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:

SEC. 7. AUTHORITY TO PLAN, DESIGN, AND CONSTRUCT, OR LEASE, SHARED MEDICAL FACILITIES.

(a) AUTHORITY OF DEPARTMENT OF DEFENSE.—

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

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

“(a) AGREEMENTS.—The Secretary of Defense may enter into agreements with the Secretary of Veterans Affairs for the planning, design, and construction, or the leasing, of facilities to be operated as shared medical facilities.

“(b) TRANSFER OF FUNDS BY SECRETARY OF DEFENSE.—(1) The Secretary of Defense may transfer to the Secretary of Veterans Affairs amounts as follows:

“(A) Amounts, not in excess of the amount authorized by law for an unspecified minor military
construction project, for the construction of a shared medical facility if—

“(i) the amount of the share of the Department of Defense for the estimated cost of the project does not exceed the amount specified in section 2805(a)(2) of this title; and

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

“(B) Amounts appropriated for the Defense Health Program for the purpose of the planning, design, and construction, or the leasing of space, for a shared medical facility.

“(2) The authority to transfer funds under this section is in addition to any other authority to transfer funds available to the Secretary of Defense.

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

“(c) Transfer of Funds to Secretary of Defense.—(1) Any amount transferred under title 38 to the Secretary of Defense by the Secretary of Veterans Affairs for necessary expenses for the planning, design, and construction of a shared medical facility, if the estimated share of the project costs of the Department of Defense does not exceed the amount specified in section 2805(a)(2)
of this title, may be credited to accounts of the Department of Defense available for the construction of a shared medical facility.

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

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

“(d) Merger of Amounts Transferred.—Any amount transferred to the Secretary of Veterans Affairs pursuant to subsection (b), and any amount transferred to the Secretary of Defense as described in subsection (c), shall be merged with, and be available for the same purposes and the same time period as, the appropriation or fund to which transferred.

“(e) Shared Medical Facility Defined.—In this section, the term ‘shared medical facility’ means a building
or buildings, or a campus, intended to be used by both the Department of Defense and the Department of Veterans Affairs for the provision of health-care services, whether under the jurisdiction of the Secretary of Defense or the Secretary of Veterans Affairs, and whether or not located on a military installation or on real property under the jurisdiction of the Secretary of Veterans Affairs. Such term includes any necessary building and auxiliary structure, garage, parking facility, mechanical equipment, abutting sidewalks, and accommodations for attending personnel.”.

(2) Clerical Amendment.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1104 the following new item:

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

(b) Authority of Department of Veterans Affairs.—

(1) In General.—Chapter 81 of title 38, United States Code, is amended by inserting after section 8111A the following new section:

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

“(a) Agreements.—The Secretary of Veterans Affairs may enter into agreements with the Secretary of Defense for the planning, design, and construction, or the
leasing, of facilities to be operated as shared medical facilities.

“(b) Transfer of Funds by Secretary of Veterans Affairs.—(1) The Secretary of Veterans Affairs may transfer to the Department of Defense amounts appropriated for ‘Construction, minor projects’ for use for the planning, design, or construction of a shared medical facility, if the estimated share of the project costs of the Department of Veterans Affairs does not exceed the amount specified in section 8104(a)(3) of this title.

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

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

“(B) the other requirements of section 8104 of this title have been met with respect to funds identified for transfer.

“(3) The Secretary of Veterans Affairs may transfer to the Department of Defense amounts appropriated to the applicable Department medical appropriation for the purpose of leasing space for a shared medical facility, if
the estimated share of the Department of Veterans Affairs for the lease costs does not exceed the threshold for a major medical facility lease pursuant to section 8104(a)(3)(B) of this title.

“(c) Transfer of Funds to Secretary of Veterans Affairs.—(1) Any amount transferred under title 10 to the Secretary of Veterans Affairs by the Secretary of Defense for necessary expenses for the planning, design, and construction of a shared medical facility, if the estimated share of the project costs of the Department of Veterans Affairs does not exceed the amount specified in section 8104(a)(3) of this title, may be credited to the ‘Construction, minor projects’ account of the Department of Veterans Affairs and used for the necessary expenses of constructing such shared medical facility.

“(2) Any amount transferred under title 10 to the Secretary of Veterans Affairs by the Secretary of Defense for necessary expenses for the planning, design, and construction of a shared medical facility, if the estimated share of the project costs of the Department of Veterans Affairs exceeds the amount specified in section 8104(a)(3) of this title, may be credited to the ‘Construction, major projects’ account of the Department of Veterans Affairs and used for the necessary expenses of constructing such shared medical facility if the other requirements of section
8104 of this title have been met with respect to funds identified for the transfer.

“(3) Any amount transferred under title 10 to the Secretary of Veterans Affairs by the Secretary of Defense for the purpose of leasing space for a shared medical facility may be credited to accounts of the Department of Veterans Affairs available for such purposes, and may be used for such purposes.

“(d) Merger of Amounts Transferred.—Any amount transferred to the Secretary of Defense pursuant to subsection (b), and any amount transferred to the Secretary of Veterans Affairs as described in subsection (c), shall be merged with, and be available for the same purposes and the same time period as, the appropriation or fund to which transferred.

“(e) Shared Medical Facility Defined.—In this section, the term ‘shared medical facility’ means a building or buildings, or a campus, intended to be used by both the Department of Defense and the Department of Veterans Affairs for the provision of health-care services, whether under the jurisdiction of the Secretary of Defense or the Secretary of Veterans Affairs, and whether or not located on a military installation or on real property under the jurisdiction of the Secretary of Veterans Affairs. Such term includes any necessary building and auxiliary struc-
ture, garage, parking facility, mechanical equipment, abut-
ting sidewalks, and accommodations for attending per-
sonnel.”.

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

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

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

(3) CLERICAL AMENDMENT.—The table of sec-
tions at the beginning of such chapter is amended
by inserting after the item relating to section 8111A
the following new item:

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