

AMENDMENTS ADOPTED TO THE
MILITARY CONSTRUCTION/VA APPROPRIATIONS BILL
FOR FY 2017

Full Committee Markup
House Appropriations Committee
Wednesday, April 13, 2016

#1

MR. DENT

Adopted
W

Military Construction, Veterans Affairs and Related Agencies
FY 2017 Appropriations Act

Managers' Amendment

Offered by Mr. Dent of Pennsylvania

REPORT LANGUAGE

In the report:

On page 44 of the report, delete the first two sentences after the header, "*Nursing full practice authority*" and insert:

The Committee understands that VHA will soon publish a proposed regulation to recognize the full practice authority of advanced practice registered nurses working at VHA. The Committee encourages VHA to seek input from appropriate external professional stakeholders and to give consideration to the policies of existing Handbooks, prior to publishing the final regulation.

On page 48, insert before the header, "MEDICAL COMMUNITY CARE":

VA Pre-Medicine Internship Program— Pre-medicine internships are designed to help interested individuals understand the realities of life as a doctor. One of the common pieces missing in applications is the experience of shadowing. The Committee recognizes the obstacles young professionals face in obtaining shadowing opportunities required for entrance into many healthcare professional schools. The Committee also understands that while VA allows shadowing there is no formal shadowing program at VA. The Committee urges VA to explore the feasibility of creating a system to facilitate shadowing opportunities with VA medical professionals for individuals pursuing advanced medical training.

On page 49 of the report, insert before the heading, "MEDICAL AND PROSTHETIC RESEARCH":

Bakersfield outpatient clinic. -- The Committee is concerned with the lengthy period VA has taken to lease a new outpatient clinic in Bakersfield, CA pursuant to Public Law 111-82. Outpatient clinics greatly reduce the need for veterans to travel long distances for care by providing reliable medical services closer to a veteran's home. The new outpatient clinic would replace the Bakersfield community-based outpatient clinic and would provide expanded primary care and mental health services while offering a range of specialty care clinics. This project would simultaneously increase veterans' access to healthcare locally as well as reduce the caseload at other facilities in the VA Greater Los Angeles Healthcare System. While VA received congressional authorization for the project in fiscal year 2010 and has allocated funding for it, the project has been delayed for years and is still in the acquisition phase. The Committee urges the Department to expedite the project in light of the urgent need for expanded healthcare services. The Committee directs the Secretary to report to the Committee not later than 60 days after enactment of this Act on past actions and the future plan forward, including the timeline for this project, and to provide periodic progress reports to the Committee every 120 days. These periodic progress reports shall include an explanation of any changes to: (1) the project's status; (2) the expected cost of the lease; and (3) the projected completion date.

On page 52, insert before the header, "MEDICAL CARE COLLECTIONS FUND":

Research coordination. -- The Committee recognizes the critical gap between basic research and clinical implementation of effective treatments for PTSD and TBI for veterans and urges VA to share its research on neuroscience with the private sector and consider establishing a consortium to coordinate with private sector research efforts. If a consortium is feasible, VA should organize public-private partners to work together to drive collaborative and innovative research on the neurobiology of PTSD with regard to trauma-associated genetic, epigenetic and transcriptional mechanisms and to galvanize efforts across basic research, translational science, and clinical delivery of treatments for TBI.

On page 53 of the report, insert before the header, "DEPARTMENTAL ADMINISTRATION":

Rural burial access. – The Committee continues to be concerned that there are geographic pockets in the country that would qualify for the VA rural veterans burial grounds initiative, but which are not served because their State as a whole does not qualify for it. Since 8 percent of veterans live in areas that do not meet the VA goal of having access to a burial option within 75 miles of their home, the Committee requests a report not later than 90 days after enactment of this Act describing VA’s future plans to narrow the gap of veterans without reasonable access to burial. The Committee encourages VA to include in its plans consideration of options in which private entities would donate land to establish rural cemeteries and the establishment of satellite cemeteries.

On page 54, insert before the header, “VA budget office communication”:

Delays in hiring. -- The Committee is concerned about whether the hiring and credentialing process may contribute to longer wait times for veterans seeking healthcare. The Committee requests a report on the average length of time to fill a healthcare provider slot at a representative sample of medical centers, including: the time it takes the resource board to approve the hire of a new position; the time it takes to post the job announcement; how long the interview process takes; and the length of time for credentialing; as well as any internal VA goals that exist for the time each step in the process should take. The report should also describe how often a healthcare provider reaches the credentialing process phase of the process, but does not end up being hired because of another hiring opportunity outside VA. If VA does not collect this data in a systematic way, it should report this to the Committee and begin efforts to collect it in the future. This report should be provided to the Committee not later than 60 days after enactment of this Act.

On page 63 of the report, insert at the end of the paragraph with the header, “Appointment scheduling system”:

The Department is encouraged to consider private sector scheduling solutions that may include trained patient care managers and strategies that have worked in other settings and develop a pilot of feasible options.

On page 66, insert before the header, “CONSTRUCTION, MINOR PROJECTS”:

Construction Oversight. -- The Committee is aware that commercial off-the-shelf building information modeling systems are routinely used in the private sector to

manage the design and construction of large-scale facilities. These models have been proven to facilitate the delivery of large-scale construction projects ahead of schedule with significant savings. Therefore, the Committee encourages VA to examine if a fully competitive acquisition and implementation of commercial off-the-shelf building information modeling systems could be used to improve the timeliness and cost of VA medical facilities. The Committee requests a report not later than 60 days after enactment of this Act that describes: (1) how a model project delivery system would be tailored to VA construction needs at one or more projects included in the Strategic Capital Investment Plan (SCIP); (2) the acquisition of commercial building information modeling tools necessary to produce or utilize high fidelity project information; and (3) project management, reporting, and implementation support for VA construction projects during design, construction, and operations using 3D models to identify and mitigate cost, schedule, or technical risk and to better manage engineering change orders.

#3

Rooney

adopted
VV

**AMENDMENT TO MILITARY CONSTRUCTION AND
VETERANS AFFAIRS APPROPRIATIONS BILL
OFFERED BY MR. Rooney**

Page 4, line 6, insert before the period at the end
the following:

- 1 : *Provided further*, That none of the funds made available
- 2 under this heading shall be for construction of the Joint
- 3 Intelligence Analysis Complex Consolidation, Phase 3, at
- 4 Royal Air Force Croughton, United Kingdom, unless au-
- 5 thorized in an Act authorizing appropriations for fiscal
- 6 year 2017 for military construction

#4

Adopted
as amended
by #45
VV

**AMENDMENT TO MILITARY CONSTRUCTION AND
VETERANS AFFAIRS APPROPRIATIONS BILL
OFFERED BY MRS. LOWEY OF NEW YORK, MS.
DELAURO OF CONNECTICUT, AND MS.
WASSERMAN SCHULTZ OF FLORIDA**

At the end of the bill (before the spending reduction
account), add the following:

INSERT TEXT
OF ROGERS
AMENDMENT
#45

1 TITLE VI
2 DEPARTMENT OF HEALTH AND HUMAN
3 SERVICES
4 FOOD AND DRUG ADMINISTRATION
5 SALARIES AND EXPENSES

6 For an additional amount for "Salaries and Ex-
7 penses", \$10,000,000, to remain available until expended,
8 to prevent, prepare for, and respond to Zika virus, other
9 vector-borne diseases, or other infectious diseases and re-
10 lated health outcomes, domestically and internationally,
11 and to develop necessary medical countermeasures and
12 vaccines, including the review, regulation, and post market
13 surveillance of vaccines and therapies, and administrative
14 activities: *Provided*, That such amount is designated by
15 the Congress as an emergency requirement pursuant to
16 section 251(b)(2)(A) of the Balanced Budget and Emer-

1 gency Deficit Control Act of 1985, as amended: *Provided/*
2 *further*, That such amount shall be available only if the
3 President designates such amount as an emergency/re-
4 quirement pursuant to section 251(b)(2)(A).

5 CENTERS FOR DISEASE CONTROL AND PREVENTION
6 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT
7 (INCLUDING TRANSFER OF FUNDS)

8 For an additional amount for "CDC-Wide Activities
9 and Program Support", \$828,000,000, to remain avail-
10 able until expended, to prevent, prepare for, and respond
11 to Zika virus, other vector-borne diseases, or other infec-
12 tious diseases and related health outcomes, domestically
13 and internationally; and to carry out titles II, III, and
14 XVII of the Public Health Service ("PHS") Act with re-
15 spect to domestic preparedness and global health: *Pro-*
16 *vided*, That products purchased with these funds may, at
17 the discretion of the Secretary of Health and Human
18 Services, be deposited in the Strategic National Stockpile
19 under section 319F-2 of the PHS Act: *Provided further*,
20 That funds may be used for purchase and insurance of
21 official motor vehicles in foreign countries: *Provided fur-*
22 *ther*, That the provisions in section 317S of the PHS Act
23 shall apply to the use of funds appropriated in this para-
24 graph as determined by the Director of the Centers for
25 Disease Control and Prevention ("CDC") to be appro-

1 ~~appropriate: *Provided further*, That funds appropriated in this~~
2 ~~paragraph may be used for grants for the construction,~~
3 ~~alteration, or renovation of non-federally owned facilities~~
4 ~~to improve preparedness and response capability at the~~
5 ~~State and local level: *Provided further*, That funds appro-~~
6 ~~riated in this paragraph may be used for acquisition of~~
7 ~~real property (including long-term ground leases) and~~
8 ~~equipment, and construction, demolition, or renovation of~~
9 ~~facilities, including construction on leased land: *Provided*~~
10 ~~*further*, That funds appropriated in this paragraph may~~
11 ~~be transferred by the Director of CDC to other accounts~~
12 ~~of the CDC for the purposes provided in this paragraph:~~
13 ~~*Provided further*, That such transfer authority is in addi-~~
14 ~~tion to any other transfer authority provided by law: *Pro-*~~
15 ~~*vided further*, That, upon a determination that all or part~~
16 ~~of the funds transferred from this appropriation are not~~
17 ~~necessary for the purposes provided herein, such amounts~~
18 ~~may be transferred back to this appropriation: *Provided*~~
19 ~~*further*, That the amount appropriated in this paragraph~~
20 ~~is designated by the Congress as an emergency require-~~
21 ~~ment pursuant to section 251(b)(2)(A) of the Balanced~~
22 ~~Budget and Emergency Deficit Control Act of 1985, as~~
23 ~~amended: *Provided further*, That such amount shall be~~
24 ~~available only if the President designates such amount as~~

1 an emergency requirement pursuant to section
2 251(b)(2)(A).

3 NATIONAL INSTITUTES OF HEALTH
4 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
5 DISEASES

6 For an additional amount for “National Institute of
7 Allergy and Infectious Diseases”, \$130,000,000, to re-
8 main available until expended, to prevent, prepare for, and
9 respond to Zika virus, other vector-borne diseases, or
10 other infectious diseases and related health outcomes, do-
11 mesticallly and internationally, including expenses related
12 to carrying out section 301 and title IV of the PHS Act:
13 *Provided*, That such funds may be transferred by the Di-
14 rector of the National Institutes of Health (“NIH”) to
15 other accounts of the NIH for the purposes provided in
16 this paragraph: *Provided further*, That such transfer au-
17 thority is in addition to any other transfer authority pro-
18 vided by law: *Provided further*, That, upon a determination
19 that all or part of the funds transferred from this appro-
20 priation are not necessary for the purposes provided here-
21 in, such amounts may be transferred back to this appro-
22 priation: *Provided further*, That the amount appropriated
23 in this paragraph is designated by the Congress as an
24 emergency requirement pursuant to section 251(b)(2)(A)
25 of the Balanced Budget and Emergency Deficit Control

1 Act of 1985, as amended: *Provided further*, That such
2 amount shall be available only if the President designates
3 such amount as an emergency requirement pursuant to
4 section 251(b)(2)(A).

5 OFFICE OF THE SECRETARY
6 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
7 FUND
8 (INCLUDING TRANSFER OF FUNDS)

9 For an additional amount for "Public Health and So-
10 cial Services Emergency Fund", \$295,000,000, to remain
11 available until expended, to prevent, prepare for, and re-
12 spond to Zika virus, other vector-borne diseases, or other
13 infectious diseases and related health outcomes, domesti-
14 cally and internationally; to develop necessary counter-
15 measures and vaccines, including the development and
16 purchase of vaccines, therapeutics, diagnostics, necessary
17 medical supplies, and administrative activities; for car-
18 rying out titles II, III, and XVII of the PHS Act with
19 respect to domestic preparedness and global health; and
20 for carrying out title III of the PHS Act and title V of
21 the Social Security Act to provide health care and related
22 services in areas affected by Zika virus: *Provided*, That
23 funds appropriated in this paragraph may be used to pro-
24 cure security countermeasures (as defined in section
25 319F-2(c)(1)(B) of the PHS Act, as amended by this

1 (Act): *Provided further*, That paragraphs (1) and (7)(C)
2 of subsection (c) of section 319F-2 of the PHS Act, but
3 no other provisions of such section, shall apply to such
4 security countermeasures procured with funds appro-
5 priated in this paragraph: *Provided further*, That products
6 purchased with funds appropriated in this paragraph may,
7 at the discretion of the Secretary of Health and Human
8 Services, be deposited in the Strategic National Stockpile
9 under section 319F-2 of the PHS Act: *Provided further*,
10 That funds appropriated in this paragraph may be trans-
11 ferred to the fund authorized by section 319F-4 of the
12 PHS Act: *Provided further*, That funds appropriated in
13 this paragraph may, for purposes of providing primary
14 health services in areas affected by Zika virus, other vec-
15 tor-borne diseases, or other infectious diseases, be used to
16 assign National Health Service Corps ("NHSC") mem-
17 bers to Puerto Rico and other Territories, notwithstanding
18 the assignment priorities and limitations in or under sec-
19 tions 333(a)(1)(D), 333(b), or 333A(a) of the PHS Act,
20 and to make NHSC Loan Repayment Program awards
21 under section 338B of such Act: *Provided further*, That
22 funds may be awarded for projects of regional and na-
23 tional significance in Puerto Rico and other Territories
24 authorized under section 501 of the Social Security Act,
25 notwithstanding section 502 of such Act: *Provided further*,

1 That funds may be used for the alteration or renovation
2 of non-federally owned facilities to improve preparedness
3 and response capability at the State and local level: *Pro-*
4 *vided further*, That funds appropriated in this paragraph
5 may be transferred to other appropriations of the Depart-
6 ment of Health and Human Services, as determined by
7 the Secretary to be appropriate, to be used for the pur-
8 poses specified in this paragraph: *Provided further*, That
9 any transfers of these funds shall be made in consultation
10 with the Office of Management and Budget: *Provided fur-*
11 *ther*, That the transfer authority provided in this para-
12 graph is in addition to any other transfer authority pro-
13 vided by law: *Provided further*, That upon a determination
14 that all or part of the funds transferred from this appro-
15 priation are not necessary for the purposes provided here-
16 in, such amounts may be transferred back to this appro-
17 priation: *Provided further*, That the amount appropriated
18 in this paragraph is designated by the Congress as an
19 emergency requirement pursuant to section 251(b)(2)(A)
20 of the Balanced Budget and Emergency Deficit Control
21 Act of 1985, as amended: *Provided further*, That such
22 amount shall be available only if the President designates
23 such amount as an emergency requirement pursuant to
24 section 251(b)(2)(A).

GENERAL PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

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2
3 SEC. 601. For purposes of preventing, preparing for,
4 and responding to Zika virus, other vector-borne diseases,
5 or other infectious diseases and related health outcomes
6 domestically and internationally, the Secretary of Health
7 and Human Services may use funds provided in this Act—

8 (1) to acquire, lease, construct, alter, renovate,
9 equip, furnish, or manage facilities outside of the
10 United States, as necessary to conduct such pro-
11 grams, in consultation with the Secretary of State,
12 either directly for the use of the United States Gov-
13 ernment or for the use, pursuant to grants, direct
14 assistance, or cooperative agreements, of public or
15 nonprofit private institutions or agencies in partici-
16 pating foreign countries; and

17 (2) to enter into contracts with individuals for
18 the provision of personal services (as described in
19 section 104 of part 37 of title 48, Code of Federal
20 Regulations (48 CFR 37.104)), within the United
21 States and abroad: *Provided*, That such individuals
22 may not be deemed employees of the United States
23 for the purpose of any law administered by the Of-
24 fice of Personnel Management.

1 SEC. 602. Section 3304 of title 5, United States
2 Code, is amended by adding at the end the following new
3 subsection:

4 “(g) The heads of the Department of Health and
5 Human Services, Department of State, and the Agency
6 for International Development may appoint, without re-
7 gard to the provisions of sections 3309 through 3319, can-
8 didates needed for positions to perform critical work in
9 direct response to a public health threat requiring an im-
10 mediate response for which—

11 “(1) public notice has been given; and

12 “(2) the Secretary of Health and Human Serv-
13 ices has determined that such a public health threat
14 exists.”.

15 SEC. 603. Funds appropriated by this Act may be
16 used to reimburse accounts administered by the Depart-
17 ment of Health and Human Services for obligations in-
18 curred for Zika virus response prior to the date of the
19 enactment of this Act.

20 SEC. 604. Funds appropriated to the Department of
21 Health and Human Services in this Act may be trans-
22 ferred to and merged with other Federal accounts for pur-
23 poses specified in this Act following consultation with the
24 Office of Management and Budget: *Provided*, That such
25 transfer authority shall be in addition to any other trans-

1 fer authority provided by law: *Provided further*, That
2 upon a determination that all or part of the funds trans-
3 ferred from an appropriation are not necessary, such
4 amounts may be transferred back to that appropriation.

5 SEC. 605. Section 319F-2(e)(1)(B) of the Public
6 Health Service Act (42 U.S.C. 247d-6b(e)(1)(B)) is
7 amended—

8 (1) in clause (i)(III)(bb), by striking “; or” and
9 inserting a semicolon;

10 (2) in clause (ii), by striking the period and in-
11 serting “; or”; and

12 (3) by adding at the end the following new
13 clause:

14 “(iii)(I) the Secretary determines to
15 be a necessary countermeasure to diag-
16 nose, mitigate, prevent, or treat harm from
17 any infectious disease that may pose a
18 threat to the public health; and

19 “(II)(aa) is approved or cleared
20 under chapter V of the Federal Food,
21 Drug, and Cosmetic Act, or licensed
22 under section 351 of this Act; or

23 “(bb) is a countermeasure
24 for which the Secretary deter-
25 mines that sufficient and satis-

1 factory clinical experience or re-
2 search data (including data, if
3 available, from pre-clinical and
4 clinical trials) support a reason-
5 able conclusion that the counter-
6 measure will qualify for approval
7 or licensing within 10 years after
8 the date of a determination
9 under subclause (I).”.

10 SEC. 606. (a)(1) For purposes of title XIX of the So-
11 cial Security Act, for the one-year period beginning with
12 the first day of the first full fiscal quarter following the
13 date of the enactment of this section, the Federal medical
14 assistance percentage (“FMAP”) under section 1905(b)
15 of such Act for the Territories specified in paragraph (2)
16 shall be increased from 55 percent to 65 percent. Any net
17 increase in payment to such a territory under section
18 1903(a) of such Act, which is attributable to such in-
19 creased FMAP, shall be disregarded in applying sections
20 1108(f) and 1108(g) of such Act to the territory.

21 (2) The Territories specified in this paragraph are
22 the Commonwealth of Puerto Rico, the United States Vir-
23 gin Islands, Guam, American Samoa, and the Northern
24 Mariana Islands.

1 (b) With respect to the amount needed for purposes
2 of implementing the raised FMAP under subsection (a)
3 for each of fiscal years 2016 and 2017, such amount is
4 designated by the Congress as an emergency requirement
5 pursuant to section 251(b)(2)(A) of the Balanced Budget
6 and Emergency Deficit Control Act of 1985, as amended,
7 and such amount shall be available only if the President
8 designates such amount as an emergency requirement pur-
9 suant to section 251(b)(2)(A).

10 TITLE VII

11 DEPARTMENT OF STATE

12 ADMINISTRATION OF FOREIGN AFFAIRS

13 DIPLOMATIC AND CONSULAR PROGRAMS

14 For an additional amount for "Diplomatic and Con-
15 sular Programs", \$14,594,000, to remain available until
16 September 30, 2017, for necessary expenses to support re-
17 sponse efforts related to the Zika virus and related health
18 outcomes, other vector-borne diseases, or other infectious
19 diseases: *Provided*, That up to \$2,419,000 may be made
20 available for medical evacuation costs of any other Depart-
21 ment or agency of the United States under the Chief of
22 Mission authority, and may be transferred to any other
23 appropriation of such Department or agency for such
24 costs: *Provided further*, That such amount is designated
25 by the Congress as an emergency requirement pursuant

1 to section 251(b)(2)(A) of the Balanced Budget and
2 Emergency Deficit Control Act of 1985, as amended: *Pro-*
3 *vided further*, That such amount shall be available only
4 if the President designates such amount as an emergency
5 requirement pursuant to section 251(b)(2)(A).

6 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
7 SERVICE

8 For an additional amount for "Emergencies in the
9 Diplomatic and Consular Services", \$4,000,000 for nec-
10 essary expenses to support response efforts related to the
11 Zika virus and related health outcomes, other vector-borne
12 diseases, or other infectious diseases, to remain available
13 until expended: *Provided*, That such amount is designated
14 by the Congress as an emergency requirement pursuant
15 to section 251(b)(2)(A) of the Balanced Budget and
16 Emergency Deficit Control Act of 1985, as amended: *Pro-*
17 *vided further*, That such amount shall be available only
18 if the President designates such amount as an emergency
19 requirement pursuant to section 251(b)(2)(A).

20 REPATRIATION LOANS PROGRAM ACCOUNT

21 For an additional amount for "Repatriation Loans
22 Program Account" for the cost of direct loans,
23 \$1,000,000, to support the response efforts related to the
24 Zika virus and related health outcomes, other vector-borne
25 diseases, or other infectious diseases, to remain available

1 until expended: *Provided*, That such costs, including the
2 cost of modifying such loans, shall be as defined in section
3 502 of the Congressional Budget Act of 1974: *Provided*
4 *further*, That such funds are available to subsidize an addi-
5 tional amount of gross obligations for the principal
6 amount of direct loans not to exceed \$1,880,406: *Provided*
7 *further*, That such amount is designated by the Congress
8 as an emergency requirement pursuant to section
9 251(b)(2)(A) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985, as amended: *Provided further*,
11 That such amount shall be available only if the President
12 designates such amount as an emergency requirement pur-
13 suant to section 251(b)(2)(A).

14 BILATERAL ECONOMIC ASSISTANCE

15 FUNDS APPROPRIATED TO THE PRESIDENT

16 GLOBAL HEALTH PROGRAMS

17 For an additional amount for "Global Health Pro-
18 grams", \$325,000,000, to remain available until ex-
19 pended, for necessary expenses for assistance or research
20 to prevent, treat, or otherwise respond to the Zika virus
21 and related health outcomes, other vector-borne diseases,
22 or other infectious diseases: *Provided*, That funds appro-
23 priated under this heading may be made available for
24 multi-year funding commitments to incentivize the devel-
25 opment of global health technologies: *Provided further*,

1 That such amount is designated by the Congress as an
2 emergency requirement pursuant to section 251(b)(2)(A)
3 of the Balanced Budget and Emergency Deficit Control
4 Act of 1985, as amended: *Provided further*, That such
5 amount shall be available only if the President designates
6 such amount as an emergency requirement pursuant to
7 section 251(b)(2)(A).

8 INTERNATIONAL SECURITY ASSISTANCE

9 DEPARTMENT OF STATE

10 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND

11 RELATED PROGRAMS

12 For an additional amount for "Nonproliferation,
13 Anti-Terrorism, Demining and Related Programs",
14 \$8,000,000, to remain available until September 30, 2017,
15 for necessary expenses to support response and research
16 efforts related to the Zika virus and related health out-
17 comes, other vector-borne diseases, or other infectious dis-
18 eases: *Provided*, That such amount is designated by the
19 Congress as an emergency requirement pursuant to sec-
20 tion 251(b)(2)(A) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985, as amended: *Provided further*,
22 That such amount shall be available only if the President
23 designates such amount as an emergency requirement pur-
24 suant to section 251(b)(2)(A).

1 MULTILATERAL ASSISTANCE

2 FUNDS APPROPRIATED TO THE PRESIDENT

3 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

4 For an additional amount for "International Organi-
5 zations and Programs", \$13,500,000, to remain available
6 until September 30, 2017, for necessary expenses to sup-
7 port response and research efforts related to the Zika
8 virus and related health outcomes, other vector-borne dis-
9 eases, or other infectious diseases: *Provided*, That such
10 amount is designated by the Congress as an emergency
11 requirement pursuant to section 251(b)(2)(A) of the Bal-
12 anced Budget and Emergency Deficit Control Act of 1985,
13 as amended: *Provided further*, That such amount shall be
14 available only if the President designates such amount as
15 an emergency requirement pursuant to section
16 251(b)(2)(A).

17 UNITED STATES AGENCY FOR INTERNATIONAL
18 DEVELOPMENT

19 FUNDS APPROPRIATED TO THE PRESIDENT

20 OPERATING EXPENSES

21 For an additional amount for "Operating Expenses",
22 \$10,000,000, to remain available until September 30,
23 2017 for necessary expenses to support response efforts
24 related to the Zika virus and related health outcomes,
25 other vector-borne diseases, or other infectious diseases:

1 *Provided*, That such amount is designated by the Congress
2 as an emergency requirement pursuant to section
3 251(b)(2)(A) of the Balanced Budget and Emergency
4 Deficit Control Act of 1985, as amended: *Provided further*,
5 That such amount shall be available only if the President
6 designates such amount as an emergency requirement pur-
7 suant to section 251(b)(2)(A).

8 GENERAL PROVISIONS

9 SEC. 701. Unobligated balances of amounts appro-
10 priated under title IX of the Department of State, Foreign
11 Operations, and Related Programs Appropriations Act,
12 2015 (division J of Public Law 113-235) shall also be
13 available for necessary expenses for operations, assistance,
14 or research to prevent, treat, or otherwise respond to the
15 Zika virus and related health outcomes, other vector-borne
16 diseases, or other infectious diseases: *Provided*, That
17 amounts repurposed pursuant to this section are des-
18 ignated by the Congress as an emergency requirement
19 pursuant to section 251(b)(2)(A) of the Balanced Budget
20 and Emergency Deficit Control Act of 1985, as amended:
21 *Provided further*, That such amounts shall be available
22 only if the President designates such amounts as an emer-
23 gency requirement pursuant to section 251(b)(2)(A).

24 SEC. 702. (a) Funds appropriated by this title under
25 the headings "Global Health Programs", "Nonprolifera-

tion, Anti-Terrorism, Demining and Related Programs”,
“International Organizations and Programs”, and “Oper-
ating Expenses” may be transferred to, and merged with,
funds appropriated by this title under such headings to
carry out the purposes of this Act.

(b) Funds appropriated by this title under the head-
ings “Diplomatic and Consular Programs”, “Emergencies
in the Diplomatic and Consular Service”, and “Repatri-
ation Loans Program Account” may be transferred to,
and merged with, funds appropriated by this title under
such headings to carry out the purposes of this Act.

(c) The transfer authorities provided by this section
are in addition to any other transfer authority provided
by law.

(d) Upon a determination that all or part of the funds
transferred pursuant to the authorities provided by this
section are not necessary for such purposes, such amounts
may be transferred back to such appropriations.

SEC. 703. Funds appropriated by this Act may be
used to reimburse accounts administered by the United
States Agency for International Development and the De-
partment of State for obligations incurred for Zika virus
response prior to the date of the enactment of this Act.

1 SEC. 704. Section 307(a) of the Foreign Assistance
2 Act of 1961 shall not apply to funds appropriated by this
3 Act.

4 SEC. 705. Funds appropriated or otherwise made
5 available under this Act and prior Acts making appropria-
6 tions for the Department of State, Foreign Operations,
7 and Related Programs that are made available to support
8 Zika virus response and related activities may be made
9 available notwithstanding any other provision of law.

10 SEC. 706. Funds available in this Act to support re-
11 sponse efforts related to the Zika virus and related health
12 outcomes, other vector-borne diseases, or other infectious
13 diseases may be used to enter into contracts with individ-
14 uals for the provision of personal services (as described
15 in section 104 of part 37 of title 48, Code of Federal Reg-
16 ulations (48 CFR 37.104)) in the United States or
17 abroad. *Provided*, That such individuals may not be
18 deemed employees of the United States for the purpose
19 of any law administered by the Office of Personnel Man-
20 agement.



#45

Rogers

adopted
3-20-10

Amendment Offered by Mr. Rogers of Kentucky as a Substitute for the Amendment offered by Mrs. Lowey to the Military Construction and Veterans Affairs Bill

Insert at the appropriate place in the bill the following:

Sec. __. Unobligated balances of amounts appropriated under title VI of the Departments of Labor, Health and Human Services, Education and Related Agencies Appropriations Act, 2015 (division G of Public Law 113-235) and title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235) shall also be available for necessary expenses to prevent, prepare for, and respond to Zika virus, domestically and internationally: *Provided*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.