

Union Calendar No. 306

113TH CONGRESS
2^D SESSION

H. R. 4486

[Report No. 113–416]

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2015, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 17, 2014

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

A BILL

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2015, and for other purposes.

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

3 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

4 For acquisition, construction, installation, and equip-
5 ment of temporary or permanent public works, naval in-
6 stallations, facilities, and real property for the Navy and
7 Marine Corps as currently authorized by law, including
8 personnel in the Naval Facilities Engineering Command
9 and other personal services necessary for the purposes of
10 this appropriation, \$998,772,000, to remain available
11 until September 30, 2019: *Provided*, That of this amount,
12 not to exceed \$33,366,000 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, \$719,551,000, to remain
24 available until September 30, 2019: *Provided*, That of this
25 amount, not to exceed \$10,738,000 shall be available for

1 study, planning, design, and architect and engineer serv-
2 ices, as authorized by law, unless the Secretary of the Air
3 Force determines that additional obligations are necessary
4 for such purposes and notifies the Committees on Appro-
5 priations of both Houses of Congress of the determination
6 and the reasons therefor: *Provided further*, That none of
7 the funds provided under this heading for military con-
8 struction in Europe as identified in the table entitled
9 “Military Construction” in the accompanying report may
10 be obligated or expended until the Department of Defense
11 completes a European Consolidation Study.

12 MILITARY CONSTRUCTION, DEFENSE-WIDE

13 (INCLUDING TRANSFER OF FUNDS)

14 For acquisition, construction, installation, and equip-
15 ment of temporary or permanent public works, installa-
16 tions, facilities, and real property for activities and agen-
17 cies of the Department of Defense (other than the military
18 departments), as currently authorized by law,
19 \$2,021,690,000, to remain available until September 30,
20 2019: *Provided*, That such amounts of this appropriation
21 as may be determined by the Secretary of Defense may
22 be transferred to such appropriations of the Department
23 of Defense available for military construction or family
24 housing as the Secretary may designate, to be merged with
25 and to be available for the same purposes, and for the

1 same time period, as the appropriation or fund to which
2 transferred: *Provided further*, That of the amount appro-
3 priated, not to exceed \$122,240,000 shall be available for
4 study, planning, design, and architect and engineer serv-
5 ices, as authorized by law, unless the Secretary of Defense
6 determines that additional obligations are necessary for
7 such purposes and notifies the Committees on Appropria-
8 tions of both Houses of Congress of the determination and
9 the reasons therefor: *Provided further*, That none of the
10 funds provided under this heading for military construc-
11 tion in Europe as identified in the table entitled “Military
12 Construction” in the accompanying report may be obli-
13 gated or expended until the Department of Defense com-
14 pletes a European Consolidation Study: *Provided further*,
15 That of the amount appropriated, notwithstanding any
16 other provision of law, \$37,918,000 shall be available for
17 payments to the North Atlantic Treaty Organization for
18 the planning, design, and construction of a new North At-
19 lantic Treaty Organization headquarters.

20 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

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

1 tion Acts, \$126,920,000, to remain available until Sep-
2 tember 30, 2019: *Provided*, That of the amount appro-
3 priated, not to exceed \$17,600,000 shall be available for
4 study, planning, design, and architect and engineer serv-
5 ices, as authorized by law, unless the Director of the Army
6 National Guard determines that additional obligations are
7 necessary for such purposes and notifies the Committees
8 on Appropriations of both Houses of Congress of the de-
9 termination and the reasons therefor.

10 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

11 For construction, acquisition, expansion, rehabilita-
12 tion, and conversion of facilities for the training and ad-
13 ministration of the Air National Guard, and contributions
14 therefor, as authorized by chapter 1803 of title 10, United
15 States Code, and Military Construction Authorization
16 Acts, \$94,663,000, to remain available until September
17 30, 2019: *Provided*, That of the amount appropriated, not
18 to exceed \$7,700,000 shall be available for study, plan-
19 ning, design, and architect and engineer services, as au-
20 thorized by law, unless the Director of the Air National
21 Guard determines that additional obligations are nec-
22 essary for such purposes and notifies the Committees on
23 Appropriations of both Houses of Congress of the deter-
24 mination and the reasons therefor.

1 MILITARY CONSTRUCTION, ARMY RESERVE

2 For construction, acquisition, expansion, rehabilita-
3 tion, and conversion of facilities for the training and ad-
4 ministration of the Army Reserve as authorized by chapter
5 1803 of title 10, United States Code, and Military Con-
6 struction Authorization Acts, \$103,946,000, to remain
7 available until September 30, 2019: *Provided*, That of the
8 amount appropriated, not to exceed \$8,337,000 shall be
9 available for study, planning, design, and architect and en-
10 gineer services, as authorized by law, unless the Chief of
11 the Army Reserve determines that additional obligations
12 are necessary for such purposes and notifies the Commit-
13 tees on Appropriations of both Houses of Congress of the
14 determination and the reasons therefor.

15 MILITARY CONSTRUCTION, NAVY RESERVE

16 For construction, acquisition, expansion, rehabilita-
17 tion, and conversion of facilities for the training and ad-
18 ministration of the reserve components of the Navy and
19 Marine Corps as authorized by chapter 1803 of title 10,
20 United States Code, and Military Construction Authoriza-
21 tion Acts, \$51,528,000, to remain available until Sep-
22 tember 30, 2019: *Provided*, That of the amount appro-
23 priated, not to exceed \$2,123,000 shall be available for
24 study, planning, design, and architect and engineer serv-
25 ices, as authorized by law, unless the Secretary of the

1 Navy determines that additional obligations are necessary
2 for such purposes and notifies the Committees on Appro-
3 priations of both Houses of Congress of the determination
4 and the reasons therefor.

5 MILITARY CONSTRUCTION, AIR FORCE RESERVE

6 For construction, acquisition, expansion, rehabilita-
7 tion, and conversion of facilities for the training and ad-
8 ministration of the Air Force Reserve as authorized by
9 chapter 1803 of title 10, United States Code, and Military
10 Construction Authorization Acts, \$49,492,000, to remain
11 available until September 30, 2019: *Provided*, That of the
12 amount appropriated, not to exceed \$6,892,000 shall be
13 available for study, planning, design, and architect and en-
14 gineer services, as authorized by law, unless the Chief of
15 the Air Force Reserve determines that additional obliga-
16 tions are necessary for such purposes and notifies the
17 Committees on Appropriations of both Houses of Congress
18 of the determination and the reasons therefor.

19 NORTH ATLANTIC TREATY ORGANIZATION

20 SECURITY INVESTMENT PROGRAM

21 For the United States share of the cost of the North
22 Atlantic Treaty Organization Security Investment Pro-
23 gram for the acquisition and construction of military fa-
24 cilities and installations (including international military
25 headquarters) and for related expenses for the collective

1 defense of the North Atlantic Treaty Area as authorized
2 by section 2806 of title 10, United States Code, and Mili-
3 tary Construction Authorization Acts, \$199,700,000, to
4 remain available until expended.

5 FAMILY HOUSING CONSTRUCTION, ARMY

6 For expenses of family housing for the Army for con-
7 struction, including acquisition, replacement, addition, ex-
8 pansion, extension, and alteration, as authorized by law,
9 \$78,609,000, to remain available until September 30,
10 2019.

11 FAMILY HOUSING OPERATION AND MAINTENANCE,
12 ARMY

13 For expenses of family housing for the Army for op-
14 eration and maintenance, including debt payment, leasing,
15 minor construction, principal and interest charges, and in-
16 surance premiums, as authorized by law, \$350,976,000.

17 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE
18 CORPS

19 For expenses of family housing for the Navy and Ma-
20 rine Corps for construction, including acquisition, replace-
21 ment, addition, expansion, extension, and alteration, as
22 authorized by law, \$16,412,000, to remain available until
23 September 30, 2019.

1 FAMILY HOUSING OPERATION AND MAINTENANCE,
2 NAVY AND MARINE CORPS

3 For expenses of family housing for the Navy and Ma-
4 rine Corps for operation and maintenance, including debt
5 payment, leasing, minor construction, principal and inter-
6 est charges, and insurance premiums, as authorized by
7 law, \$354,029,000.

8 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
9 FORCE

10 For expenses of family housing for the Air Force for
11 operation and maintenance, including debt payment, leas-
12 ing, minor construction, principal and interest charges,
13 and insurance premiums, as authorized by law,
14 \$327,747,000.

15 FAMILY HOUSING OPERATION AND MAINTENANCE,
16 DEFENSE-WIDE

17 For expenses of family housing for the activities and
18 agencies of the Department of Defense (other than the
19 military departments) for operation and maintenance,
20 leasing, and minor construction, as authorized by law,
21 \$61,100,000.

22 DEPARTMENT OF DEFENSE FAMILY HOUSING
23 IMPROVEMENT FUND

24 For the Department of Defense Family Housing Im-
25 provement Fund, \$1,662,000, to remain available until ex-

1 pending, for family housing initiatives undertaken pursu-
2 ant to section 2883 of title 10, United States Code, pro-
3 viding alternative means of acquiring and improving mili-
4 tary family housing and supporting facilities.

5 CHEMICAL DEMILITARIZATION CONSTRUCTION,
6 DEFENSE-WIDE

7 For expenses of construction, not otherwise provided
8 for, necessary for the destruction of the United States
9 stockpile of lethal chemical agents and munitions in ac-
10 cordance with section 1412 of the Department of Defense
11 Authorization Act, 1986 (50 U.S.C. 1521), and for the
12 destruction of other chemical warfare materials that are
13 not in the chemical weapon stockpile, as currently author-
14 ized by law, \$38,715,000, to remain available until Sep-
15 tember 30, 2019, which shall be only for the Assembled
16 Chemical Weapons Alternatives program.

17 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

18 For deposit into the Department of Defense Base
19 Closure Account, established by section 2906(a)(1) of the
20 Defense Base Closure and Realignment Act of 1990 (10
21 U.S.C. 2687 note), as amended by section 2711 of the
22 National Defense Authorization Act for Fiscal Year 2013
23 (Public Law 112–239), \$270,085,000, to remain available
24 until expended.

1 ADMINISTRATIVE PROVISIONS

2 SEC. 101. None of the funds made available in this
3 title shall be expended for payments under a cost-plus-a-
4 fixed-fee contract for construction, where cost estimates
5 exceed \$25,000, to be performed within the United States,
6 except Alaska, without the specific approval in writing of
7 the Secretary of Defense setting forth the reasons there-
8 for.

9 SEC. 102. Funds made available in this title for con-
10 struction shall be available for hire of passenger motor ve-
11 hicles.

12 SEC. 103. Funds made available in this title for con-
13 struction may be used for advances to the Federal High-
14 way Administration, Department of Transportation, for
15 the construction of access roads as authorized by section
16 210 of title 23, United States Code, when projects author-
17 ized therein are certified as important to the national de-
18 fense by the Secretary of Defense.

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

23 SEC. 105. None of the funds made available in this
24 title shall be used for purchase of land or land easements
25 in excess of 100 percent of the value as determined by

1 the Army Corps of Engineers or the Naval Facilities Engi-
2 neering Command, except: (1) where there is a determina-
3 tion of value by a Federal court; (2) purchases negotiated
4 by the Attorney General or the designee of the Attorney
5 General; (3) where the estimated value is less than
6 \$25,000; or (4) as otherwise determined by the Secretary
7 of Defense to be in the public interest.

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

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

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

24 SEC. 109. None of the funds available to the Depart-
25 ment of Defense for military construction or family hous-

1 ing during the current fiscal year may be used to pay real
2 property taxes in any foreign nation.

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

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

15 SEC. 112. None of the funds made available in this
16 title for military construction in the United States terri-
17 tories and possessions in the Pacific and on Kwajalein
18 Atoll, or in countries within the United States Central
19 Command Area of Responsibility, may be used to award
20 any contract estimated by the Government to exceed
21 \$1,000,000 to a foreign contractor: *Provided*, That this
22 section shall not be applicable to contract awards for
23 which the lowest responsive and responsible bid of a
24 United States contractor exceeds the lowest responsive
25 and responsible bid of a foreign contractor by greater than

1 20 percent: *Provided further*, That this section shall not
2 apply to contract awards for military construction on
3 Kwajalein Atoll for which the lowest responsive and re-
4 sponsible bid is submitted by a Marshallese contractor.

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

12 SEC. 114. Not more than 20 percent of the funds
13 made available in this title which are limited for obligation
14 during the current fiscal year shall be obligated during
15 the last 2 months of the fiscal year.

16 SEC. 115. Funds appropriated to the Department of
17 Defense for construction in prior years shall be available
18 for construction authorized for each such military depart-
19 ment by the authorizations enacted into law during the
20 current session of Congress.

21 SEC. 116. For military construction or family housing
22 projects that are being completed with funds otherwise ex-
23 pired or lapsed for obligation, expired or lapsed funds may
24 be used to pay the cost of associated supervision, inspec-

1 tion, overhead, engineering and design on those projects
2 and on subsequent claims, if any.

3 SEC. 117. Notwithstanding any other provision of
4 law, any funds made available to a military department
5 or defense agency for the construction of military projects
6 may be obligated for a military construction project or
7 contract, or for any portion of such a project or contract,
8 at any time before the end of the fourth fiscal year after
9 the fiscal year for which funds for such project were made
10 available, if the funds obligated for such project: (1) are
11 obligated from funds available for military construction
12 projects; and (2) do not exceed the amount appropriated
13 for such project, plus any amount by which the cost of
14 such project is increased pursuant to law.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 118. In addition to any other transfer authority
17 available to the Department of Defense, proceeds depos-
18 ited to the Department of Defense Base Closure Account
19 established by section 207(a)(1) of the Defense Authoriza-
20 tion Amendments and Base Closure and Realignment Act
21 (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C)
22 of such Act, may be transferred to the account established
23 by section 2906(a)(1) of the Defense Base Closure and
24 Realignment Act of 1990 (10 U.S.C. 2687 note), to be

1 merged with, and to be available for the same purposes
2 and the same time period as that account.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 119. Subject to 30 days prior notification, or
5 14 days for a notification provided in an electronic me-
6 dium pursuant to sections 480 and 2883 of title 10,
7 United States Code, to the Committees on Appropriations
8 of both Houses of Congress, such additional amounts as
9 may be determined by the Secretary of Defense may be
10 transferred to: (1) the Department of Defense Family
11 Housing Improvement Fund from amounts appropriated
12 for construction in “Family Housing” accounts, to be
13 merged with and to be available for the same purposes
14 and for the same period of time as amounts appropriated
15 directly to the Fund; or (2) the Department of Defense
16 Military Unaccompanied Housing Improvement Fund
17 from amounts appropriated for construction of military
18 unaccompanied housing in “Military Construction” ac-
19 counts, to be merged with and to be available for the same
20 purposes and for the same period of time as amounts ap-
21 propriated directly to the Fund: *Provided*, That appropria-
22 tions made available to the Funds shall be available to
23 cover the costs, as defined in section 502(5) of the Con-
24 gressional Budget Act of 1974, of direct loans or loan
25 guarantees issued by the Department of Defense pursuant

1 to the provisions of subchapter IV of chapter 169 of title
2 10, United States Code, pertaining to alternative means
3 of acquiring and improving military family housing, mili-
4 tary unaccompanied housing, and supporting facilities.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 120. In addition to any other transfer authority
7 available to the Department of Defense, amounts may be
8 transferred from the Department of Defense Base Closure
9 Account to the fund established by section 1013(d) of the
10 Demonstration Cities and Metropolitan Development Act
11 of 1966 (42 U.S.C. 3374) to pay for expenses associated
12 with the Homeowners Assistance Program incurred under
13 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall
14 be merged with and be available for the same purposes
15 and for the same time period as the fund to which trans-
16 ferred.

17 SEC. 121. Notwithstanding any other provision of
18 law, funds made available in this title for operation and
19 maintenance of family housing shall be the exclusive
20 source of funds for repair and maintenance of all family
21 housing units, including general or flag officer quarters:
22 *Provided*, That not more than \$15,000 per unit may be
23 spent annually for the maintenance and repair of any gen-
24 eral or flag officer quarters without 30 days prior notifica-
25 tion, or 14 days for a notification provided in an electronic

1 medium pursuant to sections 480 and 2883 of title 10,
2 United States Code, to the Committees on Appropriations
3 of both Houses of Congress, except that an after-the-fact
4 notification shall be submitted if the limitation is exceeded
5 solely due to costs associated with environmental remedi-
6 ation that could not be reasonably anticipated at the time
7 of the budget submission: *Provided further*, That the
8 Under Secretary of Defense (Comptroller) is to report an-
9 nually to the Committees on Appropriations of both
10 Houses of Congress all operation and maintenance ex-
11 penditures for each individual general or flag officer quar-
12 ters for the prior fiscal year.

13 SEC. 122. Amounts contained in the Ford Island Im-
14 provement Account established by subsection (h) of sec-
15 tion 2814 of title 10, United States Code, are appro-
16 priated and shall be available until expended for the pur-
17 poses specified in subsection (i)(1) of such section or until
18 transferred pursuant to subsection (i)(3) of such section.

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 123. During the 5-year period after appropria-
21 tions available in this Act to the Department of Defense
22 for military construction and family housing operation and
23 maintenance and construction have expired for obligation,
24 upon a determination that such appropriations will not be
25 necessary for the liquidation of obligations or for making

1 authorized adjustments to such appropriations for obliga-
2 tions incurred during the period of availability of such ap-
3 propriations, unobligated balances of such appropriations
4 may be transferred into the appropriation “Foreign Cur-
5 rency Fluctuations, Construction, Defense”, to be merged
6 with and to be available for the same time period and for
7 the same purposes as the appropriation to which trans-
8 ferred.

9 SEC. 124. (a) Except as provided in subsection (b),
10 none of the funds made available in this Act may be used
11 by the Secretary of the Army to relocate a unit in the
12 Army that—

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

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

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

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

4 SEC. 125. Amounts appropriated or otherwise made
5 available in an account funded under the headings in this
6 title may be transferred among projects and activities
7 within the account in accordance with the reprogramming
8 guidelines for military construction and family housing
9 construction contained in Department of Defense Finan-
10 cial Management Regulation 7000.14–R, Volume 3, Chap-
11 ter 7, of February 2009, as in effect on the date of enact-
12 ment of this Act.

13 SEC. 126. None of the funds made available in this
14 title may be obligated or expended for planning and design
15 and construction of projects at Arlington National Ceme-
16 tery.

17 SEC. 127. For an additional amount for “Military
18 Construction, Navy and Marine Corps”, “Military Con-
19 struction, Air Force”, “Military Construction, Army Re-
20 serve”, and “Military Construction, Navy Reserve”,
21 \$125,000,000, to remain available until September 30,
22 2018: *Provided*, That notwithstanding any other provision
23 of law, such funds may be obligated and expended to carry
24 out construction of projects, excluding in Europe, as au-
25 thorized in division B of Public Law 113-66: *Provided fur-*

1 *ther*, That not later than 30 days after enactment of this
2 Act, the Secretary of Defense shall submit to the Commit-
3 tees on Appropriations of both Houses of Congress an ex-
4 penditure plan for funds provided under this heading.

5 SEC. 128. For an additional amount for “Military
6 Construction, Army” , “Military Construction, Army Na-
7 tional Guard”, and “Military Construction, Army Re-
8 serve”, \$245,000,000, to remain available until September
9 30, 2019: *Provided*, That notwithstanding any other provi-
10 sion of law, such funds may only be obligated to carry
11 out construction of projects as authorized in division B
12 of an Act authorizing appropriations for fiscal year 2015
13 for military activities of the Department of Defense (relat-
14 ing to Military Construction Authorizations): *Provided*
15 *further*, That not later than 30 days after enactment of
16 this Act, the Secretary of the Army shall submit to the
17 Committees on Appropriations of both Houses of Congress
18 an expenditure plan for funds provided under this head-
19 ing.

20 (INCLUDING RESCISSION OF FUNDS)

21 SEC. 129. Of the unobligated balances available for
22 “Military Construction, Army”, from prior appropriations
23 Acts (other than appropriations designated by law as
24 being for contingency operations directly related to the

1 global war on terrorism or as an emergency requirement),
2 \$79,577,000 are hereby rescinded.

3 (INCLUDING RESCISSION OF FUNDS)

4 SEC. 130. Of the unobligated balances available for
5 “NATO Security Investment Program”, from prior appro-
6 priations Acts (other than appropriations designated by
7 law as being for contingency operations directly related to
8 the global war on terrorism or as an emergency require-
9 ment), \$25,000,000 are hereby rescinded.

10 (INCLUDING RESCISSION OF FUNDS)

11 SEC. 131. Of the unobligated balances made available
12 in prior appropriation Acts for the fund established in sec-
13 tion 1013(d) of the Demonstration Cities and Metropoli-
14 tan Development Act of 1966 (42 U.S.C. 3374) (other
15 than appropriations designated by law as being for contin-
16 gency operations directly related to the global war on ter-
17 rorism or as an emergency requirement), \$100,000,000
18 are hereby rescinded.

19 SEC. 132. For the purposes of this Act, the term
20 “congressional defense committees” means the Commit-
21 tees on Armed Services of the House of Representatives
22 and the Senate, the Subcommittee on Military Construc-
23 tion and Veterans Affairs of the Committee on Appropria-
24 tions of the Senate, and the Subcommittee on Military

1 Construction and Veterans Affairs of the Committee on
2 Appropriations of the House of Representatives.

3

TITLE II

4

DEPARTMENT OF VETERANS AFFAIRS

5

VETERANS BENEFITS ADMINISTRATION

6

COMPENSATION AND PENSIONS

7

(INCLUDING TRANSFER OF FUNDS)

8

For the payment of compensation benefits to or on

9

behalf of veterans and a pilot program for disability ex-

10

aminations as authorized by section 107 and chapters 11,

11

13, 18, 51, 53, 55, and 61 of title 38, United States Code;

12

pension benefits to or on behalf of veterans as authorized

13

by chapters 15, 51, 53, 55, and 61 of title 38, United

14

States Code; and burial benefits, the Reinstated Entitle-

15

ment Program for Survivors, emergency and other offi-

16

cers' retirement pay, adjusted-service credits and certifi-

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cates, payment of premiums due on commercial life insur-

18

ance policies guaranteed under the provisions of title IV

19

of the Servicemembers Civil Relief Act (50 U.S.C. App.

20

541 et seq.) and for other benefits as authorized by sec-

21

tions 107, 1312, 1977, and 2106, and chapters 23, 51,

22

53, 55, and 61 of title 38, United States Code,

23

\$78,687,709,000, to remain available until expended: *Pro-*

24

vided, That not to exceed \$15,430,000 of the amount ap-

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propriated under this heading shall be reimbursed to

1 “General Operating Expenses, Veterans Benefits Adminis-
2 tration” and “Information Technology Systems” for nec-
3 essary expenses in implementing the provisions of chapters
4 51, 53, and 55 of title 38, United States Code, the funding
5 source for which is specifically provided as the “Com-
6 pensation and Pensions” appropriation: *Provided further*,
7 That such sums as may be earned on an actual qualifying
8 patient basis, shall be reimbursed to “Medical Care Collec-
9 tions Fund” to augment the funding of individual medical
10 facilities for nursing home care provided to pensioners as
11 authorized.

12 READJUSTMENT BENEFITS

13 For the payment of readjustment and rehabilitation
14 benefits to or on behalf of veterans as authorized by chap-
15 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and
16 61 of title 38, United States Code, \$14,761,862,000, to
17 remain available until expended: *Provided*, That expenses
18 for rehabilitation program services and assistance which
19 the Secretary is authorized to provide under subsection (a)
20 of section 3104 of title 38, United States Code, other than
21 under paragraphs (1), (2), (5), and (11) of that sub-
22 section, shall be charged to this account.

23 VETERANS INSURANCE AND INDEMNITIES

24 For military and naval insurance, national service life
25 insurance, servicemen’s indemnities, service-disabled vet-

1 erans insurance, and veterans mortgage life insurance as
2 authorized by chapters 19 and 21, title 38, United States
3 Code, \$63,257,000, to remain available until expended.

4 VETERANS HOUSING BENEFIT PROGRAM FUND

5 For the cost of direct and guaranteed loans, such
6 sums as may be necessary to carry out the program, as
7 authorized by subchapters I through III of chapter 37 of
8 title 38, United States Code: *Provided*, That such costs,
9 including the cost of modifying such loans, shall be as de-
10 fined in section 502 of the Congressional Budget Act of
11 1974: *Provided further*, That during fiscal year 2015,
12 within the resources available, not to exceed \$500,000 in
13 gross obligations for direct loans are authorized for spe-
14 cially adapted housing loans.

15 In addition, for administrative expenses to carry out
16 the direct and guaranteed loan programs, \$160,881,000.

17 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

18 For the cost of direct loans, \$10,000, as authorized
19 by chapter 31 of title 38, United States Code: *Provided*,
20 That such costs, including the cost of modifying such
21 loans, shall be as defined in section 502 of the Congres-
22 sional Budget Act of 1974: *Provided further*, That funds
23 made available under this heading are available to sub-
24 sidize gross obligations for the principal amount of direct
25 loans not to exceed \$2,877,000.

1 In addition, for administrative expenses necessary to
2 carry out the direct loan program, \$361,000, which may
3 be paid to the appropriation for “General Operating Ex-
4 penses, Veterans Benefits Administration”.

5 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM
6 ACCOUNT

7 For administrative expenses to carry out the direct
8 loan program authorized by subchapter V of chapter 37
9 of title 38, United States Code, \$1,130,000.

10 VETERANS HEALTH ADMINISTRATION
11 MEDICAL SERVICES

12 For necessary expenses for furnishing, as authorized
13 by law, inpatient and outpatient care and treatment to
14 beneficiaries of the Department of Veterans Affairs and
15 veterans described in section 1705(a) of title 38, United
16 States Code, including care and treatment in facilities not
17 under the jurisdiction of the Department, and including
18 medical supplies and equipment, bioengineering services,
19 food services, and salaries and expenses of healthcare em-
20 ployees hired under title 38, United States Code, aid to
21 State homes as authorized by section 1741 of title 38,
22 United States Code, assistance and support services for
23 caregivers as authorized by section 1720G of title 38,
24 United States Code, loan repayments authorized by sec-
25 tion 604 of the Caregivers and Veterans Omnibus Health

1 Services Act of 2010 (Public Law 111–163; 124 Stat.
2 1174; 38 U.S.C. 7681 note), and hospital care and med-
3 ical services authorized by section 1787 of title 38, United
4 States Code, \$47,603,202,000, plus reimbursements, shall
5 become available on October 1, 2015, and shall remain
6 available until September 30, 2016: *Provided*, That not-
7 withstanding any other provision of law, the Secretary of
8 Veterans Affairs shall establish a priority for the provision
9 of medical treatment for veterans who have service-con-
10 nected disabilities, lower income, or have special needs:
11 *Provided further*, That notwithstanding any other provi-
12 sion of law, the Secretary of Veterans Affairs shall give
13 priority funding for the provision of basic medical benefits
14 to veterans in enrollment priority groups 1 through 6: *Pro-*
15 *vided further*, That notwithstanding any other provision
16 of law, the Secretary of Veterans Affairs may authorize
17 the dispensing of prescription drugs from Veterans Health
18 Administration facilities to enrolled veterans with privately
19 written prescriptions based on requirements established by
20 the Secretary: *Provided further*, That the implementation
21 of the program described in the previous proviso shall
22 incur no additional cost to the Department of Veterans
23 Affairs.

1 MEDICAL SUPPORT AND COMPLIANCE

2 For necessary expenses in the administration of the
3 medical, hospital, nursing home, domiciliary, construction,
4 supply, and research activities, as authorized by law; ad-
5 ministrative expenses in support of capital policy activi-
6 ties; and administrative and legal expenses of the Depart-
7 ment for collecting and recovering amounts owed the De-
8 partment as authorized under chapter 17 of title 38,
9 United States Code, and the Federal Medical Care Recov-
10 ery Act (42 U.S.C. 2651 et seq.), \$6,144,000,000, plus
11 reimbursements, shall become available on October 1,
12 2015, and shall remain available until September 30,
13 2016.

14 MEDICAL FACILITIES

15 For necessary expenses for the maintenance and op-
16 eration of hospitals, nursing homes, domiciliary facilities,
17 and other necessary facilities of the Veterans Health Ad-
18 ministration; for administrative expenses in support of
19 planning, design, project management, real property ac-
20 quisition and disposition, construction, and renovation of
21 any facility under the jurisdiction or for the use of the
22 Department; for oversight, engineering, and architectural
23 activities not charged to project costs; for repairing, alter-
24 ing, improving, or providing facilities in the several hos-
25 pitals and homes under the jurisdiction of the Depart-

1 ment, not otherwise provided for, either by contract or by
2 the hire of temporary employees and purchase of mate-
3 rials; for leases of facilities; and for laundry services,
4 \$4,915,000,000, plus reimbursements, shall become avail-
5 able on October 1, 2015, and shall remain available until
6 September 30, 2016.

7 MEDICAL AND PROSTHETIC RESEARCH

8 For necessary expenses in carrying out programs of
9 medical and prosthetic research and development as au-
10 thorized by chapter 73 of title 38, United States Code,
11 \$588,922,000, plus reimbursements, shall remain avail-
12 able until September 30, 2016.

13 NATIONAL CEMETERY ADMINISTRATION

14 For necessary expenses of the National Cemetery Ad-
15 ministration for operations and maintenance, not other-
16 wise provided for, including uniforms or allowances there-
17 for; cemeterial expenses as authorized by law; purchase
18 of one passenger motor vehicle for use in cemeterial oper-
19 ations; hire of passenger motor vehicles; and repair, alter-
20 ation or improvement of facilities under the jurisdiction
21 of the National Cemetery Administration, \$256,800,000,
22 of which not to exceed \$25,600,000 shall remain available
23 until September 30, 2016.

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 \$321,591,000, of which not to exceed \$16,080,000 shall
13 remain available until September 30, 2016: *Provided,*
14 That funds provided under this heading may be trans-
15 ferred to “General Operating Expenses, Veterans Benefits
16 Administration”.

17 BOARD OF VETERANS APPEALS

18 For necessary operating expenses of the Board of
19 Veterans Appeals, \$94,294,000, of which not to exceed
20 \$9,429,000 shall remain available until September 30,
21 2016.

22 GENERAL OPERATING EXPENSES, VETERANS BENEFITS
23 ADMINISTRATION

24 For necessary operating expenses of the Veterans
25 Benefits Administration, not otherwise provided for, in-

1 cluding hire of passenger motor vehicles, reimbursement
2 of the General Services Administration for security guard
3 services, and reimbursement of the Department of De-
4 fense for the cost of overseas employee mail,
5 \$2,514,254,000: *Provided*, That expenses for services and
6 assistance authorized under paragraphs (1), (2), (5), and
7 (11) of section 3104(a) of title 38, United States Code,
8 that the Secretary of Veterans Affairs determines are nec-
9 essary to enable entitled veterans: (1) to the maximum ex-
10 tent feasible, to become employable and to obtain and
11 maintain suitable employment; or (2) to achieve maximum
12 independence in daily living, shall be charged to this ac-
13 count: *Provided further*, That of the funds made available
14 under this heading, not to exceed \$125,000,000 shall re-
15 main available until September 30, 2016.

16 INFORMATION TECHNOLOGY SYSTEMS

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses for information technology
19 systems and telecommunications support, including devel-
20 opmental information systems and operational information
21 systems; for pay and associated costs; and for the capital
22 asset acquisition of information technology systems, in-
23 cluding management and related contractual costs of said
24 acquisitions, including contractual costs associated with
25 operations authorized by section 3109 of title 5, United

1 States Code, \$3,870,552,000, plus reimbursements: *Pro-*
2 *vided*, That \$1,039,000,000 shall be for pay and associ-
3 ated costs, of which not to exceed \$31,170,000 shall re-
4 main available until September 30, 2016: *Provided further*,
5 That \$2,283,217,000 shall be for operations and mainte-
6 nance, of which not to exceed \$160,000,000 shall remain
7 available until September 30, 2016: *Provided further*, That
8 \$548,335,000 shall be for information technology systems
9 development, modernization, and enhancement, and shall
10 remain available until September 30, 2016: *Provided fur-*
11 *ther*, That amounts made available for information tech-
12 nology systems development, modernization, and enhance-
13 ment may not be obligated or expended until the Secretary
14 of Veterans Affairs or the Chief Information Officer of
15 the Department of Veterans Affairs submits to the Com-
16 mittees on Appropriations of both Houses of Congress a
17 certification of the amounts, in parts or in full, to be obli-
18 gated and expended for each development project: *Pro-*
19 *vided further*, That amounts made available for salaries
20 and expenses, operations and maintenance, and informa-
21 tion technology systems development, modernization, and
22 enhancement may be transferred among the three sub-
23 accounts after the Secretary of Veterans Affairs requests
24 from the Committees on Appropriations of both Houses
25 of Congress the authority to make the transfer and an

1 approval is issued: *Provided further*, That amounts made
2 available for the “Information Technology Systems” ac-
3 count for development, modernization, and enhancement
4 may be transferred among projects or to newly defined
5 projects: *Provided further*, That no project may be in-
6 creased or decreased by more than \$1,000,000 of cost
7 prior to submitting a request to the Committees on Appro-
8 priations of both Houses of Congress to make the transfer
9 and an approval is issued, or absent a response, a period
10 of 30 days has elapsed: *Provided further*, That funds under
11 this heading may be used by the Interagency Program Of-
12 fice through the Department of Veterans Affairs to de-
13 velop a standard data reference terminology model: *Pro-*
14 *vided further*, That of the funds made available for infor-
15 mation technology systems development, modernization,
16 and enhancement for VistA Evolution, not more than 25
17 percent may be obligated or expended until the Secretary
18 of Veterans Affairs submits to the Committees on Appro-
19 priations of both Houses of Congress, and such Commit-
20 tees approve, a report that describes: (1) the status of
21 VistA Evolution project development and any corrective
22 actions taken where the plan established in the VistA Evo-
23 lution program plan (hereinafter referred to as the
24 “Plan”), VistA 4 product roadmap (Roadmap), or the
25 VistA Evolution cost estimate, dated March 24, 2014 may

1 have fallen short; (2) any changes to the scope of the
2 VistA Evolution program as established in the Plan; (3)
3 actual program costs incurred and any refinements to the
4 cost estimate presented in the Plan based on actual costs
5 incurred; (4) progress in meeting the schedule milestones
6 that have been established in the Plan; (5) program per-
7 formance relative to the performance measures that have
8 been identified in the Plan and the Roadmap; (6) plans
9 for testing the VistA system and test results; (7) VistA
10 Evolution program risks and issues that have been identi-
11 fied and any agency responses to such risks and issues;
12 (8) the effort to achieve interoperability between the elec-
13 tronic health record systems of the Department of Defense
14 and the Department of Veterans Affairs, including the
15 scope, cost, schedule, and performance benchmarks of the
16 interoperable record; and (9) progress toward developing
17 and implementing the interoperable electronic health
18 record throughout the two Departments' medical facilities:
19 *Provided further*, That the funds made available under this
20 heading for information technology systems development,
21 modernization, and enhancement, shall be for the projects,
22 and in the amounts, specified under this heading in the
23 report accompanying this Act.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General, to include information technology, in carrying out
4 the provisions of the Inspector General Act of 1978 (5
5 U.S.C. App.), \$121,411,000, of which \$10,000,000 shall
6 remain available until September 30, 2016.

7 CONSTRUCTION, MAJOR PROJECTS

8 For constructing, altering, extending, and improving
9 any of the facilities, including parking projects, under the
10 jurisdiction or for the use of the Department of Veterans
11 Affairs, or for any of the purposes set forth in sections
12 316, 2404, 2406, and chapter 81 of title 38, United States
13 Code, not otherwise provided for, including planning, ar-
14 chitectural and engineering services, construction manage-
15 ment services, maintenance or guarantee period services
16 costs associated with equipment guarantees provided
17 under the project, services of claims analysts, offsite utility
18 and storm drainage system construction costs, and site ac-
19 quisition, where the estimated cost of a project is more
20 than the amount set forth in section 8104(a)(3)(A) of title
21 38, United States Code, or where funds for a project were
22 made available in a previous major project appropriation,
23 \$561,800,000, of which \$527,800,000 shall remain avail-
24 able until September 30, 2019, and of which \$34,000,000
25 shall remain available until expended: *Provided*, That ex-

1 cept for advance planning activities, including needs as-
2 sessments which may or may not lead to capital invest-
3 ments, and other capital asset management related activi-
4 ties, including portfolio development and management ac-
5 tivities, and investment strategy studies funded through
6 the advance planning fund and the planning and design
7 activities funded through the design fund, including needs
8 assessments which may or may not lead to capital invest-
9 ments, and salaries and associated costs of the resident
10 engineers who oversee those capital investments funded
11 through this account, and funds provided for the purchase
12 of land for the National Cemetery Administration through
13 the land acquisition line item, none of the funds made
14 available under this heading shall be used for any project
15 which has not been approved by the Congress in the budg-
16 etary process: *Provided further*, That funds made available
17 under this heading for fiscal year 2015, for each approved
18 project shall be obligated: (1) by the awarding of a con-
19 struction documents contract by September 30, 2015; and
20 (2) by the awarding of a construction contract by Sep-
21 tember 30, 2016: *Provided further*, That the Secretary of
22 Veterans Affairs shall promptly submit to the Committees
23 on Appropriations of both Houses of Congress a written
24 report on any approved major construction project for

1 which obligations are not incurred within the time limita-
2 tions established above.

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, \$495,200,000, to remain available
19 until September 30, 2019, 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, \$80,000,000, to re-
13 main 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 2015 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 place,
2 the Secretary of Veterans Affairs shall request from the
3 Committees on Appropriations of both Houses of Congress
4 the authority to make the transfer and such Committees
5 issue an approval, or absent a response, a period of 30
6 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 2015, in this Act
10 or any other Act, under the “Medical Services”, “Medical
11 Support and Compliance”, and “Medical Facilities” ac-
12 counts may be transferred among the accounts: *Provided*,
13 That any transfers between the “Medical Services” and
14 “Medical Support and Compliance” accounts of 1 percent
15 or less of the total amount appropriated to the account
16 in this or any other Act may take place subject to notifica-
17 tion from the Secretary of Veterans Affairs to the Com-
18 mittees on Appropriations of both Houses of Congress of
19 the amount and purpose of the transfer: *Provided further*,
20 That any transfers between the “Medical Services” and
21 “Medical Support and Compliance” accounts in excess of
22 1 percent, or exceeding the cumulative 1 percent for the
23 fiscal year, may take place only after the Secretary re-
24 quests from the Committees on Appropriations of both
25 Houses of Congress the authority to make the transfer

1 and an approval is issued: *Provided further*, That any
2 transfers to or from the “Medical Facilities” account may
3 take place only after the Secretary requests from the Com-
4 mittees on Appropriations of both Houses of Congress the
5 authority to make the transfer and an approval is issued.

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

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

18 SEC. 205. No appropriations in this title shall be
19 available for hospitalization or examination of any persons
20 (except beneficiaries entitled to such hospitalization or ex-
21 amination under the laws providing such benefits to vet-
22 erans, and persons receiving such treatment under sec-
23 tions 7901 through 7904 of title 5, United States Code,
24 or the Robert T. Stafford Disaster Relief and Emergency
25 Assistance Act (42 U.S.C. 5121 et seq.)), unless reim-

1 bursement of the cost of such hospitalization or examina-
2 tion is made to the “Medical Services” account at such
3 rates as may be fixed by the Secretary of Veterans Affairs.

4 SEC. 206. Appropriations available in this title for
5 “Compensation and Pensions”, “Readjustment Benefits”,
6 and “Veterans Insurance and Indemnities” shall be avail-
7 able for payment of prior year accrued obligations re-
8 quired to be recorded by law against the corresponding
9 prior year accounts within the last quarter of fiscal year
10 2014.

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

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 208. Notwithstanding any other provision of
20 law, during fiscal year 2015, the Secretary of Veterans
21 Affairs shall, from the National Service Life Insurance
22 Fund under section 1920 of title 38, United States Code,
23 the Veterans’ Special Life Insurance Fund under section
24 1923 of title 38, United States Code, and the United
25 States Government Life Insurance Fund under section

1 1955 of title 38, United States Code, reimburse the “Gen-
2 eral Operating Expenses, Veterans Benefits Administra-
3 tion” and “Information Technology Systems” accounts for
4 the cost of administration of the insurance programs fi-
5 nanced through those accounts: *Provided*, That reimburse-
6 ment shall be made only from the surplus earnings accu-
7 mulated in such an insurance program during fiscal year
8 2015 that are available for dividends in that program after
9 claims have been paid and actuarially determined reserves
10 have been set aside: *Provided further*, That if the cost of
11 administration of such an insurance program exceeds the
12 amount of surplus earnings accumulated in that program,
13 reimbursement shall be made only to the extent of such
14 surplus earnings: *Provided further*, That the Secretary
15 shall determine the cost of administration for fiscal year
16 2015 which is properly allocable to the provision of each
17 such insurance program and to the provision of any total
18 disability income insurance included in that insurance pro-
19 gram.

20 SEC. 209. Amounts deducted from enhanced-use
21 lease proceeds to reimburse an account for expenses in-
22 curred by that account during a prior fiscal year for pro-
23 viding enhanced-use lease services, may be obligated dur-
24 ing the fiscal year in which the proceeds are received.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 210. Funds available in this title or funds for
3 salaries and other administrative expenses shall also be
4 available to reimburse the Office of Resolution Manage-
5 ment of the Department of Veterans Affairs and the Of-
6 fice of Employment Discrimination Complaint Adjudica-
7 tion under section 319 of title 38, United States Code,
8 for all services provided at rates which will recover actual
9 costs but not to exceed \$42,904,000 for the Office of Reso-
10 lution Management and \$3,400,000 for the Office of Em-
11 ployment Discrimination Complaint Adjudication: *Pro-*
12 *vided*, That payments may be made in advance for services
13 to be furnished based on estimated costs: *Provided further*,
14 That amounts received shall be credited to the “General
15 Administration” and “Information Technology Systems”
16 accounts for use by the office that provided the service.

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

24 SEC. 212. No funds of the Department of Veterans
25 Affairs shall be available for hospital care, nursing home

1 care, or medical services provided to any person under
2 chapter 17 of title 38, United States Code, for a non-serv-
3 ice-connected disability described in section 1729(a)(2) of
4 such title, unless that person has disclosed to the Sec-
5 retary of Veterans Affairs, in such form as the Secretary
6 may require, current, accurate third-party reimbursement
7 information for purposes of section 1729 of such title: *Pro-*
8 *vided*, That the Secretary may recover, in the same man-
9 ner as any other debt due the United States, the reason-
10 able charges for such care or services from any person who
11 does not make such disclosure as required: *Provided fur-*
12 *ther*, That any amounts so recovered for care or services
13 provided in a prior fiscal year may be obligated by the
14 Secretary during the fiscal year in which amounts are re-
15 ceived.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 213. Notwithstanding any other provision of
18 law, proceeds or revenues derived from enhanced-use leas-
19 ing activities (including disposal) may be deposited into
20 the “Construction, Major Projects” and “Construction,
21 Minor Projects” accounts and be used for construction
22 (including site acquisition and disposition), alterations,
23 and improvements of any medical facility under the juris-
24 diction or for the use of the Department of Veterans Af-
25 fairs. Such sums as realized are in addition to the amount

1 provided for in “Construction, Major Projects” and “Con-
2 struction, Minor Projects”.

3 SEC. 214. Amounts made available under “Medical
4 Services” are available—

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

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

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 215. Such sums as may be deposited to the
12 Medical Care Collections Fund pursuant to section 1729A
13 of title 38, United States Code, may be transferred to
14 “Medical Services”, to remain available until expended for
15 the purposes of that account.

16 SEC. 216. The Secretary of Veterans Affairs may
17 enter into agreements with Indian tribes and tribal organi-
18 zations which are party to the Alaska Native Health Com-
19 pact with the Indian Health Service, and Indian tribes and
20 tribal organizations serving rural Alaska which have en-
21 tered into contracts with the Indian Health Service under
22 the Indian Self Determination and Educational Assistance
23 Act, to provide healthcare, including behavioral health and
24 dental care. The Secretary shall require participating vet-
25 erans and facilities to comply with all appropriate rules

1 and regulations, as established by the Secretary. The term
2 “rural Alaska” shall mean those lands sited within the ex-
3 ternal boundaries of the Alaska Native regions specified
4 in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native
5 Claims Settlement Act, as amended (43 U.S.C. 1606), and
6 those lands within the Alaska Native regions specified in
7 sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims
8 Settlement Act, as amended (43 U.S.C. 1606), which are
9 not within the boundaries of the municipality of Anchor-
10 age, the Fairbanks North Star Borough, the Kenai Penin-
11 sula Borough or the Matanuska Susitna Borough.

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 217. Such sums as may be deposited to the De-
14 partment of Veterans Affairs Capital Asset Fund pursu-
15 ant to section 8118 of title 38, United States Code, may
16 be transferred to the “Construction, Major Projects” and
17 “Construction, Minor Projects” accounts, to remain avail-
18 able until expended for the purposes of these accounts.

19 SEC. 218. None of the funds made available in this
20 title may be used to implement any policy prohibiting the
21 Directors of the Veterans Integrated Services Networks
22 from conducting outreach or marketing to enroll new vet-
23 erans within their respective Networks.

24 SEC. 219. The Secretary of Veterans Affairs shall
25 submit to the Committees on Appropriations of both

1 Houses of Congress a quarterly report on the financial
2 status of the Veterans Health Administration.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 220. Amounts made available under the “Med-
5 ical Services”, “Medical Support and Compliance”, “Med-
6 ical Facilities”, “General Operating Expenses, Veterans
7 Benefits Administration”, “General Administration”, and
8 “National Cemetery Administration” accounts for fiscal
9 year 2015 may be transferred to or from the “Information
10 Technology Systems” account: *Provided*, That before a
11 transfer may take place, the Secretary of Veterans Affairs
12 shall request from the Committees on Appropriations of
13 both Houses of Congress the authority to make the trans-
14 fer and an approval is issued.

15 SEC. 221. Of the amounts made available to the De-
16 partment of Veterans Affairs for fiscal year 2015, in this
17 Act or any other Act, under the “Medical Facilities” ac-
18 count for nonrecurring maintenance, not more than 20
19 percent of the funds made available shall be obligated dur-
20 ing the last 2 months of that fiscal year: *Provided*, That
21 the Secretary may waive this requirement after providing
22 written notice to the Committees on Appropriations of
23 both Houses of Congress.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 222. Of the amounts appropriated to the De-
3 partment of Veterans Affairs for fiscal year 2015 for
4 “Medical Services”, “Medical Support and Compliance”,
5 “Medical Facilities”, “Construction, Minor Projects”, and
6 “Information Technology Systems”, up to \$252,366,000,
7 plus reimbursements, may be transferred to the Joint De-
8 partment of Defense-Department of Veterans Affairs
9 Medical Facility Demonstration Fund, established by sec-
10 tion 1704 of the National Defense Authorization Act for
11 Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571)
12 and may be used for operation of the facilities designated
13 as combined Federal medical facilities as described by sec-
14 tion 706 of the Duncan Hunter National Defense Author-
15 ization Act for Fiscal Year 2009 (Public Law 110–417;
16 122 Stat. 4500): *Provided*, That additional funds may be
17 transferred from accounts designated in this section to the
18 Joint Department of Defense-Department of Veterans Af-
19 fairs Medical Facility Demonstration Fund upon written
20 notification by the Secretary of Veterans Affairs to the
21 Committees on Appropriations of both Houses of Con-
22 gress.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 223. Such sums as may be deposited to the
25 Medical Care Collections Fund pursuant to section 1729A

1 of title 38, United States Code, for healthcare provided
2 at facilities designated as combined Federal medical facili-
3 ties as described by section 706 of the Duncan Hunter
4 National Defense Authorization Act for Fiscal Year 2009
5 (Public Law 110–417; 122 Stat. 4500) shall also be avail-
6 able: (1) for transfer to the Joint Department of Defense-
7 Department of Veterans Affairs Medical Facility Dem-
8 onstration Fund, established by section 1704 of the Na-
9 tional Defense Authorization Act for Fiscal Year 2010
10 (Public Law 111–84; 123 Stat. 3571); and (2) for oper-
11 ations of the facilities designated as combined Federal
12 medical facilities as described by section 706 of the Dun-
13 can Hunter National Defense Authorization Act for Fiscal
14 Year 2009 (Public Law 110–417; 122 Stat. 4500).

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 224. Of the amounts available in this title for
17 “Medical Services”, “Medical Support and Compliance”,
18 and “Medical Facilities”, a minimum of \$15,000,000 shall
19 be transferred to the DOD–VA Health Care Sharing In-
20 centive Fund, as authorized by section 8111(d) of title 38,
21 United States Code, to remain available until expended,
22 for any purpose authorized by section 8111 of title 38,
23 United States Code.

1 (INCLUDING RESCISSIONS OF FUNDS)

2 SEC. 225. (a) Of the funds appropriated in title II
3 of division J of Public Law 113–76, the following amounts
4 which become available on October 1, 2014, are hereby
5 rescinded from the following accounts in the amounts
6 specified:

7 (1) “Department of Veterans Affairs, Medical
8 Services”, \$1,400,000,000.

9 (2) “Department of Veterans Affairs, Medical
10 Support and Compliance”, \$100,000,000.

11 (3) “Department of Veterans Affairs, Medical
12 Facilities”, \$250,000,000.

13 (b) In addition to amounts provided elsewhere in this
14 Act, an additional amount is appropriated to the following
15 accounts in the amounts specified to remain available until
16 September 30, 2016:

17 (1) “Department of Veterans Affairs, Medical
18 Services”, \$1,400,000,000.

19 (2) “Department of Veterans Affairs, Medical
20 Support and Compliance”, \$100,000,000.

21 (3) “Department of Veterans Affairs, Medical
22 Facilities”, \$250,000,000.

23 SEC. 226. The Secretary of the Department of Vet-
24 erans Affairs shall notify the Committees on Appropria-
25 tions of both Houses of Congress of all bid savings in

1 major construction projects that total at least \$5,000,000,
2 or 5 percent of the programmed amount of the project,
3 whichever is less: *Provided*, That such notification shall
4 occur within 14 days of a contract identifying the pro-
5 grammed amount: *Provided further*, That the Secretary
6 shall notify the Committees on Appropriations of both
7 Houses of Congress 14 days prior to the obligation of such
8 bid savings and shall describe the anticipated use of such
9 savings.

10 SEC. 227. The scope of work for a project included
11 in “Construction, Major Projects” may not be increased
12 above the scope specified for that project in the original
13 justification data provided to the Congress as part of the
14 request for appropriations.

15 SEC. 228. The Secretary of the Department of Vet-
16 erans Affairs shall provide on a quarterly basis to the
17 Committees on Appropriations of both Houses of Congress
18 notification of any single national outreach and awareness
19 marketing campaign in which obligations exceed
20 \$2,000,000.

21 SEC. 229. The Secretary shall submit to the Commit-
22 tees on Appropriations of both Houses of Congress a re-
23 programming request if at any point during fiscal year
24 2015, the funding allocated for a medical care initiative
25 identified in the fiscal year 2015 expenditure plan is ad-

1 justified by more than \$25,000,000 from the allocation
2 shown in the corresponding congressional budget justifica-
3 tion. Such a reprogramming request may go forward only
4 if the Committees on Appropriations of both Houses of
5 Congress approve the request or if a period of 14 days
6 has elapsed.

7 SEC. 230. Of the funds provided to the Department
8 of Veterans Affairs for fiscal year 2015 for “Medical Serv-
9 ices” and “Medical Support and Compliance”, a maximum
10 of \$8,371,000 may be obligated from the “Medical Serv-
11 ices” account and a maximum of \$114,703,000 may be
12 obligated from the “Medical Support and Compliance” ac-
13 count for the VistA Evolution and electronic health record
14 interoperability projects: *Provided*, That funds in addition
15 to these amounts may be obligated for the VistA Evolution
16 and electronic health record interoperability projects upon
17 written notification by the Secretary of Veterans Affairs
18 to the Committees on Appropriations of both Houses of
19 Congress.

20 SEC. 231. 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. 232. None of the funds made available by this
2 Act may be used to award a contract to any contractor
3 if the past performance of the contractor resulted in the
4 completion of a constructon project at a facility of the De-
5 partment of Veterans Affairs more than 24 months after
6 the original agreed-upon completion date for the project.

7 (INCLUDING RESCISSION OF FUNDS)

8 SEC. 233. Of the unobligated balances available to
9 the Department of Veterans Affairs from prior year dis-
10 cretionary appropriations (other than appropriations des-
11 ignated by law as being for an emergency requirement)
12 \$38,000,000 are hereby rescinded.

13 TITLE III

14 RELATED AGENCIES

15 AMERICAN BATTLE MONUMENTS COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses, not otherwise provided for,
18 of the American Battle Monuments Commission, including
19 the acquisition of land or interest in land in foreign coun-
20 tries; purchases and repair of uniforms for caretakers of
21 national cemeteries and monuments outside of the United
22 States and its territories and possessions; rent of office
23 and garage space in foreign countries; purchase (one-for-
24 one replacement basis only) and hire of passenger motor
25 vehicles; not to exceed \$7,500 for official reception and

1 representation expenses; and insurance of official motor
2 vehicles in foreign countries, when required by law of such
3 countries, \$75,000,000, to remain available until ex-
4 pended.

5 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

6 For necessary expenses, not otherwise provided for,
7 of the American Battle Monuments Commission, such
8 sums as may be necessary, to remain available until ex-
9 pended, for purposes authorized by section 2109 of title
10 36, United States Code.

11 UNITED STATES COURT OF APPEALS FOR VETERANS

12 CLAIMS

13 SALARIES AND EXPENSES

14 For necessary expenses for the operation of the
15 United States Court of Appeals for Veterans Claims as
16 authorized by sections 7251 through 7298 of title 38,
17 United States Code, \$31,386,000: *Provided*, That
18 \$2,500,000 shall be available for the purpose of providing
19 financial assistance as described, and in accordance with
20 the process and reporting procedures set forth, under this
21 heading in Public Law 102-229.

1 DEPARTMENT OF DEFENSE—CIVIL
2 CEMETERIAL EXPENSES, ARMY
3 SALARIES AND EXPENSES

4 For necessary expenses for maintenance, operation,
5 and improvement of Arlington National Cemetery and Sol-
6 diers' and Airmen's Home National Cemetery, including
7 the purchase or lease of passenger motor vehicles for re-
8 placement on a one-for-one basis only, and not to exceed
9 \$1,000 for official reception and representation expenses,
10 \$61,881,000, of which not to exceed \$7,000,000 shall re-
11 main available until September 30, 2016. In addition,
12 such sums as may be necessary for parking maintenance,
13 repairs and replacement, to be derived from the "Lease
14 of Department of Defense Real Property for Defense
15 Agencies" account.

16 ARMED FORCES RETIREMENT HOME
17 TRUST FUND

18 For expenses necessary for the Armed Forces Retire-
19 ment Home to operate and maintain the Armed Forces
20 Retirement Home—Washington, District of Columbia,
21 and the Armed Forces Retirement Home—Gulfport, Mis-
22 sissippi, to be paid from funds available in the Armed
23 Forces Retirement Home Trust Fund, \$63,400,000, of
24 which \$1,000,000 shall remain available until expended
25 for construction and renovation of the physical plants at

1 the Armed Forces Retirement Home—Washington, Dis-
2 trict of Columbia, and the Armed Forces Retirement
3 Home—Gulfport, Mississippi.

4 ADMINISTRATIVE PROVISION

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

11 TITLE IV

12 GENERAL PROVISIONS

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

16 SEC. 402. None of the funds made available in this
17 Act may be used for any program, project, or activity,
18 when it is made known to the Federal entity or official
19 to which the funds are made available that the program,
20 project, or activity is not in compliance with any Federal
21 law relating to risk assessment, the protection of private
22 property rights, or unfunded mandates.

23 SEC. 403. No part of any funds appropriated in this
24 Act shall be used by an agency of the executive branch,
25 other than for normal and recognized executive-legislative

1 relationships, for publicity or propaganda purposes, and
2 for the preparation, distribution, or use of any kit, pam-
3 phlet, booklet, publication, radio, television, or film presen-
4 tation designed to support or defeat legislation pending
5 before Congress, except in presentation to Congress itself.

6 SEC. 404. All departments and agencies funded under
7 this Act are encouraged, within the limits of the existing
8 statutory authorities and funding, to expand their use of
9 “E-Commerce” technologies and procedures in the con-
10 duct of their business practices and public service activi-
11 ties.

12 SEC. 405. Unless stated otherwise, all reports and no-
13 tifications required by this Act shall be submitted to the
14 Subcommittee on Military Construction and Veterans Af-
15 fairs, and Related Agencies of the Committee on Appro-
16 priations of the House of Representatives and the Sub-
17 committee on Military Construction and Veterans Affairs,
18 and Related Agencies of the Committee on Appropriations
19 of the Senate.

20 SEC. 406. None of the funds made available in this
21 Act may be transferred to any department, agency, or in-
22 strumentality of the United States Government except
23 pursuant to a transfer made by, or transfer authority pro-
24 vided in, this or any other appropriations Act.

1 SEC. 407. None of the funds made available in this
2 Act may be used for a project or program named for an
3 individual serving as a Member, Delegate, or Resident
4 Commissioner of the United States House of Representa-
5 tives.

6 SEC. 408. (a) Any agency receiving funds made avail-
7 able in this Act, shall, subject to subsections (b) and (c),
8 post on the public Web site of that agency any report re-
9 quired to be submitted by the Congress in this or any
10 other Act, upon the determination by the head of the agen-
11 cy that it shall serve the national interest.

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

13 (1) the public posting of the report com-
14 promises national security; or

15 (2) the report contains confidential or propri-
16 etary information.

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

21 SEC. 409. (a) None of the funds made available in
22 this Act may be used to maintain or establish a computer
23 network unless such network blocks the viewing,
24 downloading, and exchanging of pornography.

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

5 SEC. 410. None of the funds made available in this
6 Act may be used by an agency of the executive branch
7 to pay for first-class travel by an employee of the agency
8 in contravention of sections 301–10.122 through 301–
9 10.124 of title 41, Code of Federal Regulations.

10 SEC. 411. (a) IN GENERAL.—None of the funds ap-
11 propriated or otherwise made available to the Department
12 of Defense in this Act may be used to construct, renovate,
13 or expand any facility in the United States, its territories,
14 or possessions to house any individual detained at United
15 States Naval Station, Guantánamo Bay, Cuba, for the
16 purposes of detention or imprisonment in the custody or
17 under the control of the Department of Defense.

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

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

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

4 (2) is—

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

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

9 SEC. 412. None of the funds made available in this
10 Act may be used to execute a contract for goods or serv-
11 ices, including construction services, where the contractor
12 has not complied with Executive Order No. 12989.

13 SEC. 413. None of the funds made available by this
14 Act may be used to enter into a contract, memorandum
15 of understanding, or cooperative agreement with, make a
16 grant to, or provide a loan or loan guarantee to, any cor-
17 poration that was convicted of a felony criminal violation
18 under any Federal law within the preceding 24 months,
19 where the awarding agency is aware of the conviction, un-
20 less the agency has considered suspension or debarment
21 of the corporation and has made a determination that this
22 further action is not necessary to protect the interests of
23 the Government.

24 SEC. 414. None of the funds made available by this
25 Act may be used to enter into a contract, memorandum

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

13 SEC. 415. None of the funds made available by this
14 Act may be used by the Department of Defense or the
15 Department of Veterans Affairs to lease or purchase new
16 light duty vehicles for any executive fleet, or for an agen-
17 cy's fleet inventory, except in accordance with Presidential
18 Memorandum—Federal Fleet Performance, dated May
19 24, 2011.

20 SPENDING REDUCTION ACCOUNT

21 SEC. 416. The amount by which the applicable alloca-
22 tion of new budget authority made by the Committee on
23 Appropriations of the House of Representatives under
24 section 302(b) of the Congressional Budget Act of 1974

1 exceeds the amount of proposed new budget authority is
2 \$0.

3 This Act may be cited as the “Military Construction
4 and Veterans Affairs and Related Agencies Appropriations
5 Act, 2015”.

Union Calendar No. 306

113TH CONGRESS
2^D SESSION

H. R. 4486

[Report No. 113-416]

A BILL

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2015, and for other purposes.

APRIL 17, 2014

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