, That
14 \$2,698,997 shall be available for the purpose of providing
15 financial assistance as described and in accordance with
16 the process and reporting procedures set forth under this
17 heading in Public Law 102–229.

18 DEPARTMENT OF DEFENSE—CIVIL

19 CEMETERIAL EXPENSES, ARMY

20 SALARIES AND EXPENSES

21 For necessary expenses for maintenance, operation,
22 and improvement of Arlington National Cemetery and Sol-
23 diers' and Airmen's Home National Cemetery, including
24 the purchase or lease of passenger motor vehicles for re-
25 placement on a one-for-one basis only, and not to exceed

1 \$2,000 for official reception and representation expenses,
2 \$80,800,000, of which not to exceed \$15,000,000 shall re-
3 main available until September 30, 2022. In addition,
4 such sums as may be necessary for parking maintenance,
5 repairs and replacement, to be derived from the “Lease
6 of Department of Defense Real Property for Defense
7 Agencies” account.

8 CONSTRUCTION

9 For necessary expenses for planning and design and
10 construction at Arlington National Cemetery and Soldiers’
11 and Airmen’s Home National Cemetery, \$131,000,000, to
12 remain available until expended, for planning and design
13 and construction associated with the Southern Expansion
14 project at Arlington National Cemetery.

15 ARMED FORCES RETIREMENT HOME TRUST FUND

16 For expenses necessary for the Armed Forces Retire-
17 ment Home to operate and maintain the Armed Forces
18 Retirement Home—Washington, District of Columbia,
19 and the Armed Forces Retirement Home—Gulfport, Mis-
20 sissippi, to be paid from funds available in the Armed
21 Forces Retirement Home Trust Fund, \$70,300,000, of
22 which \$5,000,000 shall remain available until expended
23 for construction and renovation of the physical plants at
24 the Armed Forces Retirement Home—Washington, Dis-
25 trict of Columbia, and the Armed Forces Retirement

1 Home—Gulfport, Mississippi: *Provided*, That of the
2 amounts made available under this heading from funds
3 available in the Armed Forces Retirement Home Trust
4 Fund, \$22,000,000 shall be paid from the general fund
5 of the Treasury to the Trust Fund.

6 ADMINISTRATIVE PROVISION

7 SEC. 301. Amounts deposited into the special account
8 established under 10 U.S.C. 4727 are appropriated and
9 shall be available until expended to support activities at
10 the Army National Military Cemeteries.

11 TITLE IV

12 OVERSEAS CONTINGENCY OPERATIONS

13 DEPARTMENT OF DEFENSE

14 MILITARY CONSTRUCTION, ARMY

15 For an additional amount for “Military Construction,
16 Army”, \$156,860,000, to remain available until Sep-
17 tember 30, 2024, for projects outside of the United States:
18 *Provided*, That such amount is designated by the Congress
19 for Overseas Contingency Operations/Global War on Ter-
20 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
21 anced Budget and Emergency Deficit Control Act of 1985,
22 as amended.

23 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

24 For an additional amount for “Military Construction,
25 Navy and Marine Corps”, \$281,576,000, to remain avail-

1 able until September 30, 2024, for projects outside of the
2 United States: *Provided*, That such amount is designated
3 by the Congress for Overseas Contingency Operations/
4 Global War on Terrorism pursuant to section
5 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
6 Deficit Control Act of 1985, as amended.

7 MILITARY CONSTRUCTION, AIR FORCE

8 For an additional amount for “Military Construction,
9 Air Force” \$436,984,000, to remain available until Sep-
10 tember 30, 2024, for projects outside of the United States:
11 *Provided*, That such amount is designated by the Congress
12 for Overseas Contingency Operations/Global War on Ter-
13 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
14 anced Budget and Emergency Deficit Control Act of 1985,
15 as amended.

16 MILITARY CONSTRUCTION, DEFENSE-WIDE

17 For an additional amount for “Military Construction,
18 Defense-Wide”, \$46,000,000, to remain available until
19 September 30, 2024, for projects outside of the United
20 States: *Provided*, That such amount is designated by the
21 Congress for Overseas Contingency Operations/Global
22 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
23 the Balanced Budget and Emergency Deficit Control Act
24 of 1985, as amended.

1 ADMINISTRATIVE PROVISION

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

9 TITLE V

10 NATURAL DISASTER RELIEF

11 DEPARTMENT OF DEFENSE

12 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

13 For an additional amount for “Military Construction,
14 Navy and Marine Corps”, \$1,210,948,000: *Provided*, That
15 such amounts may be obligated and expended to carry out
16 planning and design and military construction projects au-
17 thorized by law: *Provided further*, That such amounts are
18 designated by the Congress as being for an emergency re-
19 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
20 anced Budget and Emergency Deficit Control Act of 1985,
21 as amended.

22 MILITARY CONSTRUCTION, AIR FORCE

23 For an additional amount for “Military Construction,
24 Air Force”, \$735,752,000: *Provided*, That such amounts
25 may be obligated and expended to carry out planning and

1 design and military construction projects authorized by
2 law: *Provided further*, That such amounts are designated
3 by the Congress as being for an emergency requirement
4 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
5 et and Emergency Deficit Control Act of 1985, as amend-
6 ed.

7 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

8 For an additional amount for “Military Construction,
9 Army National Guard”, \$50,000,000: *Provided*, That such
10 amounts may be obligated and expended to carry out plan-
11 ning and design and military construction projects author-
12 ized by law: *Provided further*, That such amounts are des-
13 igned by the Congress as being for an emergency re-
14 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
15 anced Budget and Emergency Deficit Control Act of 1985,
16 as amended.

17 MILITARY CONSTRUCTION, ARMY RESERVE

18 For an additional amount for “Military Construction,
19 Army Reserve”, \$3,300,000: *Provided*, That such amounts
20 may be obligated and expended to carry out planning and
21 design and military construction projects authorized by
22 law: *Provided further*, That such amounts are designated
23 by the Congress as being for an emergency requirement
24 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-

1 et and Emergency Deficit Control Act of 1985, as amend-
2 ed.

3 ADMINISTRATIVE PROVISION

4 SEC. 501. Each amount designated in this title as
5 being for an emergency requirement as pursuant to sec-
6 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
7 gency Deficit Control Act of 1985 shall be available only
8 if the President subsequently so designates all such
9 amounts and transmits such amounts and transmits such
10 designations to the Congress: *Provided*, That none of the
11 funds shall be available for obligation until the Commit-
12 tees on Appropriations of the House of Representatives
13 and the Senate receive a master plan for the installations
14 and a form 1391 for each specific project: *Provided fur-*
15 *ther*, That not later than 60 days after enactment of this
16 Act, the Service Secretaries or their designee, shall submit
17 to the Committees on Appropriations of the House of Rep-
18 resentatives and the Senate a detailed expenditure plan
19 for funds provided under this heading.

20 TITLE VI

21 GENERAL PROVISIONS

22 SEC. 601. No part of any appropriation contained in
23 this Act shall remain available for obligation beyond the
24 current fiscal year unless expressly so provided herein.

1 SEC. 602. None of the funds made available in this
2 Act may be used for any program, project, or activity,
3 when it is made known to the Federal entity or official
4 to which the funds are made available that the program,
5 project, or activity is not in compliance with any Federal
6 law relating to risk assessment, the protection of private
7 property rights, or unfunded mandates.

8 SEC. 603. All departments and agencies funded under
9 this Act are encouraged, within the limits of the existing
10 statutory authorities and funding, to expand their use of
11 “E-Commerce” technologies and procedures in the con-
12 duct of their business practices and public service activi-
13 ties.

14 SEC. 604. Unless stated otherwise, all reports and no-
15 tifications required by this Act shall be submitted to the
16 Subcommittee on Military Construction and Veterans Af-
17 fairs, and Related Agencies of the Committee on Appro-
18 priations of the House of Representatives and the Sub-
19 committee on Military Construction and Veterans Affairs,
20 and Related Agencies of the Committee on Appropriations
21 of the Senate.

22 SEC. 605. None of the funds made available in this
23 Act may be transferred to any department, agency, or in-
24 strumentality of the United States Government except

1 pursuant to a transfer made by, or transfer authority pro-
2 vided in, this or any other appropriations Act.

3 SEC. 606. None of the funds made available in this
4 Act may be used for a project or program named for an
5 individual serving as a Member, Delegate, or Resident
6 Commissioner of the United States House of Representa-
7 tives.

8 SEC. 607. (a) Any agency receiving funds made avail-
9 able in this Act, shall, subject to subsections (b) and (c),
10 post on the public Web site of that agency any report re-
11 quired to be submitted by the Congress in this or any
12 other Act, upon the determination by the head of the agen-
13 cy that it shall serve the national interest.

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

15 (1) the public posting of the report com-
16 promises national security; or

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

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

23 SEC. 608. (a) None of the funds made available in
24 this Act may be used to maintain or establish a computer

1 network unless such network blocks the viewing,
2 downloading, and exchanging of pornography.

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

7 SEC. 609. None of the funds made available in this
8 Act may be used by an agency of the executive branch
9 to pay for first-class travel by an employee of the agency
10 in contravention of sections 301–10.122 through 301–
11 10.124 of title 41, Code of Federal Regulations.

12 SEC. 610. None of the funds made available in this
13 Act may be used to execute a contract for goods or serv-
14 ices, including construction services, where the contractor
15 has not complied with Executive Order No. 12989.

16 SEC. 611. None of the funds made available by this
17 Act may be used by the Department of Defense or the
18 Department of Veterans Affairs to lease or purchase new
19 light duty vehicles for any executive fleet, or for an agen-
20 cy's fleet inventory, except in accordance with Presidential
21 Memorandum—Federal Fleet Performance, dated May
22 24, 2011.

23 SEC. 612. Notwithstanding any other provision of
24 law, none of the funds appropriated in this or any other
25 Act for a military construction project, as defined by sec-

1 tion 2801 of title 10, United States Code, for any of fiscal
2 years 2015 through 2019 or for fiscal year 2020 may be
3 obligated, expended, or used to design, construct, or carry
4 out a project to construct a wall, barrier, fence, or road
5 along the Southern border of the United States or a road
6 to provide access to a wall, barrier, or fence constructed
7 along the Southern border of the United States.

8 This Act may be cited as the “Military Construction,
9 Veterans Affairs, and Related Agencies Appropriations
10 Act, 2020”.

[FULL COMMITTEE PRINT]

Union Calendar No. _____

116TH CONGRESS
1ST Session

H. R. _____

[Report No. 116-_____] _____

A BILL

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2020, and for other purposes.

, 2019

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