

AMENDMENTS TO THE MILITARY
CONSTRUCTION, VETERANS AFFAIRS, AND
RELATED AGENCIES APPROPRIATIONS BILL FOR
FY 2020

Full Committee Markup
House Appropriations Committee
Thursday May 9, 2019

adopted VV

MS. WASSERMAN SCHULTZ
#1 MILCON/VA

Military Construction, Veterans Affairs, and Related Agencies
FY 2020 Appropriations Act

Managers' Amendment

Offered by Ms. Wasserman Schultz of Florida

REPORT LANGUAGE

In the report:

On page 4 of the report, after the paragraph headed "*Performance Measures*", insert:

"Customer Service Standards.—The Committee emphasizes the importance of implementing proper customer service standards. Development of these standards includes providing significant services directly to the public, identifying and surveying target customers, establishing effective service standards and tracking internal performance against those standards."

On page 11 of the report, after the paragraph headed "*Adequate Childcare for Military Families*", insert:

"Quality of Life (QOL) Projects Priority List.—The Committee notes the ongoing challenges that the lack of QOL projects, such as the lack of Childcare Development Centers (CDCs), creates a hardship to servicemembers and their families. The Committee is concerned that too often QOL projects are not included in budget submissions and this absence negatively impacts the QOL for servicemembers and their families. Given the demanding jobs that servicemembers must execute, creating unique solutions is required. The Committee notes that stable family life is a key component to mission readiness and retention. The Committee believes that requesting these QOL projects, like CDCs, should be a top priority amongst the Services. The recommendation includes an additional \$11,000,000 in each of the Services' planning and design

accounts to support the Services preparation for construction of new CDCs at the most underserved military installation. Therefore, the Committee directs the Service Secretaries to submit a report to the congressional defense committees no later than 90 days after the enactment of this Act that provides a plan to provide address QOL shortfalls, with an emphasis on CDCs, and at what installations they are most needed for the fiscal year 2020 and in the FYDP. The report should include associated funding requirements for every installation with an emphasis on CDCs. Further, the Committee directs that the Secretary of Defense to create a unified list of needed QOL projects with an emphasis on CDCs across the enterprise which shall be submitted concurrently with the annual budget submission hereafter.”

On page 19 of the report, after the paragraph headed “DOD Installation Energy Policy”, insert:

*“Information Technology Infrastructure for Military Construction Projects.—*In the fiscal year 2019 conference agreement, the Committee directed the Secretary of Defense to report to the Committee no later than 60 days after enactment on how the Department is incorporating technology advancements and working with industry partners to gain efficiencies and savings on military construction projects. The Committee directs the Secretary to provide a status on the fiscal year 2019 directive.”

On page 52 of the report, after the paragraph headed “Rare Cancers”, insert:

*“Nuclear Medicine Quality Improvements.—*The Committee is aware of evidence demonstrating the prevalence of extravasations in nuclear medical procedures. Extravasations of diagnostic radiopharmaceuticals negatively affect the sensitivity and quantification of nuclear medicine scans. Extravasations can affect disease staging and treatment assessment, result in unnecessary invasive procedures and additional radiation exposure, and lead to higher costs for patients and payers. As America’s largest integrated healthcare system, the VAMC should lead by example in acting to reduce medical errors and medical waste. The Committee encourages VAMCs to monitor injection quality and develop a physician/patient reporting system to disclose when extravasations occur. No later than 90 days after the enactment of this Act, VHA shall provide to the Committees on Appropriations of both Houses of Congress a report on efforts to monitor injection quality and reduce the incidence of extravasations.”

On page 57 of the report, after the paragraph headed “*VSO Wellness Pilot Program*”, insert:

“Health Videos for Veterans.— Hospitals and physicians’ offices around the country are currently utilizing health videos in their lobbies, waiting rooms, and exam rooms to supplement and reinforce the medical care, advice, and instruction physicians are providing. The Committee notes that educational resources, such as these could result in cost savings and quality of life improvement for Veterans. The Committee encourages VHA, where possible, to have health videos available to Veterans and directs the Secretary to develop a plan to implement educational video systems within VHA.”

On page 66 of the report, before the “National Cemetery Administration” header, insert:

*“MCCF Third-Party Billing.—*Congress remains concerned over potential discrepancies in VA’s billing process. Procedures to provide for correct billing and prompt collection must improve at VA. Therefore, the Department shall submit to Congress a quarterly report identifying the amount of third-party health billings that were owed to VA in the previous quarter and the amount collected. The report shall include billings and collections data for both large claims (greater than \$1,000) and small claims (equal to or less than \$1,000). In addition, the first quarter report shall include current efforts underway to increase VA’s efficiency, accuracy, and collection process, as well as what management practices are in place to provide proper oversight of the billing process, including appeals, so as to eliminate unnecessary and duplicative functions.”

Harris #1

not adopted 22-31

**AMENDMENT TO MILITARY CONSTRUCTION AND
VETERANS AFFAIRS APPROPRIATIONS BILL
OFFERED BY MR. HARRIS OF MARYLAND**

Page 78, beginning on line 23, strike section 612.



John Carter

Not adopted 21-31

**AMENDMENT TO MILITARY CONSTRUCTION AND
VETERANS AFFAIRS APPROPRIATIONS BILL**

OFFERED BY Mr. John Carter

At the appropriate place in title I of the bill, insert
the following:

1 SEC. _____. In addition to amounts otherwise made
2 available by this title, there is hereby appropriated
3 \$7,200,000,000, to remain available until September 30,
4 2024, for "Military Construction, Army": *Provided*, That
5 such amount shall be transferred to appropriations of the
6 Department of Homeland Security to implement the Bor-
7 der Security Improvement Plan, in such amounts as may
8 be determined by the Secretary of Homeland Security, to
9 be merged with and to be available for the same time pe-
10 riod and same purposes as the appropriation to which
11 transferred: *Provided further*, That the transfer authority
12 provided in this section is in addition to any other transfer
13 authority provided by law: *Provided further*, That such
14 amount is designated by the Congress as being for emer-
15 gency requirements pursuant to section 251(b)(2)(A)(i) of
16 the Balanced Budget and Emergency Deficit Control Act
17 of 1985, as amended: *Provided further*, That such amount
18 shall be available only if the President designates such

- 1 amount as being for emergency requirements pursuant to
- 2 such section 251(b)(2)(A)(i).



Fortenberry Amendment
to MilCon/VA #1

adopted VV

**AMENDMENT TO MILITARY CONSTRUCTION AND
VETERANS AFFAIRS APPROPRIATIONS BILL
OFFERED BY MR. FORTENBERRY OF NEBRASKA**

Page 73, line 24, increase the dollar amount by
\$300,000,000.



Fortenberry Amendment to MilCon/VA #1

Corresponding Report Language Amendments

In the report,

1. On page 85, make technical and conforming to the table titled "National Disaster Relief Department of Defense".
2. On page 86, in the paragraph titled "Military Construction, Air Force", make technical and conforming changes.
3. On page 86, in the paragraph titled "Military Construction, Air Force", add "and 2019 flooding" after "Hurricanes Florence and Michael".

AMENDMENT TO H.R. ____ (MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS, FISCAL YEAR 2020)

OFFERED BY MR. HURD OF TEXAS

Page 71, line 16, strike "\$156,860,000" and insert "\$245,360,000".

At the appropriate place in the bill, insert the following:

- 1 SEC. ____ (a) None of the funds appropriated or
2 otherwise made available to the Department of Defense
3 in this Act may be used to construct, renovate, or expand
4 any facility in the United States, its territories, or possessions to house any individual described in subsection (c)
5 for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.
6
7 (b) The prohibition in subsection (a) shall not apply
8 to any modification of any facility at United States Naval
9 Station, Guantanamo Bay, Cuba.
10
11 (c) An individual described in this subsection is any
12 individual who, as of the date of the enactment of this

1 Act, is located at United States Naval Station, Guanta-
2 namo Bay, Cuba, and who—

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

6 (2) is—

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

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



Graves #2

Amendment to Military Construction and Veterans Affairs

Appropriations Bill

Offered by Mr. Graves of Georgia

At the end of the bill (before the short title), insert the following:

Sec. _____. Combating BDS.

(a) AGENCY MEASURES.—Notwithstanding any other provision of law, the agencies funded in this bill may adopt and enforce measures that meet the requirements of subsection (b) to restrict contracting for goods and services with—

(1) an entity that the agency determines, using credible information, knowingly engages in any commerce-related or investment-related boycott, divestment, or sanctions activity targeting Israel;

(2) a successor entity or subunit of an entity described in paragraph (1); or

(3) an entity that owns or controls, is owned or controlled by, or is under common ownership or control with, an entity described in paragraph (1).

(b) REQUIREMENTS.—An agency that seeks to adopt or enforce a measure under subsection (a) shall meet the following requirements:

(1) NOTICE.—The agency shall provide written notice to each entity to which a measure under subsection (a) is to be applied.

(2) TIMING.—The measure shall apply to an entity not earlier than the date that is 90 days after the date on which written notice is provided to the entity under paragraph (1).

(3) OPPORTUNITY FOR COMMENT.—The agency shall provide an opportunity to comment in writing to each entity to which a measure is to be applied. If the entity demonstrates to the agency that the entity has not engaged in any commerce-related or investment-related boycott, divestment, or sanctions activity targeting Israel, the measure shall not apply to the entity.

(4) SENSE OF CONGRESS ON AVOIDING ERRONEOUS TARGETING.—It is the sense of Congress that an agency should not adopt a measure under subsection (a) with respect to an entity unless the agency has made every effort to avoid erroneously targeting the entity and has verified that the entity engages in any commerce-related or investment-related boycott, divestment, or sanctions activity targeting Israel.

(c) NOTICE TO DEPARTMENT OF JUSTICE.—

(1) IN GENERAL.—Except as provided in paragraph (2), not later than 30 days after adopting a measure described in subsection (a), the agency that adopted the measure shall submit written notice to the Attorney General describing the measure.

(d) DEFINITIONS AND RULES OF CONSTRUCTION.—

(1) DEFINITIONS.—In this section:

(A) BOYCOTT, DIVESTMENT, OR SANCTIONS ACTIVITY TARGETING ISRAEL.—The term “boycott, divestment, or sanctions activity targeting Israel” means any activity that is intended to penalize, inflict economic harm on, or otherwise limit commercial relations with Israel or persons doing business as described in section 102(b)(20)(B) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 ([19 U.S.C. 4201\(b\)\(20\)\(B\)](#)).

(B) ENTITY.—The term “entity” includes—

- (i) any corporation, company, business association, partnership, or trust; and
- (ii) any governmental entity or instrumentality of a government, including a multilateral development institution (as defined in section 1701(c)(3) of the International Financial Institutions Act ([22 U.S.C. 262r\(c\)\(3\)](#))).

(C) INVESTMENT.—The term “investment” includes—

- (i) a commitment or contribution of funds or property;
- (ii) a loan or other extension of credit; and
- (iii) the entry into or renewal of a contract for goods or services.

(2) RULES OF CONSTRUCTION.—

(A) POLICY OF THE UNITED STATES.—Nothing in this section shall be construed to alter the established policy of the United States concerning final status issues associated with the Arab-Israeli conflict, including border delineation, that can only be resolved through direct negotiations between the parties.

Graves #1

adopted W

Amendment to Military Construction and Veterans Affairs

Appropriations Bill

Offered by Mr. Graves of Georgia

At the end of the bill (before the short title), insert the following:

Sec. _____. None of the funds made available by this Act may be used to replace or diminish the quality of care provided by the TRICARE program (as defined in Section 1072 of Title 10 of the United States Code).

Adapted

Wasserman Schultz #2

Substitute for Graves #3

Substitute offered by Ms. Wasserman Schultz of Florida to the amendment offered by Mr. Graves of Georgia to the Military Construction and Veterans Affairs, and Related Agencies Bill.

In lieu of the matter proposed to be inserted by the Gentleman from Georgia:

At the end of the bill (before the short title), insert the following:

Sec. ____ . Additional Requirements for Child Care Providers.

- (a) Subject to subsection (b), none of the funds appropriated by this bill may be provided to a child care center, child care agency, or child care provider that employs an individual who has been convicted of-
 - 1. A sex offense;
 - 2. An offense involving a child victim; or
 - 3. A violent crime involving any of the following:
 - a. Elder abuse
 - b. Gun Violence
 - c. Domestic Violence
 - d. Terrorism
- (b) Payment may be made under this section to a child care center, child care agency, or child care provider if such child care center, child care agency, or child care provider has suspended the individual described in subsection (a) from having any contact with children while on the job until the case is resolved.

Graves #3

adopted vj
OS amended

Amendment to Military Construction and Veterans Affairs

Appropriations Bill

Offered by Mr. Graves of Georgia

At the end of the bill (before the short title), insert the following:

Sec. ____ Additional Requirements for Child Care Providers.

- (a) Subject to subsection (b), none of the funds appropriated by this bill may be provided to a child care center, child care agency, or child care provider that employs an individual who has been charged with -
 - 1. A sex offense;
 - 2. An offense involving a child victim;
 - 3. A violent crime;
 - 4. A drug felony; or
 - 5. Other offense that the Secretary determines appropriate.
- (b) Payment may be made under this section to a child care center, child care agency, or child care provider if such child care center, child care agency, or child care provider has suspended the individual described in subsection (a) from having any contact with children while on the job until the case is resolved.