



H.R. 2029—Fiscal Year 2016 Military Construction and Veterans Affairs Appropriations (Dent, R-PA)

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FLOOR SCHEDULE: [H.R. 2029](#) IS EXPECTED TO BE CONSIDERED ON APRIL 29, 2015, UNDER AN [OPEN RULE](#), PERMITTING ALL GERMANE AMENDMENTS TO BE OFFERED. THE RULE PROVIDES FOR ONE HOUR OF GENERAL DEBATE. MEMBERS WHO HAVE PRE-PRINTED THEIR AMENDMENTS IN THE CONGRESSIONAL RECORD WILL BE GIVEN PRIORITY IN RECOGNITION. THE RULE FURTHER PROVIDES FOR AN OPEN RULE ON THE FY 2016 ENERGY AND WATER APPROPRIATIONS BILL. AS A REMINDER, AMENDMENTS MUST BE OFFERED AT THE APPROPRIATE TIME DURING THE READING OF THE BILL.

TOPLINE SUMMARY

In thousands of dollars

	FY15 House Level	FY15 Enacted	FY16 President Request	FY16 House Level
Net Total Base Discretionary	71,499,447	71,808,000	78,784,982	76,057,000

Net Total Base Discretionary Budget Authority is:

- \$2.728 million below the President’s budget request.
- \$4.249 billion above the enacted FY 2015 level.
- \$4.558 billion above the level proposed by the Appropriations Committee for FY 2015.

The bill provides a net total of \$76.057 billion in FY 2016 base discretionary budget authority. \$58.662 billion in FY 2016 funds for veterans health benefits have been appropriated in advance by previously enacted legislation. This bill contains \$63.271 billion in advance appropriations for veterans health benefits for FY 2017.

The bill also includes \$532 million in Global War on Terror (GWOT)/Overseas Contingency Operations (OCO) funding that is exempt from the discretionary spending cap.

Further, the bill provides a total of \$94.547 for mandatory veterans benefit programs in FY 2016, which does not count towards the discretionary spending caps.

The committee report can be found [here](#), and the text of the legislation can be found [here](#).

CONSERVATIVE CONCERNS: Some conservatives may be concerned that the bill funds \$532 million in projects using OCO/GWOT funding in an effort to appropriate funds in excess of the Budget Control Act’s spending caps. In the president’s budget request, those projects were funded using base discretionary funding. Other conservatives might argue that the president’s budget was only able to fund those projects using base discretionary funds because the budget request broke the spending caps.

- **Expand** the Size and Scope of the Federal Government?: No
- **Encroach** into State or Local Authority?: No
- **Delegate** Any Legislative Authority to the Executive Branch?: No
- **Contain** Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No, according to the [committee report](#).

DETAILED SUMMARY AND ANALYSIS:

Title I: Military Construction:

Net Total Discretionary in Thousands of Dollars

FY15 House Level	FY15 Enacted	FY16 President Request	FY16 House Level	FY16 vs 15 House	FY16 vs 15 Enacted	FY16 vs President
6,557,447	6,558,000	8,437,620	7,151,000	+ 593,553	+ 593,000	- 1,286,620

The bill provides \$7.151 billion for military construction, a level \$1.287 billion below the president’s budget request and \$593 million above the FY 2015 enacted level. This account provides for a variety of both domestic and foreign construction projects, including family housing. A table showing the breakdown of construction funding by Service Branch can be found [here](#). A list of construction projects by state and country can be found [here](#).

American Steel: The bill includes a rider that prohibits the procurement of steel unless American producers have been allowed to compete.

Army Unit Relocations: The bill includes a rider that prohibits the relocation of an Army unit that would impact more than 200 personnel and preforms a testing mission or function that is not performed by any other unit of the Army.

Title II: Department of Veterans Affairs:

Net Total Discretionary in Thousands of Dollars

FY15 House Level	FY15 Enacted	FY16 President Request	FY16 House Level	FY16 vs 15 House	FY16 vs 15 Enacted	FY16 vs President
64,708,433	65,013,414	70,103,021	68,661,659	+ 3,953,226	+ 3,648,245	- 1,441,362

The bill provides \$68.662 billion in net total discretionary funding for the Department of Veterans Affairs. This level is \$3.648 billion above the FY 2015 enacted level and \$1.441 billion below the president’s budget request.

Advance Appropriations for Veterans Health Administration: The [Fiscal Year 2015 Consolidated Appropriations Act](#) provided \$58.662 billion in FY 2016 funds for veterans health benefits in advance appropriations. H.R. 2029 also includes \$969 million in additional FY 2016 funding for medical services. This is \$155 million less than the president’s budget request.

The bill contains \$63.271 billion in advance appropriations for veterans health benefits for FY 2017, an amount equal to the president’s budget request.

Medical and Prosthetic Research: The bill includes \$622 million for medical and prosthetic research, a level that is \$33 million above the FY 2015 enacted level and equal to the president’s budget request.

VA Claims Backlog: According to the [most recent report](#) from the VA, 450,391 veterans claims remain pending with the VA, including 177,037 that have been pending for more than 125 days. To address this problem, the bill provides \$2.698 billion for General Operating Expenses for the Veterans Benefits Administration, an amount \$163 million above the FY 2015 enacted level and equal to the president’s budget request. These additional funds could be used in part to hire 770 new full time equivalent employees to process claims.

Additionally, the bill provides \$108 million for the Board of Veterans Appeals, an amount equal to the budget request and \$9 million above the FY 2015 enacted level to help reduce the claims appeal backlog.

IT Systems: The bill includes \$4.038 billion for the VA information technology systems. This is \$135 million above the FY 2015 enacted level and \$95 million below the president’s budget request. These funds are in addition to the \$173 million provided for IT systems in the [Veterans Choice Act](#).

Electronic Health Records: The bill provides \$183 million for the VistA Evolution modernized health record system and \$50 million for electronic health record interoperability and Virtual Lifetime Electronic Record (VLER) health. The bill withholds 75 percent of the appropriated funds for VistA Evolution until the VA provides information to Congress regarding the development of the program in light of the decision in 2013 by the VA and Department of Defense to not pursue a single integrated health record system.

VA Construction: The bill provides \$561.8 million for major VA construction projects, an amount \$582 million below the president’s budget request and equal to the FY 2015 enacted level. The bill requires the VA to report to Congress on the VA Aurora, Colorado hospital project, where cost overruns are projected to be close to \$1 billion. Additionally, the bill provides \$406 million for minor VA construction projects, equal to the President’s budget request and \$89 million below the FY 2015 enacted level.

Bonuses for VA Employees: The bill rescinds \$101 million from FY 2016 VA discretionary appropriations to implement the limit on bonuses for VA employees that was included in the House-passed H.R. 294 Long-Term Care Veterans Choice Act. The bill does not include a prohibition on bonuses for VA employees.

Title III: Related Agencies:

Net Total Discretionary in Thousands of Dollars

FY15 House Level	FY15 Enacted	FY16 President Request	FY16 House Level	FY16 vs 15 House	FY16 vs 15 Enacted	FY16 vs President
233,567	236,586	244,341	244,341	+ 10,774	+ 7,755	0

H.R. 2029 provides a total of \$244 million for the other related agencies funded by the bill, including the American Battle Monuments Commission, the U.S. Court of Appeals for Veterans Claims, Army Commentarial Expenses, and the Armed Forces Retirement Home.

Title IV: Global War on Terror (GWOT)/Overseas Contingency Operations (OCO):

Net Total Discretionary in Thousands of Dollars

FY15 House Level	FY15 Enacted	FY16 President Request	FY16 House Level	FY16 vs 15 House	FY16 vs 15 Enacted	FY16 vs President
0	221,000	0	532,000	+ 532,000	+ 311,000	+ 532,000

The bill provides a total of \$532 million for military construction projects funded using GWOT. This level is \$532 million above the president’s budget request and \$311 million above the enacted FY 2015 level. GWOT spending is exempted from the annual spending caps established by the Budget Control Act. A list of construction projects funded by Title IV can be found [here](#).

Other Provisions of Note:

Guantanamo Bay Detainees: The bill includes language prohibiting the use of funds for the renovation, expansion, or construction of any facility in the continental United States for the purpose of housing any individual who has been detained at Guantanamo Bay.

E-Verify: The legislation prohibits funding for contracts where the contractor has not complied with federal contractor E-Verify requirements.

First Class Travel: The legislation prohibits funding for first class travel of federal agency employees.

Unauthorized Appropriations: The bill [includes](#) \$9.247 billion in appropriations for 29 programs that have not been authorized.

However, the funds are for defense programs that would be authorized by the Fiscal Year 2016 National Defense Authorization Act (NDAA) that the House is expected to consider in the coming weeks.

COMMITTEE ACTION: The House Appropriations Committee marked up H.R. 2029 on [April 22, 2015](#), and approved the bill by a voice vote. The committee additionally held a number of [oversight hearings](#).

ADMINISTRATION POSITION: OMB Director Shaun Donovan [wrote to](#) Appropriations Committee Chairman Hal Rogers prior to markup of the bill expressing “serious concerns” about the bill, including with the overall spending levels included in the House budget, funding certain administration priorities below the president’s budget request, and shifting a portion of military construction through GWOT.

CONSTITUTIONAL AUTHORITY: “Congress has the power to enact this legislation pursuant to the following: The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: “No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law” In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: “The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States” Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.”

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