

**AMENDMENT TO RULES COMMITTEE PRINT 116-**

**19**

**OFFERED BY MR. KELLY OF MISSISSIPPI**

At the end of subtitle B of title VII, add the following new section:

1 **SEC. 7\_\_\_ . AUTHORITY TO PLAN, DESIGN, AND CONSTRUCT,**  
2 **OR LEASE, SHARED MEDICAL FACILITIES.**

3 (a) **AUTHORITY OF DEPARTMENT OF DEFENSE.—**

4 (1) **IN GENERAL.—**Chapter 55 of title 10,  
5 United States Code, is amended by inserting after  
6 section 1104 the following new section:

7 **“§ 1104a. Shared medical facilities with Department**  
8 **of Veterans Affairs**

9 “(a) **AGREEMENTS.—**The Secretary of Defense may  
10 enter into agreements with the Secretary of Veterans Af-  
11 fairs for the planning, design, and construction, or the  
12 leasing, of facilities to be operated as shared medical facili-  
13 ties.

14 “(b) **TRANSFER OF FUNDS BY SECRETARY OF DE-**  
15 **FENSE.—**(1) The Secretary of Defense may transfer to  
16 the Secretary of Veterans Affairs amounts as follows:

17 “(A) Amounts, not in excess of the amount au-  
18 thorized by law for an unspecified minor military

1 construction project, for the construction of a shared  
2 medical facility if—

3 “(i) the amount of the share of the De-  
4 partment of Defense for the estimated cost of  
5 the project does not exceed the amount speci-  
6 fied in section 2805(a)(2) of this title; and

7 “(ii) the other requirements of section  
8 2805 of this title have been met with respect to  
9 funds identified for transfer.

10 “(B) Amounts appropriated for the Defense  
11 Health Program for the purpose of the planning, de-  
12 sign, and construction, or the leasing of space, for  
13 a shared medical facility.

14 “(2) The authority to transfer funds under this sec-  
15 tion is in addition to any other authority to transfer funds  
16 available to the Secretary of Defense.

17 “(3) Section 2215 of this title does not apply to a  
18 transfer of funds under this subsection.

19 “(c) TRANSFER OF FUNDS TO SECRETARY OF DE-  
20 FENSE.—(1) Any amount transferred under title 38 to the  
21 Secretary of Defense by the Secretary of Veterans Affairs  
22 for necessary expenses for the planning, design, and con-  
23 struction of a shared medical facility, if the estimated  
24 share of the project costs of the Department of Defense  
25 does not exceed the amount specified in section 2805(a)(2)

1 of this title, may be credited to accounts of the Depart-  
2 ment of Defense available for the construction of a shared  
3 medical facility.

4 “(2) Any amount transferred under title 38 to the  
5 Secretary of Defense by the Secretary of Veterans Affairs  
6 for the purpose of the planning and design, or the leasing  
7 of space, for a shared medical facility may be credited to  
8 accounts of the Department of Defense available for such  
9 purposes, and may be used for such purposes.

10 “(3) Using accounts credited with transfers from the  
11 Secretary of Veterans Affairs under paragraph (1), the  
12 Secretary of Defense may carry out unspecified minor  
13 military construction projects, if the estimated share of  
14 the project costs of the Department of Defense does not  
15 exceed the amount specified in section 2805(a)(2) of this  
16 title.

17 “(d) MERGER OF AMOUNTS TRANSFERRED.—Any  
18 amount transferred to the Secretary of Veterans Affairs  
19 pursuant to subsection (b), and any amount transferred  
20 to the Secretary of Defense as described in subsection (c),  
21 shall be merged with, and be available for the same pur-  
22 poses and the same time period as, the appropriation or  
23 fund to which transferred.

24 “(e) SHARED MEDICAL FACILITY DEFINED.—In this  
25 section, the term ‘shared medical facility’ means a building

1 or buildings, or a campus, intended to be used by both  
2 the Department of Defense and the Department of Vet-  
3 erans Affairs for the provision of health-care services,  
4 whether under the jurisdiction of the Secretary of Defense  
5 or the Secretary of Veterans Affairs, and whether or not  
6 located on a military installation or on real property under  
7 the jurisdiction of the Secretary of Veterans Affairs. Such  
8 term includes any necessary building and auxiliary struc-  
9 ture, garage, parking facility, mechanical equipment, abut-  
10 ting sidewalks, and accommodations for attending per-  
11 sonnel.”.

12 (2) CLERICAL AMENDMENT.—The table of sec-  
13 tions at the beginning of such chapter is amended  
14 by inserting after the item relating to section 1104  
15 the following new item:

“1104a. Shared medical facilities with Department of Veterans Affairs.”.

16 (b) AUTHORITY OF DEPARTMENT OF VETERANS AF-  
17 FAIRS.—

18 (1) IN GENERAL.—Chapter 81 of title 38,  
19 United States Code, is amended by inserting after  
20 section 8111A the following new section:

21 **“§ 8111B. Shared medical facilities with Department**  
22 **of Defense**

23 “(a) AGREEMENTS.—The Secretary of Veterans Af-  
24 fairs may enter into agreements with the Secretary of De-  
25 fense for the planning, design, and construction, or the

1 leasing, of facilities to be operated as shared medical facili-  
2 ties.

3       “(b) TRANSFER OF FUNDS BY SECRETARY OF VET-  
4 ERANS AFFAIRS.—(1) The Secretary of Veterans Affairs  
5 may transfer to the Department of Defense amounts ap-  
6 propriated for ‘Construction, minor projects’ for use for  
7 the planning, design, or construction of a shared medical  
8 facility, if the estimated share of the project costs of the  
9 Department of Veterans Affairs does not exceed the  
10 amount specified in section 8104(a)(3) of this title.

11       “(2) The Secretary of Veterans Affairs may transfer  
12 to the Department of Defense amounts appropriated for  
13 ‘Construction, major projects’ for use for the planning, de-  
14 sign, or construction of a shared medical facility if—

15               “(A) the estimated share of the project costs of  
16 the Department of Veterans Affairs exceeds the  
17 amount specified in section 8104(a)(3) of this title;  
18 and

19               “(B) the other requirements of section 8104 of  
20 this title have been met with respect to funds identi-  
21 fied for transfer.

22       “(3) The Secretary of Veterans Affairs may transfer  
23 to the Department of Defense amounts appropriated to  
24 the applicable Department medical appropriation for the  
25 purpose of leasing space for a shared medical facility, [if

1 the estimated share of the Department of Veterans Affairs  
2 for the lease costs does not exceed the threshold for a  
3 major medical facility lease pursuant to section  
4 8104(a)(3)(B) of this title.】

5 “(c) TRANSFER OF FUNDS TO SECRETARY OF VET-  
6 ERANS AFFAIRS.—(1) Any amount transferred under title  
7 10 to the Secretary of Veterans Affairs by the Secretary  
8 of Defense for necessary expenses for the planning, design,  
9 and construction of a shared medical facility, if the esti-  
10 mated share of the project costs of the Department of Vet-  
11 erans Affairs does not exceed the amount specified in sec-  
12 tion 8104(a)(3) of this title, may be credited to the ‘Con-  
13 struction, minor projects’ account of the Department of  
14 Veterans Affairs and used for the necessary expenses of  
15 constructing such shared medical facility.

16 “(2) Any amount transferred under title 10 to the  
17 Secretary of Veterans Affairs by the Secretary of Defense  
18 for necessary expenses for the planning, design, and con-  
19 struction of a shared medical facility, if the estimated  
20 share of the project costs of the Department of Veterans  
21 Affairs exceeds the amount specified in section 8104(a)(3)  
22 of this title, may be credited to the ‘Construction, major  
23 projects’ account of the Department of Veterans Affairs  
24 and used for the necessary expenses of constructing such  
25 shared medical facility if the other requirements of section

1 8104 of this title have been met with respect to funds  
2 identified for the transfer.

3 “(3) Any amount transferred under title 10 to the  
4 Secretary of Veterans Affairs by the Secretary of Defense  
5 for the purpose of leasing space for a shared medical facil-  
6 ity may be credited to accounts of the Department of Vet-  
7 erans Affairs available for such purposes, and may be used  
8 for such purposes.

9 “(d) MERGER OF AMOUNTS TRANSFERRED.—Any  
10 amount transferred to the Secretary of Defense pursuant  
11 to subsection (b), and any amount transferred to the Sec-  
12 retary of Veterans Affairs as described in subsection (c),  
13 shall be merged with, and be available for the same pur-  
14 poses and the same time period as, the appropriation or  
15 fund to which transferred.

16 “(e) SHARED MEDICAL FACILITY DEFINED.—In this  
17 section, the term ‘shared medical facility’ means a building  
18 or buildings, or a campus, intended to be used by both  
19 the Department of Defense and the Department of Vet-  
20 erans Affairs for the provision of health-care services,  
21 whether under the jurisdiction of the Secretary of Defense  
22 or the Secretary of Veterans Affairs, and whether or not  
23 located on a military installation or on real property under  
24 the jurisdiction of the Secretary of Veterans Affairs. Such  
25 term includes any necessary building and auxiliary struc-

1 ture, garage, parking facility, mechanical equipment, abut-  
2 ting sidewalks, and accommodations for attending per-  
3 sonnel.”.

4 (2) TECHNICAL CORRECTION.—8104 of Title  
5 38 of the United States Code is hereby amended by  
6 deleting 8104(a)(3) entirely and inserting the fol-  
7 lowing:

8 “(3)(A) For purposes of this subsection, the  
9 term ‘major medical facility project’ means a project  
10 for the construction, alteration, or acquisition of a  
11 medical facility involving a total expenditure of more  
12 than \$20,000,000, but such term does not include  
13 an acquisition by exchange, nonrecurring mainte-  
14 nance projects of the Department, or the construc-  
15 tion, alteration, or acquisition of a shared Federal  
16 medical facility for which the Department’s esti-  
17 mated share of the project costs does not exceed  
18 \$20,000,000.

19 “(B) The term ‘major medical facility lease’  
20 means a lease for space for use as a new medical fa-  
21 cility at an average annual rental of more than  
22 \$1,000,000.”.

23 (3) CLERICAL AMENDMENT.—The table of sec-  
24 tions at the beginning of such chapter is amended



- 1 by inserting after the item relating to section 8111A
- 2 the following new item:

“8111B. Shared medical facilities with Department of Defense.”

