

Calendar No. 110118TH CONGRESS
1ST SESSION**S. 2127****[Report No. 118–43]**

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 22, 2023

Mrs. MURRAY, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

A BILL

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for
5 military construction, the Department of Veterans Affairs,

1 and related agencies for the fiscal year ending September
2 30, 2024, and for other purposes, namely:

3 TITLE I

4 DEPARTMENT OF DEFENSE

5 MILITARY CONSTRUCTION, ARMY

6 For acquisition, construction, installation, and equip-
7 ment of temporary or permanent public works, military
8 installations, facilities, and real property for the Army as
9 currently authorized by law, including personnel in the
10 Army Corps of Engineers and other personal services nec-
11 essary for the purposes of this appropriation, and for con-
12 struction and operation of facilities in support of the func-
13 tions of the Commander in Chief, \$1,876,875,000, to re-
14 main available until September 30, 2028: *Provided*, That,
15 of this amount, not to exceed \$349,245,000 shall be avail-
16 able for study, planning, design, architect and engineer
17 services, and host nation support, as authorized by law,
18 unless the Secretary of the Army determines that addi-
19 tional obligations are necessary for such purposes and no-
20 tifies the Committees on Appropriations of both Houses
21 of Congress of the determination and the reasons therefor:
22 *Provided further*, That of the amount made available
23 under this heading, \$376,320,000 shall be for the projects
24 and activities, and in the amounts, specified in the report

1 accompanying this Act, in addition to amounts otherwise
2 available for such purposes.

3 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

4 For acquisition, construction, installation, and equip-
5 ment of temporary or permanent public works, naval in-
6 stallations, facilities, and real property for the Navy and
7 Marine Corps as currently authorized by law, including
8 personnel in the Naval Facilities Engineering Command
9 and other personal services necessary for the purposes of
10 this appropriation, \$6,046,309,000, to remain available
11 until September 30, 2028: *Provided*, That, of this amount,
12 not to exceed \$708,822,000 shall be available for study,
13 planning, design, and architect and engineer services, as
14 authorized by law, unless the Secretary of the Navy deter-
15 mines that additional obligations are necessary for such
16 purposes and notifies the Committees on Appropriations
17 of both Houses of Congress of the determination and the
18 reasons therefor: *Provided further*, That of the amount
19 made available under this heading, \$282,880,000 shall be
20 for the projects and activities, and in the amounts, speci-
21 fied in the report accompanying this Act, in addition to
22 amounts otherwise available for such purposes.

23 MILITARY CONSTRUCTION, AIR FORCE

24 For acquisition, construction, installation, and equip-
25 ment of temporary or permanent public works, military

1 installations, facilities, and real property for the Air Force
2 as currently authorized by law, \$2,802,924,000, to remain
3 available until September 30, 2028: *Provided*, That, of this
4 amount, not to exceed \$562,074,000 shall be available for
5 study, planning, design, and architect and engineer serv-
6 ices, as authorized by law, unless the Secretary of the Air
7 Force determines that additional obligations are necessary
8 for such purposes and notifies the Committees on Appro-
9 priations of both Houses of Congress of the determination
10 and the reasons therefor: *Provided further*, That of the
11 amount made available under this heading, \$197,610,000
12 shall be for the projects and activities, and in the amounts,
13 specified in the report accompanying this Act, in addition
14 to amounts otherwise available for such purposes.

15 MILITARY CONSTRUCTION, DEFENSE-WIDE

16 (INCLUDING TRANSFER OF FUNDS)

17 For acquisition, construction, installation, and equip-
18 ment of temporary or permanent public works, installa-
19 tions, facilities, and real property for activities and agen-
20 cies of the Department of Defense (other than the military
21 departments), as currently authorized by law,
22 \$3,132,782,000, to remain available until September 30,
23 2028: *Provided*, That such amounts of this appropriation
24 as may be determined by the Secretary of Defense may
25 be transferred to such appropriations of the Department

1 of Defense available for military construction or family
2 housing as the Secretary may designate, to be merged with
3 and to be available for the same purposes, and for the
4 same time period, as the appropriation or fund to which
5 transferred: *Provided further*, That, of the amount, not to
6 exceed \$318,545,000 shall be available for study, plan-
7 ning, design, and architect and engineer services, as au-
8 thorized by law, unless the Secretary of Defense deter-
9 mines that additional obligations are necessary for such
10 purposes and notifies the Committees on Appropriations
11 of both Houses of Congress of the determination and the
12 reasons therefor: *Provided further*, That of the amount
13 made available under this heading, \$36,100,000 shall be
14 for the projects and activities, and in the amounts, speci-
15 fied in the report accompanying this Act, in addition to
16 amounts otherwise available for such purposes.

17 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

18 For construction, acquisition, expansion, rehabilita-
19 tion, and conversion of facilities for the training and ad-
20 ministration of the Army National Guard, and contribu-
21 tions therefor, as authorized by chapter 1803 of title 10,
22 United States Code, and Military Construction Authoriza-
23 tion Acts, \$598,572,000, to remain available until Sep-
24 tember 30, 2028: *Provided*, That, of the amount, not to
25 exceed \$71,146,000 shall be available for study, planning,

1 design, and architect and engineer services, as authorized
2 by law, unless the Director of the Army National Guard
3 determines that additional obligations are necessary for
4 such purposes and notifies the Committees on Appropria-
5 tions of both Houses of Congress of the determination and
6 the reasons therefor: *Provided further*, That of the amount
7 made available under this heading, \$251,386,000 shall be
8 for the projects and activities, and in the amounts, speci-
9 fied in the report accompanying this Act, in addition to
10 amounts otherwise available for such purposes.

11 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

12 For construction, acquisition, expansion, rehabilita-
13 tion, and conversion of facilities for the training and ad-
14 ministration of the Air National Guard, and contributions
15 therefor, as authorized by chapter 1803 of title 10, United
16 States Code, and Military Construction Authorization
17 Acts, \$304,426,000, to remain available until September
18 30, 2028: *Provided*, That, of the amount, not to exceed
19 \$67,854,000 shall be available for study, planning, design,
20 and architect and engineer services, as authorized by law,
21 unless the Director of the Air National Guard determines
22 that additional obligations are necessary for such purposes
23 and notifies the Committees on Appropriations of both
24 Houses of Congress of the determination and the reasons
25 therefor: *Provided further*, That of the amount made avail-

1 able under this heading, \$125,704,000 shall be for the
2 projects and activities, and in the amounts, specified in
3 the report accompanying this Act, in addition to amounts
4 otherwise available for such purposes.

5 MILITARY CONSTRUCTION, ARMY RESERVE

6 For construction, acquisition, expansion, rehabilita-
7 tion, and conversion of facilities for the training and ad-
8 ministration of the Army Reserve as authorized by chapter
9 1803 of title 10, United States Code, and Military Con-
10 struction Authorization Acts, \$151,076,000, to remain
11 available until September 30, 2028: *Provided*, That, of the
12 amount, not to exceed \$27,389,000 shall be available for
13 study, planning, design, and architect and engineer serv-
14 ices, as authorized by law, unless the Chief of the Army
15 Reserve determines that additional obligations are nec-
16 essary for such purposes and notifies the Committees on
17 Appropriations of both Houses of Congress of the deter-
18 mination and the reasons therefor: *Provided further*, That
19 of the amount made available under this heading,
20 \$44,000,000 shall be for the projects and activities, and
21 in the amounts, specified in the report accompanying this
22 Act, in addition to amounts otherwise available for such
23 purposes.

1 MILITARY CONSTRUCTION, NAVY RESERVE

2 For construction, acquisition, expansion, rehabilita-
3 tion, and conversion of facilities for the training and ad-
4 ministration of the reserve components of the Navy and
5 Marine Corps as authorized by chapter 1803 of title 10,
6 United States Code, and Military Construction Authoriza-
7 tion Acts, \$51,291,000, to remain available until Sep-
8 tember 30, 2028: *Provided*, That, of the amount, not to
9 exceed \$6,495,000 shall be available for study, planning,
10 design, and architect and engineer services, as authorized
11 by law, unless the Secretary of the Navy determines that
12 additional obligations are necessary for such purposes and
13 notifies the Committees on Appropriations of both Houses
14 of Congress of the determination and the reasons therefor.

15 MILITARY CONSTRUCTION, AIR FORCE RESERVE

16 For construction, acquisition, expansion, rehabilita-
17 tion, and conversion of facilities for the training and ad-
18 ministration of the Air Force Reserve as authorized by
19 chapter 1803 of title 10, United States Code, and Military
20 Construction Authorization Acts, \$309,572,000, to remain
21 available until September 30, 2028: *Provided*, That, of the
22 amount, not to exceed \$14,646,000 shall be available for
23 study, planning, design, and architect and engineer serv-
24 ices, as authorized by law, unless the Chief of the Air
25 Force Reserve determines that additional obligations are

1 necessary for such purposes and notifies the Committees
2 on Appropriations of both Houses of Congress of the de-
3 termination and the reasons therefor: *Provided further*,
4 That of the amount made available under this heading,
5 \$18,000,000 shall be for the projects and activities, and
6 in the amounts, specified in the report accompanying this
7 Act, in addition to amounts otherwise available for such
8 purposes.

9 NORTH ATLANTIC TREATY ORGANIZATION

10 SECURITY INVESTMENT PROGRAM

11 For the United States share of the cost of the North
12 Atlantic Treaty Organization Security Investment Pro-
13 gram for the acquisition and construction of military fa-
14 cilities and installations (including international military
15 headquarters) and for related expenses for the collective
16 defense of the North Atlantic Treaty Area as authorized
17 by section 2806 of title 10, United States Code, and Mili-
18 tary Construction Authorization Acts, \$293,434,000, to
19 remain available until expended.

20 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

21 For deposit into the Department of Defense Base
22 Closure Account, established by section 2906(a) of the De-
23 fense Base Closure and Realignment Act of 1990 (10
24 U.S.C. 2687 note), \$439,174,000, to remain available
25 until expended.

1 est charges, and insurance premiums, as authorized by
2 law, \$363,854,000.

3 FAMILY HOUSING CONSTRUCTION, AIR FORCE

4 For expenses of family housing for the Air Force for
5 construction, including acquisition, replacement, addition,
6 expansion, extension, and alteration, as authorized by law,
7 \$237,097,000, to remain available until September 30,
8 2028.

9 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
10 FORCE

11 For expenses of family housing for the Air Force for
12 operation and maintenance, including debt payment, leas-
13 ing, minor construction, principal and interest charges,
14 and insurance premiums, as authorized by law,
15 \$314,386,000.

16 FAMILY HOUSING OPERATION AND MAINTENANCE,
17 DEFENSE-WIDE

18 For expenses of family housing for the activities and
19 agencies of the Department of Defense (other than the
20 military departments) for operation and maintenance,
21 leasing, and minor construction, as authorized by law,
22 \$50,785,000.

1 DEPARTMENT OF DEFENSE
2 FAMILY HOUSING IMPROVEMENT FUND

3 For the Department of Defense Family Housing Im-
4 provement Fund, \$6,611,000, to remain available until ex-
5 pended, for family housing initiatives undertaken pursu-
6 ant to section 2883 of title 10, United States Code, pro-
7 viding alternative means of acquiring and improving mili-
8 tary family housing and supporting facilities.

9 DEPARTMENT OF DEFENSE
10 MILITARY UNACCOMPANIED HOUSING IMPROVEMENT
11 FUND

12 For the Department of Defense Military Unaccom-
13 panied Housing Improvement Fund, \$496,000, to remain
14 available until expended, for unaccompanied housing ini-
15 tiatives undertaken pursuant to section 2883 of title 10,
16 United States Code, providing alternative means of acquir-
17 ing and improving military unaccompanied housing and
18 supporting facilities.

19 ADMINISTRATIVE PROVISIONS

20 SEC. 101. None of the funds made available in this
21 title shall be expended for payments under a cost-plus-a-
22 fixed-fee contract for construction, where cost estimates
23 exceed \$25,000, to be performed within the United States,
24 except Alaska, without the specific approval in writing of

1 the Secretary of Defense setting forth the reasons there-
2 for.

3 SEC. 102. Funds made available in this title for con-
4 struction shall be available for hire of passenger motor ve-
5 hicles.

6 SEC. 103. Funds made available in this title for con-
7 struction may be used for advances to the Federal High-
8 way Administration, Department of Transportation, for
9 the construction of access roads as authorized by section
10 210 of title 23, United States Code, when projects author-
11 ized therein are certified as important to the national de-
12 fense by the Secretary of Defense.

13 SEC. 104. None of the funds made available in this
14 title may be used to begin construction of new bases in
15 the United States for which specific appropriations have
16 not been made.

17 SEC. 105. None of the funds made available in this
18 title shall be used for purchase of land or land easements
19 in excess of 100 percent of the value as determined by
20 the Army Corps of Engineers or the Naval Facilities Engi-
21 neering Command, except: (1) where there is a determina-
22 tion of value by a Federal court; (2) purchases negotiated
23 by the Attorney General or the designee of the Attorney
24 General; (3) where the estimated value is less than

1 \$25,000; or (4) as otherwise determined by the Secretary
2 of Defense to be in the public interest.

3 SEC. 106. None of the funds made available in this
4 title shall be used to: (1) acquire land; (2) provide for site
5 preparation; or (3) install utilities for any family housing,
6 except housing for which funds have been made available
7 in annual Acts making appropriations for military con-
8 struction.

9 SEC. 107. None of the funds made available in this
10 title for minor construction may be used to transfer or
11 relocate any activity from one base or installation to an-
12 other, without prior notification to the Committees on Ap-
13 propriations of both Houses of Congress.

14 SEC. 108. None of the funds made available in this
15 title may be used for the procurement of steel for any con-
16 struction project or activity for which American steel pro-
17 ducers, fabricators, and manufacturers have been denied
18 the opportunity to compete for such steel procurement.

19 SEC. 109. None of the funds available to the Depart-
20 ment of Defense for military construction or family hous-
21 ing during the current fiscal year may be used to pay real
22 property taxes in any foreign nation.

23 SEC. 110. None of the funds made available in this
24 title may be used to initiate a new installation overseas

1 without prior notification to the Committees on Appro-
2 priations of both Houses of Congress.

3 SEC. 111. None of the funds made available in this
4 title may be obligated for architect and engineer contracts
5 estimated by the Government to exceed \$500,000 for
6 projects to be accomplished in Japan, in any North Atlan-
7 tic Treaty Organization member country, or in countries
8 bordering the Arabian Gulf, unless such contracts are
9 awarded to United States firms or United States firms
10 in joint venture with host nation firms.

11 SEC. 112. None of the funds made available in this
12 title for military construction in the United States terri-
13 tories and possessions in the Pacific and on Kwajalein
14 Atoll, or in countries bordering the Arabian Gulf, may be
15 used to award any contract estimated by the Government
16 to exceed \$1,000,000 to a foreign contractor: *Provided*,
17 That this section shall not be applicable to contract
18 awards for which the lowest responsive and responsible bid
19 of a United States contractor exceeds the lowest respon-
20 sive and responsible bid of a foreign contractor by greater
21 than 20 percent: *Provided further*, That this section shall
22 not apply to contract awards for military construction on
23 Kwajalein Atoll for which the lowest responsive and re-
24 sponsible bid is submitted by a Marshallese contractor.

1 SEC. 113. The Secretary of Defense shall inform the
2 appropriate committees of both Houses of Congress, in-
3 cluding the Committees on Appropriations, of plans and
4 scope of any proposed military exercise involving United
5 States personnel 30 days prior to its occurring, if amounts
6 expended for construction, either temporary or permanent,
7 are anticipated to exceed \$100,000.

8 SEC. 114. Funds appropriated to the Department of
9 Defense for construction in prior years shall be available
10 for construction authorized for each such military depart-
11 ment by the authorizations enacted into law during the
12 current session of Congress.

13 SEC. 115. For military construction or family housing
14 projects that are being completed with funds otherwise ex-
15 pired or lapsed for obligation, expired or lapsed funds may
16 be used to pay the cost of associated supervision, inspec-
17 tion, overhead, engineering and design on those projects
18 and on subsequent claims, if any.

19 SEC. 116. Notwithstanding any other provision of
20 law, any funds made available to a military department
21 or defense agency for the construction of military projects
22 may be obligated for a military construction project or
23 contract, or for any portion of such a project or contract,
24 at any time before the end of the fourth fiscal year after
25 the fiscal year for which funds for such project were made

1 available, if the funds obligated for such project: (1) are
2 obligated from funds available for military construction
3 projects; and (2) do not exceed the amount appropriated
4 for such project, plus any amount by which the cost of
5 such project is increased pursuant to law.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 117. Subject to 30 days prior notification, or
8 14 days for a notification provided in an electronic me-
9 dium pursuant to sections 480 and 2883 of title 10,
10 United States Code, to the Committees on Appropriations
11 of both Houses of Congress, such additional amounts as
12 may be determined by the Secretary of Defense may be
13 transferred to: (1) the Department of Defense Family
14 Housing Improvement Fund from amounts appropriated
15 for construction in “Family Housing” accounts, to be
16 merged with and to be available for the same purposes
17 and for the same period of time as amounts appropriated
18 directly to the Fund; or (2) the Department of Defense
19 Military Unaccompanied Housing Improvement Fund
20 from amounts appropriated for construction of military
21 unaccompanied housing in “Military Construction” ac-
22 counts, to be merged with and to be available for the same
23 purposes and for the same period of time as amounts ap-
24 propriated directly to the Fund: *Provided*, That appropria-
25 tions made available to the Funds shall be available to

1 cover the costs, as defined in section 502(5) of the Con-
2 gressional Budget Act of 1974, of direct loans or loan
3 guarantees issued by the Department of Defense pursuant
4 to the provisions of subchapter IV of chapter 169 of title
5 10, United States Code, pertaining to alternative means
6 of acquiring and improving military family housing, mili-
7 tary unaccompanied housing, and supporting facilities.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 118. In addition to any other transfer authority
10 available to the Department of Defense, amounts may be
11 transferred from the Department of Defense Base Closure
12 Account to the fund established by section 1013(d) of the
13 Demonstration Cities and Metropolitan Development Act
14 of 1966 (42 U.S.C. 3374) to pay for expenses associated
15 with the Homeowners Assistance Program incurred under
16 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall
17 be merged with and be available for the same purposes
18 and for the same time period as the fund to which trans-
19 ferred.

20 SEC. 119. Notwithstanding any other provision of
21 law, funds made available in this title for operation and
22 maintenance of family housing shall be the exclusive
23 source of funds for repair and maintenance of all family
24 housing units, including general or flag officer quarters:
25 *Provided*, That not more than \$35,000 per unit may be

1 spent annually for the maintenance and repair of any gen-
2 eral or flag officer quarters without 30 days prior notifica-
3 tion, or 14 days for a notification provided in an electronic
4 medium pursuant to sections 480 and 2883 of title 10,
5 United States Code, to the Committees on Appropriations
6 of both Houses of Congress, except that an after-the-fact
7 notification shall be submitted if the limitation is exceeded
8 solely due to costs associated with environmental remedi-
9 ation that could not be reasonably anticipated at the time
10 of the budget submission: *Provided further*, That the
11 Under Secretary of Defense (Comptroller) is to report an-
12 nually to the Committees on Appropriations of both
13 Houses of Congress all operation and maintenance ex-
14 penditures for each individual general or flag officer quar-
15 ters for the prior fiscal year.

16 SEC. 120. Amounts contained in the Ford Island Im-
17 provement Account established by subsection (h) of sec-
18 tion 2814 of title 10, United States Code, are appro-
19 priated and shall be available until expended for the pur-
20 poses specified in subsection (i)(1) of such section or until
21 transferred pursuant to subsection (i)(3) of such section.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 121. During the 5-year period after appropria-
24 tions available in this Act to the Department of Defense
25 for military construction and family housing operation and

1 maintenance and construction have expired for obligation,
2 upon a determination that such appropriations will not be
3 necessary for the liquidation of obligations or for making
4 authorized adjustments to such appropriations for obliga-
5 tions incurred during the period of availability of such ap-
6 propriations, unobligated balances of such appropriations
7 may be transferred into the appropriation “Foreign Cur-
8 rency Fluctuations, Construction, Defense”, to be merged
9 with and to be available for the same time period and for
10 the same purposes as the appropriation to which trans-
11 ferred.

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 122. Amounts appropriated or otherwise made
14 available in an account funded under the headings in this
15 title may be transferred among projects and activities
16 within the account in accordance with the reprogramming
17 guidelines for military construction and family housing
18 construction contained in Department of Defense Finan-
19 cial Management Regulation 7000.14–R, Volume 3, Chap-
20 ter 7, of March 2011, as in effect on the date of enactment
21 of this Act.

22 SEC. 123. None of the funds made available in this
23 title may be obligated or expended for planning and design
24 and construction of projects at Arlington National Ceme-
25 tery.

1 SEC. 124. For an additional amount for the accounts
2 and in the amounts specified, to remain available until
3 September 30, 2028:

4 “Military Construction, Army”, \$38,514,000;

5 “Military Construction, Navy and Marine
6 Corps”, \$351,100,000;

7 “Military Construction, Air Force”,
8 \$66,000,000;

9 “Military Construction, Defense-Wide”,
10 \$117,100,000;

11 “Military Construction, Army National Guard”,
12 \$89,500,000;

13 “Military Construction, Air National Guard”,
14 \$5,200,000; and

15 “Military Construction, Army Reserve”,
16 \$23,000,000:

17 *Provided*, That such funds may only be obligated to carry
18 out construction and cost to complete projects identified
19 in the respective military department’s unfunded priority
20 list for fiscal year 2024 submitted to Congress: *Provided*
21 *further*, That such projects are subject to authorization
22 prior to obligation and expenditure of funds to carry out
23 construction: *Provided further*, That not later than 60
24 days after enactment of this Act, the Secretary of the mili-
25 tary department concerned, or their designee, shall submit

1 to the Committees on Appropriations of both Houses of
2 Congress an expenditure plan for funds provided under
3 this section.

4 SEC. 125. All amounts appropriated to the “Depart-
5 ment of Defense—Military Construction, Army”, “De-
6 partment of Defense—Military Construction, Navy and
7 Marine Corps”, “Department of Defense—Military Con-
8 struction, Air Force”, and “Department of Defense—Mili-
9 tary Construction, Defense-Wide” accounts pursuant to
10 the authorization of appropriations in a National Defense
11 Authorization Act specified for fiscal year 2024 in the
12 funding table in section 4601 of that Act shall be imme-
13 diately available and allotted to contract for the full scope
14 of authorized projects.

15 SEC. 126. Notwithstanding section 116 of this Act,
16 funds made available in this Act or any available unobli-
17 gated balances from prior appropriations Acts may be obli-
18 gated before October 1, 2025 for fiscal year 2017, 2018,
19 and 2019 military construction projects for which project
20 authorization has not lapsed or for which authorization
21 is extended for fiscal year 2024 by a National Defense
22 Authorization Act: *Provided*, That no amounts may be ob-
23 ligated pursuant to this section from amounts that were
24 designated by the Congress as an emergency requirement
25 pursuant to a concurrent resolution on the budget or the

1 Balanced Budget and Emergency Deficit Control Act of
2 1985.

3 SEC. 127. For the purposes of this Act, the term
4 “congressional defense committees” means the Commit-
5 tees on Armed Services of the House of Representatives
6 and the Senate, the Subcommittee on Military Construc-
7 tion and Veterans Affairs of the Committee on Appropria-
8 tions of the Senate, and the Subcommittee on Military
9 Construction and Veterans Affairs of the Committee on
10 Appropriations of the House of Representatives.

11 SEC. 128. For an additional amount for the accounts
12 and in the amounts specified for planning and design and
13 unspecified minor construction, for improving military in-
14 stallation resilience, to remain available until September
15 30, 2028:

16 “Military Construction, Army”, \$15,000,000;

17 “Military Construction, Navy and Marine
18 Corps”, \$7,500,000; and

19 “Military Construction, Air Force”,
20 \$7,500,000:

21 *Provided*, That not later than 60 days after enactment of
22 this Act, the Secretary of the military department con-
23 cerned, or their designee, shall submit to the Committees
24 on Appropriations of both Houses of Congress an expendi-
25 ture plan for funds provided under this section: *Provided*

1 *further*, That the Secretary of the military department
2 concerned may not obligate or expend any funds prior to
3 approval by the Committees on Appropriations of both
4 Houses of Congress of the expenditure plan required by
5 this section.

6 SEC. 129. For an additional amount for “Military
7 Construction, Air Force”, \$150,000,000, to remain avail-
8 able until September 30, 2028, for expenses incurred as
9 a result of natural disasters: *Provided*, That not later than
10 60 days after the date of enactment of this Act, the Sec-
11 retary of the Air Force, or their designee, shall submit
12 to the Committees on Appropriations of both Houses of
13 Congress an expenditure plan for funds provided under
14 this section.

15 SEC. 130. For an additional amount for the accounts
16 and in the amounts specified for planning and design and
17 authorized major construction projects, for child develop-
18 ment centers, to remain available until September 30,
19 2028:

20 “Military Construction, Army”, \$15,000,000;

21 “Military Construction, Navy and Marine
22 Corps”, \$15,000,000; and

23 “Military Construction, Air Force”,
24 \$15,000,000:

1 *Provided*, That not later than 60 days after the date of
2 enactment of this Act, the Secretary of the military de-
3 partment concerned, or their designee, shall submit to the
4 Committees on Appropriations of both Houses of Congress
5 an expenditure plan for funds provided under this section.

6 SEC. 131. For an additional amount for “Military
7 Construction, Air National Guard”, \$83,000,000, to re-
8 main available until September 30, 2028, for planning and
9 design and authorized major construction projects at fu-
10 ture foreign military training sites: *Provided*, That not
11 later than 60 days after enactment of this Act, the Sec-
12 retary of the Air Force, or their designee, shall submit
13 to the Committees on Appropriations of both Houses of
14 Congress an expenditure plan for funds provided under
15 this section.

16 SEC. 132. For an additional amount for “Military
17 Construction, Air Force”, \$20,000,000, to remain avail-
18 able until September 30, 2028, for cost increases identi-
19 fied subsequent to the fiscal year 2024 budget request for
20 authorized major construction projects: *Provided*, That
21 not later than 60 days after enactment of this Act, the
22 Secretary of the Air Force, or their designee, shall submit
23 to the Committees on Appropriations of both Houses of
24 Congress an expenditure plan for funds provided under
25 this section.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 133. Of the proceeds credited to the Depart-
3 ment of Defense Family Housing Improvement Fund pur-
4 suant to subsection (c)(1)(D) of section 2883 of title 10,
5 United States Code, pursuant to a Department of Navy
6 investment, the Secretary of Defense shall transfer
7 \$18,800,000 to the Secretary of the Navy under para-
8 graph (3) of subsection (d) of such section for use by the
9 Secretary of the Navy as provided in paragraph (1) of
10 such subsection until expended.

11 SEC. 134. For an additional amount for the accounts
12 and in the amounts specified for authorized major con-
13 struction projects, to remain available until September 30,
14 2028:

15 "Military Construction, Navy", \$48,300,000",

16 and

17 "Military Construction, Defense-Wide",

18 \$37,100,000:

19 *Provided*, That not later than 30 days after enactment of
20 this Act, the Secretary of Defense, or their designee, shall
21 submit to the Committees on Appropriations of both
22 Houses of Congress an expenditure plan for funds pro-
23 vided under this section.

24 SEC. 135. None of the funds made available by this
25 Act may be used to carry out the closure or realignment

1 of the United States Naval Station, Guantánamo Bay,
2 Cuba.

3 TITLE II
4 DEPARTMENT OF VETERANS AFFAIRS
5 VETERANS BENEFITS ADMINISTRATION
6 COMPENSATION AND PENSIONS
7 (INCLUDING TRANSFER OF FUNDS)

8 For the payment of compensation benefits to or on
9 behalf of veterans and a pilot program for disability ex-
10 aminations as authorized by section 107 and chapters 11,
11 13, 18, 51, 53, 55, and 61 of title 38, United States Code;
12 pension benefits to or on behalf of veterans as authorized
13 by chapters 15, 51, 53, 55, and 61 of title 38, United
14 States Code; and burial benefits, the Reinstated Entitle-
15 ment Program for Survivors, emergency and other offi-
16 cers' retirement pay, adjusted-service credits and certifi-
17 cates, payment of premiums due on commercial life insur-
18 ance policies guaranteed under the provisions of title IV
19 of the Servicemembers Civil Relief Act (50 U.S.C. App.
20 541 et seq.) and for other benefits as authorized by sec-
21 tions 107, 1312, 1977, and 2106, and chapters 23, 51,
22 53, 55, and 61 of title 38, United States Code,
23 \$4,655,879,000, which shall be in addition to funds pre-
24 viously appropriated under this heading that become avail-
25 able on October 1, 2023, to remain available until ex-

1 pending; and, in addition, \$181,390,281,000, which shall
2 become available on October 1, 2024, to remain available
3 until expended: *Provided*, That not to exceed \$22,109,000
4 of the amount made available for fiscal year 2025 under
5 this heading shall be reimbursed to “General Operating
6 Expenses, Veterans Benefits Administration”, and “Infor-
7 mation Technology Systems” for necessary expenses in
8 implementing the provisions of chapters 51, 53, and 55
9 of title 38, United States Code, the funding source for
10 which is specifically provided as the “Compensation and
11 Pensions” appropriation: *Provided further*, That such
12 sums as may be earned on an actual qualifying patient
13 basis, shall be reimbursed to “Medical Care Collections
14 Fund” to augment the funding of individual medical facili-
15 ties for nursing home care provided to pensioners as au-
16 thorized.

17 READJUSTMENT BENEFITS

18 For the payment of readjustment and rehabilitation
19 benefits to or on behalf of veterans as authorized by chap-
20 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and
21 61 of title 38, United States Code, \$11,523,134,000,
22 which shall become available on October 1, 2024, to re-
23 main available until expended: *Provided*, That expenses for
24 rehabilitation program services and assistance which the
25 Secretary is authorized to provide under subsection (a) of

1 section 3104 of title 38, United States Code, other than
2 under paragraphs (1), (2), (5), and (11) of that sub-
3 section, shall be charged to this account.

4 VETERANS INSURANCE AND INDEMNITIES

5 For military and naval insurance, national service life
6 insurance, servicemen's indemnities, service-disabled vet-
7 erans insurance, and veterans mortgage life insurance as
8 authorized by chapters 19 and 21 of title 38, United
9 States Code, \$12,701,000, which shall be in addition to
10 funds previously appropriated under this heading that be-
11 come available on October 1, 2023, to remain available
12 until expended; and, in addition, \$135,119,422, which
13 shall become available on October 1, 2024, to remain
14 available until expended.

15 VETERANS HOUSING BENEFIT PROGRAM FUND

16 For the cost of direct and guaranteed loans, such
17 sums as may be necessary to carry out the program, as
18 authorized by subchapters I through III of chapter 37 of
19 title 38, United States Code: *Provided*, That such costs,
20 including the cost of modifying such loans, shall be as de-
21 fined in section 502 of the Congressional Budget Act of
22 1974: *Provided further*, That, during fiscal year 2024,
23 within the resources available, not to exceed \$500,000 in
24 gross obligations for direct loans are authorized for spe-
25 cially adapted housing loans.

1 In addition, for administrative expenses to carry out
 2 the direct and guaranteed loan programs, \$316,742,419.

3 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

4 For the cost of direct loans, \$78,337, as authorized
 5 by chapter 31 of title 38, United States Code: *Provided*,
 6 That such costs, including the cost of modifying such
 7 loans, shall be as defined in section 502 of the Congres-
 8 sional Budget Act of 1974: *Provided further*, That funds
 9 made available under this heading are available to sub-
 10 sidize gross obligations for the principal amount of direct
 11 loans not to exceed \$2,026,000.

12 In addition, for administrative expenses necessary to
 13 carry out the direct loan program, \$460,698, which may
 14 be paid to the appropriation for “General Operating Ex-
 15 penses, Veterans Benefits Administration”.

16 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM
 17 ACCOUNT

18 For administrative expenses to carry out the direct
 19 loan program authorized by subchapter V of chapter 37
 20 of title 38, United States Code, \$2,718,546.

21 GENERAL OPERATING EXPENSES, VETERANS BENEFITS
 22 ADMINISTRATION

23 For necessary operating expenses of the Veterans
 24 Benefits Administration, not otherwise provided for, in-
 25 cluding hire of passenger motor vehicles, reimbursement

1 of the General Services Administration for security guard
2 services, and reimbursement of the Department of De-
3 fense for the cost of overseas employee mail,
4 \$3,899,000,000: *Provided*, That expenses for services and
5 assistance authorized under paragraphs (1), (2), (5), and
6 (11) of section 3104(a) of title 38, United States Code,
7 that the Secretary of Veterans Affairs determines are nec-
8 essary to enable entitled veterans: (1) to the maximum ex-
9 tent feasible, to become employable and to obtain and
10 maintain suitable employment; or (2) to achieve maximum
11 independence in daily living, shall be charged to this ac-
12 count: *Provided further*, That, of the funds made available
13 under this heading, not to exceed 10 percent shall remain
14 available until September 30, 2025.

15 VETERANS HEALTH ADMINISTRATION

16 MEDICAL SERVICES

17 For necessary expenses for furnishing, as authorized
18 by law, inpatient and outpatient care and treatment to
19 beneficiaries of the Department of Veterans Affairs and
20 veterans described in section 1705(a) of title 38, United
21 States Code, including care and treatment in facilities not
22 under the jurisdiction of the Department, and including
23 medical supplies and equipment, bioengineering services,
24 food services, and salaries and expenses of healthcare em-
25 ployees hired under title 38, United States Code, assist-

1 ance and support services for caregivers as authorized by
2 section 1720G of title 38, United States Code, loan repay-
3 ments authorized by section 604 of the Caregivers and
4 Veterans Omnibus Health Services Act of 2010 (Public
5 Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note),
6 monthly assistance allowances authorized by section
7 322(d) of title 38, United States Code, grants authorized
8 by section 521A of title 38, United States Code, and ad-
9 ministrative expenses necessary to carry out sections
10 322(d) and 521A of title 38, United States Code, and hos-
11 pital care and medical services authorized by section 1787
12 of title 38, United States Code; \$71,000,000,000, plus re-
13 imbursements, which shall become available on October 1,
14 2024, and shall remain available until September 30,
15 2025: *Provided*, That, of the amount made available on
16 October 1, 2024, under this heading, \$2,000,000,000 shall
17 remain available until September 30, 2026: *Provided fur-*
18 *ther*, That of the \$74,004,000,000 to become available on
19 October 1, 2023, previously appropriated under this head-
20 ing in division J of the Consolidated Appropriations Act,
21 2023 (Public Law 117–328), \$4,933,113,000 is hereby re-
22 scinded: *Provided further*, That, notwithstanding any other
23 provision of law, the Secretary of Veterans Affairs shall
24 establish a priority for the provision of medical treatment
25 for veterans who have service-connected disabilities, lower

1 income, or have special needs: *Provided further*, That, not-
2 withstanding any other provision of law, the Secretary of
3 Veterans Affairs shall give priority funding for the provi-
4 sion of basic medical benefits to veterans in enrollment
5 priority groups 1 through 6: *Provided further*, That, not-
6 withstanding any other provision of law, the Secretary of
7 Veterans Affairs may authorize the dispensing of prescrip-
8 tion drugs from Veterans Health Administration facilities
9 to enrolled veterans with privately written prescriptions
10 based on requirements established by the Secretary: *Pro-*
11 *vided further*, That the implementation of the program de-
12 scribed in the previous proviso shall incur no additional
13 cost to the Department of Veterans Affairs: *Provided fur-*
14 *ther*, That the Secretary of Veterans Affairs shall ensure
15 that sufficient amounts appropriated under this heading
16 for medical supplies and equipment are available for the
17 acquisition of prosthetics designed specifically for female
18 veterans: *Provided further*, That nothing in section
19 2044(e)(1) of title 38, United States Code, may be con-
20 strued as limiting amounts that may be made available
21 under this heading for fiscal years 2024 and 2025 in this
22 or prior Acts.

23 MEDICAL COMMUNITY CARE

24 For necessary expenses for furnishing health care to
25 individuals pursuant to chapter 17 of title 38, United

1 States Code, at non-Department facilities,
2 \$20,382,000,000, plus reimbursements, which shall be
3 come available on October 1, 2024, and shall remain avail-
4 able until September 30, 2025: *Provided*, That, of the
5 amount made available on October 1, 2024, under this
6 heading, \$2,000,000,000 shall remain available until Sep-
7 tember 30, 2026: *Provided further*, That of the
8 \$33,000,000,000 to become available on October 1, 2023,
9 previously appropriated under this heading in division J
10 of the Consolidated Appropriations Act, 2023 (Public Law
11 117–328), \$3,159,584,000 is hereby rescinded.

12 MEDICAL SUPPORT AND COMPLIANCE

13 For necessary expenses in the administration of the
14 medical, hospital, nursing home, domiciliary, construction,
15 supply, and research activities, as authorized by law; ad-
16 ministrative expenses in support of capital policy activi-
17 ties; and administrative and legal expenses of the Depart-
18 ment for collecting and recovering amounts owed the De-
19 partment as authorized under chapter 17 of title 38,
20 United States Code, and the Federal Medical Care Recov-
21 ery Act (42 U.S.C. 2651 et seq.), \$11,800,000,000, plus
22 reimbursements, which shall become available on October
23 1, 2024, and shall remain available until September 30,
24 2025: *Provided*, That, of the amount made available on

1 October 1, 2024, under this heading, \$350,000,000 shall
2 remain available until September 30, 2026.

3 MEDICAL FACILITIES

4 For necessary expenses for the maintenance and op-
5 eration of hospitals, nursing homes, domiciliary facilities,
6 and other necessary facilities of the Veterans Health Ad-
7 ministration; for administrative expenses in support of
8 planning, design, project management, real property ac-
9 quisition and disposition, construction, and renovation of
10 any facility under the jurisdiction or for the use of the
11 Department; for oversight, engineering, and architectural
12 activities not charged to project costs; for repairing, alter-
13 ing, improving, or providing facilities in the several hos-
14 pitals and homes under the jurisdiction of the Depart-
15 ment, not otherwise provided for, either by contract or by
16 the hire of temporary employees and purchase of mate-
17 rials; for leases of facilities; and for laundry services;
18 \$1,000,000,000, which shall be in addition to funds pre-
19 viously appropriated under this heading that become avail-
20 able on October 1, 2023; and, in addition,
21 \$9,400,000,000, plus reimbursements, which shall become
22 available on October 1, 2024, and shall remain available
23 until September 30, 2025: *Provided*, That, of the amount
24 made available on October 1, 2024, under this heading,

1 \$500,000,000 shall remain available until September 30,
2 2026.

3 MEDICAL AND PROSTHETIC RESEARCH

4 For necessary expenses in carrying out programs of
5 medical and prosthetic research and development as au-
6 thorized by chapter 73 of title 38, United States Code,
7 \$938,000,000, plus reimbursements, shall remain avail-
8 able until September 30, 2025: *Provided*, That the Sec-
9 retary of Veterans Affairs shall ensure that sufficient
10 amounts appropriated under this heading are available for
11 prosthetic research specifically for female veterans, and
12 for toxic exposure research.

13 NATIONAL CEMETERY ADMINISTRATION

14 For necessary expenses of the National Cemetery Ad-
15 ministration for operations and maintenance, not other-
16 wise provided for, including uniforms or allowances there-
17 for; cemeterial expenses as authorized by law; purchase
18 of one passenger motor vehicle for use in cemeterial oper-
19 ations; hire of passenger motor vehicles; and repair, alter-
20 ation or improvement of facilities under the jurisdiction
21 of the National Cemetery Administration, \$480,000,000,
22 of which not to exceed 10 percent shall remain available
23 until September 30, 2025.

1 DEPARTMENTAL ADMINISTRATION

2 GENERAL ADMINISTRATION

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary operating expenses of the Department
5 of Veterans Affairs, not otherwise provided for, including
6 administrative expenses in support of Department-wide
7 capital planning, management and policy activities, uni-
8 forms, or allowances therefor; not to exceed \$25,000 for
9 official reception and representation expenses; hire of pas-
10 senger motor vehicles; and reimbursement of the General
11 Services Administration for security guard services,
12 \$475,000,000, of which not to exceed 10 percent shall re-
13 main available until September 30, 2025: *Provided*, That
14 funds provided under this heading may be transferred to
15 “General Operating Expenses, Veterans Benefits Adminis-
16 tration”.

17 BOARD OF VETERANS APPEALS

18 For necessary operating expenses of the Board of
19 Veterans Appeals, \$287,000,000, of which not to exceed
20 10 percent shall remain available until September 30,
21 2025.

22 INFORMATION TECHNOLOGY SYSTEMS

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses for information technology
25 systems and telecommunications support, including devel-

1 opmental information systems and operational information
2 systems; for pay and associated costs; and for the capital
3 asset acquisition of information technology systems, in-
4 cluding management and related contractual costs of said
5 acquisitions, including contractual costs associated with
6 operations authorized by section 3109 of title 5, United
7 States Code, \$6,401,000,000, plus reimbursements: *Pro-*
8 *vided*, That \$1,606,977,000 shall be for pay and associ-
9 ated costs, of which not to exceed 3 percent shall remain
10 available until September 30, 2025: *Provided further*, That
11 \$4,668,373,000 shall be for operations and maintenance,
12 of which not to exceed 5 percent shall remain available
13 until September 30, 2025, and of which \$75,288,000 shall
14 remain available until September 30, 2028 for the purpose
15 of facility activations related to projects funded by the
16 “Construction, Major Projects”, “Construction, Minor
17 Projects”, “Medical Facilities”, “National Cemetery Ad-
18 ministration”, “General Operating Expenses, Veterans
19 Benefits Administration”, and “General Administration”
20 accounts: *Provided further*, That \$125,650,000 shall be
21 for information technology systems development, and shall
22 remain available until September 30, 2025: *Provided fur-*
23 *ther*, That amounts made available for salaries and ex-
24 penses, operations and maintenance, and information
25 technology systems development may be transferred

1 among the three subaccounts after the Secretary of Vet-
2 erans Affairs requests from the Committees on Appropria-
3 tions of both Houses of Congress the authority to make
4 the transfer and an approval is issued: *Provided further*,
5 That amounts made available for the “Information Tech-
6 nology Systems” account for development may be trans-
7 ferred among projects or to newly defined projects: *Pro-*
8 *vided further*, That no project may be increased or de-
9 creased by more than \$3,000,000 of cost prior to submit-
10 ting a request to the Committees on Appropriations of
11 both Houses of Congress to make the transfer and an ap-
12 proval is issued, or absent a response, a period of 30 days
13 has elapsed: *Provided further*, That the funds made avail-
14 able under this heading for information technology sys-
15 tems development shall be for the projects, and in the
16 amounts, specified under this heading in the report accom-
17 panying this Act.

18 VETERANS ELECTRONIC HEALTH RECORD

19 For activities related to implementation, preparation,
20 development, interface, management, rollout, and mainte-
21 nance of a Veterans Electronic Health Record system, in-
22 cluding contractual costs associated with operations au-
23 thorized by section 3109 of title 5, United States Code,
24 and salaries and expenses of employees hired under titles
25 5 and 38, United States Code, \$1,334,142,000, to remain

1 available until September 30, 2026: *Provided*, That the
2 Secretary of Veterans Affairs shall submit to the Commit-
3 tees on Appropriations of both Houses of Congress quar-
4 terly reports detailing obligations, expenditures, and de-
5 ployment implementation by facility, including any
6 changes from the deployment plan or schedule: *Provided*
7 *further*, That the funds provided in this account shall only
8 be available to the Office of the Deputy Secretary, to be
9 administered by that Office: *Provided further*, That 25
10 percent of the funds made available under this heading
11 shall not be available until July 1, 2024, and are contin-
12 gent upon the Secretary of Veterans Affairs—

13 (1) providing the Committees on Appropriations
14 a report, no later than 60 days after enactment of
15 this Act, outlining the measureable operational
16 metrics that will be used to determine when it is ap-
17 propriate to re-start deployments;

18 (2) providing the Committees on Appropriations
19 a report on the reset process as of March 1, 2024,
20 including progress on achieving the necessary tar-
21 gets on the operational metrics identified in para-
22 graph (1) and the current performance at all De-
23 partment of Veterans Affairs facilities using the new
24 electronic health record on or before September
25 2023 compared to pre-deployment baselines; and

1 38, United States Code, or where funds for a project were
2 made available in a previous major project appropriation,
3 \$881,000,000, of which \$373,096,000 shall remain avail-
4 able until September 30, 2028, and of which
5 \$507,904,000 shall remain available until expended, of
6 which \$110,000,000 shall be available for seismic improve-
7 ment projects and seismic program management activities,
8 including for projects that would otherwise be funded by
9 the Construction, Minor Projects, Medical Facilities or
10 National Cemetery Administration accounts: *Provided,*
11 That except for advance planning activities, including
12 needs assessments which may or may not lead to capital
13 investments, and other capital asset management related
14 activities, including portfolio development and manage-
15 ment activities, and planning, cost estimating, and design
16 for major medical facility projects and major medical facil-
17 ity leases and investment strategy studies funded through
18 the advance planning fund and the planning and design
19 activities funded through the design fund, staffing ex-
20 penses, and funds provided for the purchase, security, and
21 maintenance of land for the National Cemetery Adminis-
22 tration and the Veterans Health Administration through
23 the land acquisition line item, none of the funds made
24 available under this heading shall be used for any project
25 that has not been notified to Congress through the budg-

1 etary process or that has not been approved by the Con-
2 gress through statute, joint resolution, or in the explana-
3 tory statement accompanying such Act and presented to
4 the President at the time of enrollment: *Provided further,*
5 That funds provided for the Veterans Health Administra-
6 tion through the land acquisition line item shall be only
7 for projects included on the five year development plan
8 notified to Congress through the budgetary process: *Pro-*
9 *vided further,* That such sums as may be necessary shall
10 be available to reimburse the “General Administration”
11 account for payment of salaries and expenses of all Office
12 of Construction and Facilities Management employees to
13 support the full range of capital infrastructure services
14 provided, including minor construction and leasing serv-
15 ices: *Provided further,* That funds made available under
16 this heading for fiscal year 2024, for each approved
17 project shall be obligated: (1) by the awarding of a con-
18 struction documents contract by September 30, 2024; and
19 (2) by the awarding of a construction contract by Sep-
20 tember 30, 2025: *Provided further,* That the Secretary of
21 Veterans Affairs shall promptly submit to the Committees
22 on Appropriations of both Houses of Congress a written
23 report on any approved major construction project for
24 which obligations are not incurred within the time limita-
25 tions established above: *Provided further,* That notwith-

1 standing the requirements of section 8104(a) of title 38,
2 United States Code, amounts made available under this
3 heading for seismic improvement projects and seismic pro-
4 gram management activities shall be available for the com-
5 pletion of both new and existing seismic projects of the
6 Department.

7 CONSTRUCTION, MINOR PROJECTS

8 For constructing, altering, extending, and improving
9 any of the facilities, including parking projects, under the
10 jurisdiction or for the use of the Department of Veterans
11 Affairs, including planning and assessments of needs
12 which may lead to capital investments, architectural and
13 engineering services, maintenance or guarantee period
14 services costs associated with equipment guarantees pro-
15 vided under the project, services of claims analysts, offsite
16 utility and storm drainage system construction costs, and
17 site acquisition, or for any of the purposes set forth in
18 sections 316, 2404, 2406 and chapter 81 of title 38,
19 United States Code, not otherwise provided for, where the
20 estimated cost of a project is equal to or less than the
21 amount set forth in section 8104(a)(3)(A) of title 38,
22 United States Code, \$680,000,000, of which
23 \$612,000,000 shall remain available until September 30,
24 2028, and of which \$68,000,000 shall remain available
25 until expended, along with unobligated balances of pre-

1 vious “Construction, Minor Projects” appropriations
 2 which are hereby made available for any project where the
 3 estimated cost is equal to or less than the amount set forth
 4 in such section: *Provided*, That funds made available
 5 under this heading shall be for: (1) repairs to any of the
 6 nonmedical facilities under the jurisdiction or for the use
 7 of the Department which are necessary because of loss or
 8 damage caused by any natural disaster or catastrophe;
 9 and (2) temporary measures necessary to prevent or to
 10 minimize further loss by such causes.

11 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
 12 FACILITIES

13 For grants to assist States to acquire or construct
 14 State nursing home and domiciliary facilities and to re-
 15 model, modify, or alter existing hospital, nursing home,
 16 and domiciliary facilities in State homes, for furnishing
 17 care to veterans as authorized by sections 8131 through
 18 8137 of title 38, United States Code, \$164,000,000, to
 19 remain available until expended.

20 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

21 For grants to assist States and tribal organizations
 22 in establishing, expanding, or improving veterans ceme-
 23 teries as authorized by section 2408 of title 38, United
 24 States Code, \$60,000,000, to remain available until ex-
 25 pended.

1 ADMINISTRATIVE PROVISIONS
2 (INCLUDING TRANSFER OF FUNDS)

3 SEC. 201. Any appropriation for fiscal year 2024 for
4 “Compensation and Pensions”, “Readjustment Benefits”,
5 and “Veterans Insurance and Indemnities” may be trans-
6 ferred as necessary to any other of the mentioned appro-
7 priations: *Provided*, That, before a transfer may take
8 place, the Secretary of Veterans Affairs shall request from
9 the Committees on Appropriations of both Houses of Con-
10 gress the authority to make the transfer and such Com-
11 mittees issue an approval, or absent a response, a period
12 of 30 days has elapsed.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 202. Amounts made available for the Depart-
15 ment of Veterans Affairs for fiscal year 2024, in this or
16 any other Act, under the “Medical Services”, “Medical
17 Community Care”, “Medical Support and Compliance”,
18 and “Medical Facilities” accounts may be transferred
19 among the accounts: *Provided*, That any transfers among
20 the “Medical Services”, “Medical Community Care”, and
21 “Medical Support and Compliance” accounts of 1 percent
22 or less of the total amount appropriated to the account
23 in this or any other Act may take place subject to notifica-
24 tion from the Secretary of Veterans Affairs to the Com-
25 mittees on Appropriations of both Houses of Congress of

1 the amount and purpose of the transfer: *Provided further*,
2 That any transfers among the “Medical Services”, “Med-
3 ical Community Care”, and “Medical Support and Compli-
4 ance” accounts in excess of 1 percent, or exceeding the
5 cumulative 1 percent for the fiscal year, may take place
6 only after the Secretary requests from the Committees on
7 Appropriations of both Houses of Congress the authority
8 to make the transfer and an approval is issued: *Provided*
9 *further*, That any transfers to or from the “Medical Facili-
10 ties” account may take place only after the Secretary re-
11 quests from the Committees on Appropriations of both
12 Houses of Congress the authority to make the transfer
13 and an approval is issued.

14 SEC. 203. Appropriations available in this title for
15 salaries and expenses shall be available for services au-
16 thorized by section 3109 of title 5, United States Code;
17 hire of passenger motor vehicles; lease of a facility or land
18 or both; and uniforms or allowances therefore, as author-
19 ized by sections 5901 through 5902 of title 5, United
20 States Code.

21 SEC. 204. No appropriations in this title (except the
22 appropriations for “Construction, Major Projects”, and
23 “Construction, Minor Projects”) shall be available for the
24 purchase of any site for or toward the construction of any
25 new hospital or home.

1 SEC. 205. No appropriations in this title shall be
2 available for health care treatment or examination of any
3 persons (except beneficiaries entitled to such health care
4 treatment or examination under the laws providing such
5 benefits to veterans, and persons receiving such treatment
6 under sections 7901 through 7904 of title 5, United States
7 Code, or the Robert T. Stafford Disaster Relief and Emer-
8 gency Assistance Act (42 U.S.C. 5121 et seq.)), unless re-
9 imbursement of the cost of such health care treatment or
10 examination is made to the “Medical Services” account
11 at such rates as may be fixed by the Secretary of Veterans
12 Affairs.

13 SEC. 206. Appropriations available in this title for
14 “Compensation and Pensions”, “Readjustment Benefits”,
15 and “Veterans Insurance and Indemnities” shall be avail-
16 able for payment of prior year accrued obligations re-
17 quired to be recorded by law against the corresponding
18 prior year accounts within the last quarter of fiscal year
19 2023.

20 SEC. 207. Appropriations available in this title shall
21 be available to pay prior year obligations of corresponding
22 prior year appropriations accounts resulting from sections
23 3328(a), 3334, and 3712(a) of title 31, United States
24 Code, except that if such obligations are from trust fund

1 accounts they shall be payable only from “Compensation
2 and Pensions”.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 208. Notwithstanding any other provision of
5 law, during fiscal year 2024, the Secretary of Veterans
6 Affairs shall, from the National Service Life Insurance
7 Fund under section 1920 of title 38, United States Code,
8 the Veterans’ Special Life Insurance Fund under section
9 1923 of title 38, United States Code, and the United
10 States Government Life Insurance Fund under section
11 1955 of title 38, United States Code, reimburse the “Gen-
12 eral Operating Expenses, Veterans Benefits Administra-
13 tion” and “Information Technology Systems” accounts for
14 the cost of administration of the insurance programs fi-
15 nanced through those accounts: *Provided*, That reimburse-
16 ment shall be made only from the surplus earnings accu-
17 mulated in such an insurance program during fiscal year
18 2024 that are available for dividends in that program after
19 claims have been paid and actuarially determined reserves
20 have been set aside: *Provided further*, That if the cost of
21 administration of such an insurance program exceeds the
22 amount of surplus earnings accumulated in that program,
23 reimbursement shall be made only to the extent of such
24 surplus earnings: *Provided further*, That the Secretary
25 shall determine the cost of administration for fiscal year

1 2024 which is properly allocable to the provision of each
2 such insurance program and to the provision of any total
3 disability income insurance included in that insurance pro-
4 gram.

5 SEC. 209. Amounts deducted from enhanced-use
6 lease proceeds to reimburse an account for expenses in-
7 curred by that account during a prior fiscal year for pro-
8 viding enhanced-use lease services shall be available until
9 expended.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 210. Funds available in this title or funds for
12 salaries and other administrative expenses shall also be
13 available to reimburse the Office of Resolution Manage-
14 ment, Diversity and Inclusion, the Office of Employment
15 Discrimination Complaint Adjudication, and the Alter-
16 native Dispute Resolution function within the Office of
17 Human Resources and Administration for all services pro-
18 vided at rates which will recover actual costs but not to
19 exceed \$145,408,000 for the Office of Resolution Manage-
20 ment, Diversity and Inclusion, \$6,960,000 for the Office
21 of Employment Discrimination Complaint Adjudication,
22 and \$7,772,000 for the Alternative Dispute Resolution
23 function within the Office of Human Resources and Ad-
24 ministration: *Provided*, That payments may be made in
25 advance for services to be furnished based on estimated

1 the “Construction, Major Projects” and “Construction,
2 Minor Projects” accounts and be used for construction
3 (including site acquisition and disposition), alterations,
4 and improvements of any medical facility under the juris-
5 diction or for the use of the Department of Veterans Af-
6 fairs. Such sums as realized are in addition to the amount
7 provided for in “Construction, Major Projects” and “Con-
8 struction, Minor Projects”.

9 SEC. 213. Amounts made available under “Medical
10 Services” are available—

11 (1) for furnishing recreational facilities, sup-
12 plies, and equipment; and

13 (2) for funeral expenses, burial expenses, and
14 other expenses incidental to funerals and burials for
15 beneficiaries receiving care in the Department.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 214. Such sums as may be deposited into the
18 Medical Care Collections Fund pursuant to section 1729A
19 of title 38, United States Code, may be transferred to the
20 “Medical Services” and “Medical Community Care” ac-
21 counts to remain available until expended for the purposes
22 of these accounts.

23 SEC. 215. The Secretary of Veterans Affairs may
24 enter into agreements with Federally Qualified Health
25 Centers in the State of Alaska and Indian Tribes and

1 Tribal organizations which are party to the Alaska Native
2 Health Compact with the Indian Health Service, to pro-
3 vide healthcare, including behavioral health and dental
4 care, to veterans in rural Alaska. The Secretary shall re-
5 quire participating veterans and facilities to comply with
6 all appropriate rules and regulations, as established by the
7 Secretary. The term “rural Alaska” shall mean those
8 lands which are not within the boundaries of the munic-
9 ipality of Anchorage or the Fairbanks North Star Borough.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 216. Such sums as may be deposited into the
12 Department of Veterans Affairs Capital Asset Fund pur-
13 suant to section 8118 of title 38, United States Code, may
14 be transferred to the “Construction, Major Projects” and
15 “Construction, Minor Projects” accounts, to remain avail-
16 able until expended for the purposes of these accounts.

17 SEC. 217. Not later than 30 days after the end of
18 each fiscal quarter, the Secretary of Veterans Affairs shall
19 submit to the Committees on Appropriations of both
20 Houses of Congress a report on the financial status of the
21 Department of Veterans Affairs for the preceding quarter:
22 *Provided*, That, at a minimum, the report shall include
23 the direction contained in the paragraph entitled “Quar-
24 terly reporting”, under the heading “General Administra-

1 tion” in the joint explanatory statement accompanying
2 Public Law 114–223.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 218. Amounts made available under the “Med-
5 ical Services”, “Medical Community Care”, “Medical Sup-
6 port and Compliance”, “Medical Facilities”, “General Op-
7 erating Expenses, Veterans Benefits Administration”,
8 “Board of Veterans Appeals”, “General Administration”,
9 and “National Cemetery Administration” accounts for fis-
10 cal year 2024 may be transferred to or from the “Informa-
11 tion Technology Systems” account: *Provided*, That such
12 transfers may not result in a more than 10 percent aggre-
13 gate increase in the total amount made available by this
14 Act for the “Information Technology Systems” account:
15 *Provided further*, That, before a transfer may take place,
16 the Secretary of Veterans Affairs shall request from the
17 Committees on Appropriations of both Houses of Congress
18 the authority to make the transfer and an approval is
19 issued.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 219. Of the amounts appropriated to the De-
22 partment of Veterans Affairs for fiscal year 2024 for
23 “Medical Services”, “Medical Community Care”, “Medical
24 Support and Compliance”, “Medical Facilities”, “Con-
25 struction, Minor Projects”, and “Information Technology

1 Systems”, up to \$430,532,000, plus reimbursements, may
2 be transferred to the Joint Department of Defense—De-
3 partment of Veterans Affairs Medical Facility Demonstra-
4 tion Fund, established by section 1704 of the National De-
5 fense Authorization Act for Fiscal Year 2010 (Public Law
6 111–84; 123 Stat. 2571) and may be used for operation
7 of the facilities designated as combined Federal medical
8 facilities as described by section 706 of the Duncan Hun-
9 ter National Defense Authorization Act for Fiscal Year
10 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*,
11 That additional funds may be transferred from accounts
12 designated in this section to the Joint Department of De-
13 fense—Department of Veterans Affairs Medical Facility
14 Demonstration Fund upon written notification by the Sec-
15 retary of Veterans Affairs to the Committees on Appro-
16 priations of both Houses of Congress: *Provided further*,
17 That section 220 of title II of division J of Public Law
18 117–328 is repealed.

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 220. Of the amounts appropriated to the De-
21 partment of Veterans Affairs which become available on
22 October 1, 2024, for “Medical Services”, “Medical Com-
23 munity Care”, “Medical Support and Compliance”, and
24 “Medical Facilities”, up to \$456,547,000, plus reimburse-
25 ments, may be transferred to the Joint Department of De-

1 fense—Department of Veterans Affairs Medical Facility
2 Demonstration Fund, established by section 1704 of the
3 National Defense Authorization Act for Fiscal Year 2010
4 (Public Law 111–84; 123 Stat. 2571) and may be used
5 for operation of the facilities designated as combined Fed-
6 eral medical facilities as described by section 706 of the
7 Duncan Hunter National Defense Authorization Act for
8 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500):
9 *Provided*, That additional funds may be transferred from
10 accounts designated in this section to the Joint Depart-
11 ment of Defense—Department of Veterans Affairs Med-
12 ical Facility Demonstration Fund upon written notifica-
13 tion by the Secretary of Veterans Affairs to the Commit-
14 tees on Appropriations of both Houses of Congress.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 221. Such sums as may be deposited into the
17 Medical Care Collections Fund pursuant to section 1729A
18 of title 38, United States Code, for healthcare provided
19 at facilities designated as combined Federal medical facili-
20 ties as described by section 706 of the Duncan Hunter
21 National Defense Authorization Act for Fiscal Year 2009
22 (Public Law 110–417; 122 Stat. 4500) shall also be avail-
23 able: (1) for transfer to the Joint Department of De-
24 fense—Department of Veterans Affairs Medical Facility
25 Demonstration Fund, established by section 1704 of the

1 National Defense Authorization Act for Fiscal Year 2010
2 (Public Law 111–84; 123 Stat. 2571); and (2) for oper-
3 ations of the facilities designated as combined Federal
4 medical facilities as described by section 706 of the Dun-
5 can Hunter National Defense Authorization Act for Fiscal
6 Year 2009 (Public Law 110–417; 122 Stat. 4500): *Pro-*
7 *vided*, That, notwithstanding section 1704(b)(3) of the
8 National Defense Authorization Act for Fiscal Year 2010
9 (Public Law 111–84; 123 Stat. 2573), amounts trans-
10 ferred to the Joint Department of Defense—Department
11 of Veterans Affairs Medical Facility Demonstration Fund
12 shall remain available until expended.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 222. Of the amounts available in this title for
15 “Medical Services”, “Medical Community Care”, “Medical
16 Support and Compliance”, and “Medical Facilities”, a
17 minimum of \$15,000,000 shall be transferred to the
18 DOD–VA Health Care Sharing Incentive Fund, as au-
19 thorized by section 8111(d) of title 38, United States
20 Code, to remain available until expended, for any purpose
21 authorized by section 8111 of title 38, United States Code.

22 SEC. 223. None of the funds available to the Depart-
23 ment of Veterans Affairs, in this or any other Act, may
24 be used to replace the current system by which the Vet-

1 erans Integrated Service Networks select and contract for
2 diabetes monitoring supplies and equipment.

3 SEC. 224. The Secretary of Veterans Affairs shall no-
4 tify the Committees on Appropriations of both Houses of
5 Congress of all bid savings in a major construction project
6 that total at least \$5,000,000, or 5 percent of the pro-
7 grammed amount of the project, whichever is less: *Pro-*
8 *vided*, That such notification shall occur within 14 days
9 of a contract identifying the programmed amount: *Pro-*
10 *vided further*, That the Secretary shall notify the Commit-
11 tees on Appropriations of both Houses of Congress 14
12 days prior to the obligation of such bid savings and shall
13 describe the anticipated use of such savings.

14 SEC. 225. None of the funds made available for
15 “Construction, Major Projects” may be used for a project
16 in excess of the scope specified for that project in the origi-
17 nal justification data provided to the Congress as part of
18 the request for appropriations unless the Secretary of Vet-
19 erans Affairs receives approval from the Committees on
20 Appropriations of both Houses of Congress.

21 SEC. 226. Not later than 30 days after the end of
22 each fiscal quarter, the Secretary of Veterans Affairs shall
23 submit to the Committees on Appropriations of both
24 Houses of Congress a quarterly report containing perform-
25 ance measures and data from each Veterans Benefits Ad-

1 ministration Regional Office: *Provided*, That, at a min-
2 imum, the report shall include the direction contained in
3 the section entitled “Disability claims backlog”, under the
4 heading “General Operating Expenses, Veterans Benefits
5 Administration” in the joint explanatory statement accom-
6 panying Public Law 114–223: *Provided further*, That the
7 report shall also include information on the number of ap-
8 peals pending at the Veterans Benefits Administration as
9 well as the Board of Veterans Appeals on a quarterly
10 basis.

11 SEC. 227. The Secretary of Veterans Affairs shall
12 provide written notification to the Committees on Appro-
13 priations of both Houses of Congress 15 days prior to or-
14 ganizational changes which result in the transfer of 25 or
15 more full-time equivalents from one organizational unit of
16 the Department of Veterans Affairs to another.

17 SEC. 228. The Secretary of Veterans Affairs shall
18 provide on a quarterly basis to the Committees on Appro-
19 priations of both Houses of Congress notification of any
20 single national outreach and awareness marketing cam-
21 paign in which obligations exceed \$1,000,000.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 229. The Secretary of Veterans Affairs, upon
24 determination that such action is necessary to address
25 needs of the Veterans Health Administration, may trans-

1 fer to the “Medical Services” account any discretionary
2 appropriations made available for fiscal year 2024 in this
3 title (except appropriations made to the “General Oper-
4 ating Expenses, Veterans Benefits Administration” ac-
5 count) or any discretionary unobligated balances within
6 the Department of Veterans Affairs, including those ap-
7 propriated for fiscal year 2024, that were provided in ad-
8 vance by appropriations Acts: *Provided*, That transfers
9 shall be made only with the approval of the Office of Man-
10 agement and Budget: *Provided further*, That the transfer
11 authority provided in this section is in addition to any
12 other transfer authority provided by law: *Provided further*,
13 That no amounts may be transferred from amounts that
14 were designated by Congress as an emergency requirement
15 pursuant to a concurrent resolution on the budget or the
16 Balanced Budget and Emergency Deficit Control Act of
17 1985: *Provided further*, That such authority to transfer
18 may not be used unless for higher priority items, based
19 on emergent healthcare requirements, than those for
20 which originally appropriated and in no case where the
21 item for which funds are requested has been denied by
22 Congress: *Provided further*, That, upon determination that
23 all or part of the funds transferred from an appropriation
24 are not necessary, such amounts may be transferred back
25 to that appropriation and shall be available for the same

1 purposes as originally appropriated: *Provided further*,
2 That before a transfer may take place, the Secretary of
3 Veterans Affairs shall request from the Committees on
4 Appropriations of both Houses of Congress the authority
5 to make the transfer and receive approval of that request.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 230. Amounts made available for the Depart-
8 ment of Veterans Affairs for fiscal year 2024, under the
9 “Board of Veterans Appeals” and the “General Operating
10 Expenses, Veterans Benefits Administration” accounts
11 may be transferred between such accounts: *Provided*, That
12 before a transfer may take place, the Secretary of Vet-
13 erans Affairs shall request from the Committees on Appro-
14 priations of both Houses of Congress the authority to
15 make the transfer and receive approval of that request.

16 SEC. 231. The Secretary of Veterans Affairs may not
17 reprogram funds among major construction projects or
18 programs if such instance of reprogramming will exceed
19 \$7,000,000, unless such reprogramming is approved by
20 the Committees on Appropriations of both Houses of Con-
21 gress.

22 SEC. 232. (a) The Secretary of Veterans Affairs shall
23 ensure that the toll-free suicide hotline under section
24 1720F(h) of title 38, United States Code—

1 (1) provides to individuals who contact the hot-
2 line immediate assistance from a trained profes-
3 sional; and

4 (2) adheres to all requirements of the American
5 Association of Suicidology.

6 (b)(1) None of the funds made available by this Act
7 may be used to enforce or otherwise carry out any Execu-
8 tive action that prohibits the Secretary of Veterans Affairs
9 from appointing an individual to occupy a vacant civil
10 service position, or establishing a new civil service position,
11 at the Department of Veterans Affairs with respect to
12 such a position relating to the hotline specified in sub-
13 section (a).

14 (2) In this subsection—

15 (A) the term “civil service” has the meaning
16 given such term in section 2101(1) of title 5, United
17 States Code; and

18 (B) the term “Executive action” includes—

19 (i) any Executive order, Presidential
20 memorandum, or other action by the President;
21 and

22 (ii) any agency policy, order, or other di-
23 rective.

24 (c)(1) The Secretary of Veterans Affairs shall con-
25 duct a study on the effectiveness of the hotline specified

1 in subsection (a) during the 5-year period beginning on
2 January 1, 2016, based on an analysis of national suicide
3 data and data collected from such hotline.

4 (2) At a minimum, the study required by paragraph
5 (1) shall—

6 (A) determine the number of veterans who con-
7 tact the hotline specified in subsection (a) and who
8 receive follow up services from the hotline or mental
9 health services from the Department of Veterans Af-
10 fairs thereafter;

11 (B) determine the number of veterans who con-
12 tact the hotline who are not referred to, or do not
13 continue receiving, mental health care who commit
14 suicide; and

15 (C) determine the number of veterans described
16 in subparagraph (A) who commit or attempt suicide.

17 SEC. 233. Effective during the period beginning on
18 October 1, 2018, and ending on January 1, 2025, none
19 of the funds made available to the Secretary of Veterans
20 Affairs by this or any other Act may be obligated or ex-
21 pended in contravention of the “Veterans Health Adminis-
22 tration Clinical Preventive Services Guidance Statement
23 on the Veterans Health Administration’s Screening for
24 Breast Cancer Guidance” published on May 10, 2017, as

1 issued by the Veterans Health Administration National
2 Center for Health Promotion and Disease Prevention.

3 SEC. 234. (a) Notwithstanding any other provision
4 of law, the amounts appropriated or otherwise made avail-
5 able to the Department of Veterans Affairs for the “Med-
6 ical Services” account may be used to provide—

7 (1) fertility counseling and treatment using as-
8 sisted reproductive technology to a covered veteran
9 or the spouse of a covered veteran; or

10 (2) adoption reimbursement to a covered vet-
11 eran.

12 (b) In this section:

13 (1) The term “service-connected” has the
14 meaning given such term in section 101 of title 38,
15 United States Code.

16 (2) The term “covered veteran” means a vet-
17 eran, as such term is defined in section 101 of title
18 38, United States Code, who has a service-connected
19 disability that results in the inability of the veteran
20 to procreate without the use of fertility treatment.

21 (3) The term “assisted reproductive tech-
22 nology” means benefits relating to reproductive as-
23 sistance provided to a member of the Armed Forces
24 who incurs a serious injury or illness on active duty
25 pursuant to section 1074(c)(4)(A) of title 10, United

1 States Code, as described in the memorandum on
2 the subject of “Policy for Assisted Reproductive
3 Services for the Benefit of Seriously or Severely Ill/
4 Injured (Category II or III) Active Duty Service
5 Members” issued by the Assistant Secretary of De-
6 fense for Health Affairs on April 3, 2012, and the
7 guidance issued to implement such policy, including
8 any limitations on the amount of such benefits avail-
9 able to such a member except that—

10 (A) the time periods regarding embryo
11 cryopreservation and storage set forth in part
12 III(G) and in part IV(H) of such memorandum
13 shall not apply; and

14 (B) such term includes embryo
15 cryopreservation and storage without limitation
16 on the duration of such cryopreservation and
17 storage.

18 (4) The term “adoption reimbursement” means
19 reimbursement for the adoption-related expenses for
20 an adoption that is finalized after the date of the en-
21 actment of this Act under the same terms as apply
22 under the adoption reimbursement program of the
23 Department of Defense, as authorized in Depart-
24 ment of Defense Instruction 1341.09, including the

1 reimbursement limits and requirements set forth in
2 such instruction.

3 (c) Amounts made available for the purposes speci-
4 fied in subsection (a) of this section are subject to the
5 requirements for funds contained in section 508 of division
6 H of the Consolidated Appropriations Act, 2018 (Public
7 Law 115–141).

8 SEC. 235. None of the funds appropriated or other-
9 wise made available by this Act or any other Act for the
10 Department of Veterans Affairs may be used in a manner
11 that is inconsistent with: (1) section 842 of the Transpor-
12 tation, Treasury, Housing and Urban Development, the
13 Judiciary, the District of Columbia, and Independent
14 Agencies Appropriations Act, 2006 (Public Law 109–115;
15 119 Stat. 2506); or (2) section 8110(a)(5) of title 38,
16 United States Code.

17 SEC. 236. Section 842 of Public Law 109–115 shall
18 not apply to conversion of an activity or function of the
19 Veterans Health Administration, Veterans Benefits Ad-
20 ministration, or National Cemetery Administration to con-
21 tractor performance by a business concern that is at least
22 51 percent owned by one or more Indian Tribes as defined
23 in section 5304(e) of title 25, United States Code, or one
24 or more Native Hawaiian Organizations as defined in sec-
25 tion 637(a)(15) of title 15, United States Code.

1 SEC. 237. (a) The Secretary of Veterans Affairs, in
2 consultation with the Secretary of Defense and the Sec-
3 retary of Labor, shall discontinue collecting and using So-
4 cial Security account numbers to authenticate individuals
5 in all information systems of the Department of Veterans
6 Affairs for all individuals not later than September 30,
7 2024.

8 (b) The Secretary of Veterans Affairs may collect and
9 use a Social Security account number to identify an indi-
10 vidual, in accordance with section 552a of title 5, United
11 States Code, in an information system of the Department
12 of Veterans Affairs if and only if the use of such number
13 is necessary to:

14 (1) obtain or provide information the Secretary
15 requires from an information system that is not
16 under the jurisdiction of the Secretary;

17 (2) comply with a law, regulation, or court
18 order;

19 (3) perform anti-fraud activities; or

20 (4) identify a specific individual where no ade-
21 quate substitute is available.

22 (c) The matter in subsections (a) and (b) shall super-
23 sede section 237 of division J of Public Law 117-328.

24 SEC. 238. For funds provided to the Department of
25 Veterans Affairs for each of fiscal year 2024 and 2025

1 for “Medical Services”, section 239 of division A of Public
2 Law 114–223 shall apply.

3 SEC. 239. None of the funds appropriated in this or
4 prior appropriations Acts or otherwise made available to
5 the Department of Veterans Affairs may be used to trans-
6 fer any amounts from the Filipino Veterans Equity Com-
7 pensation Fund to any other account within the Depart-
8 ment of Veterans Affairs.

9 SEC. 240. Of the funds provided to the Department
10 of Veterans Affairs for each of fiscal year 2024 and fiscal
11 year 2025 for “Medical Services”, funds may be used in
12 each year to carry out and expand the child care program
13 authorized by section 205 of Public Law 111–163, not-
14 withstanding subsection (e) of such section.

15 SEC. 241. None of the funds appropriated or other-
16 wise made available in this title may be used by the Sec-
17 retary of Veterans Affairs to enter into an agreement re-
18 lated to resolving a dispute or claim with an individual
19 that would restrict in any way the individual from speak-
20 ing to members of Congress or their staff on any topic
21 not otherwise prohibited from disclosure by Federal law
22 or required by Executive order to be kept secret in the
23 interest of national defense or the conduct of foreign af-
24 fairs.

1 SEC. 242. For funds provided to the Department of
2 Veterans Affairs for each of fiscal year 2024 and 2025,
3 section 258 of division A of Public Law 114–223 shall
4 apply.

5 SEC. 243. (a) None of the funds appropriated or oth-
6 erwise made available by this Act may be used to deny
7 an Inspector General funded under this Act timely access
8 to any records, documents, or other materials available to
9 the department or agency over which that Inspector Gen-
10 eral has responsibilities under the Inspector General Act
11 of 1978 (5 U.S.C. App.), or to prevent or impede the ac-
12 cess of the Inspector General to such records, documents,
13 or other materials, under any provision of law, except a
14 provision of law that expressly refers to such Inspector
15 General and expressly limits the right of access.

16 (b) A department or agency covered by this section
17 shall provide its Inspector General access to all records,
18 documents, and other materials in a timely manner.

19 (c) Each Inspector General shall ensure compliance
20 with statutory limitations on disclosure relevant to the in-
21 formation provided by the establishment over which that
22 Inspector General has responsibilities under the Inspector
23 General Act of 1978 (5 U.S.C. App.).

24 (d) Each Inspector General covered by this section
25 shall report to the Committee on Appropriations of the

1 Senate and the Committee on Appropriations of the House
2 of Representatives within 5 calendar days of any failure
3 by any department or agency covered by this section to
4 comply with this requirement.

5 SEC. 244. None of the funds made available in this
6 Act may be used in a manner that would increase wait
7 times for veterans who seek care at medical facilities of
8 the Department of Veterans Affairs.

9 SEC. 245. None of the funds appropriated or other-
10 wise made available by this Act to the Veterans Health
11 Administration may be used in fiscal year 2024 to convert
12 any program which received specific purpose funds in fis-
13 cal year 2023 to a general purpose funded program unless
14 the Secretary of Veterans Affairs submits written notifica-
15 tion of any such proposal to the Committees on Appropria-
16 tions of both Houses of Congress at least 30 days prior
17 to any such action and an approval is issued by the Com-
18 mittees.

19 SEC. 246. For funds provided to the Department of
20 Veterans Affairs for each of fiscal year 2024 and 2025,
21 section 248 of division A of Public Law 114–223 shall
22 apply.

23 SEC. 247. (a) None of the funds appropriated or oth-
24 erwise made available by this Act may be used to conduct
25 research commencing on or after October 1, 2019, that

1 uses any canine, feline, or non-human primate unless the
2 Secretary of Veterans Affairs approves such research spe-
3 cifically and in writing pursuant to subsection (b).

4 (b)(1) The Secretary of Veterans Affairs may approve
5 the conduct of research commencing on or after October
6 1, 2019, using canines, felines, or non-human primates if
7 the Secretary determines that—

8 (A) the scientific objectives of the research can
9 only be met by using such canines, felines, or non-
10 human primates;

11 (B) such scientific objectives are directly related
12 to an illness or injury that is combat-related; and

13 (C) the research is consistent with the revised
14 Department of Veterans Affairs canine research pol-
15 icy document dated December 15, 2017, including
16 any subsequent revisions to such document.

17 (2) The Secretary may not delegate the authority
18 under this subsection.

19 (c) If the Secretary approves any new research pursu-
20 ant to subsection (b), not later than 30 days before the
21 commencement of such research, the Secretary shall sub-
22 mit to the Committees on Appropriations of the Senate
23 and House of Representatives a report describing—

24 (1) the nature of the research to be conducted
25 using canines, felines, or non-human primates;

1 (2) the date on which the Secretary approved
2 the research;

3 (3) the justification for the determination of the
4 Secretary that the scientific objectives of such re-
5 search could only be met using canines, felines, or
6 non-human primates;

7 (4) the frequency and duration of such re-
8 search; and

9 (5) the protocols in place to ensure the neces-
10 sity, safety, and efficacy of the research.

11 (d) Not later than 180 days after the date of the en-
12 actment of this Act, and biannually thereafter, the Sec-
13 retary shall submit to such Committees a report describ-
14 ing—

15 (1) any research being conducted by the De-
16 partment of Veterans Affairs using canines, felines,
17 or non-human primates as of the date of the sub-
18 mittal of the report;

19 (2) the circumstances under which such re-
20 search was conducted using canines, felines, or non-
21 human primates;

22 (3) the justification for using canines, felines,
23 or non-human primates to conduct such research;
24 and

1 (4) the protocols in place to ensure the neces-
2 sity, safety, and efficacy of such research.

3 (e) The Department shall implement a plan under
4 which the Secretary will eliminate or reduce the research
5 conducted using canines, felines, or non-human primates
6 by not later than 5 years after the date of enactment of
7 Public Law 116–94.

8 SEC. 248. (a) The Secretary of Veterans Affairs may
9 use amounts appropriated or otherwise made available in
10 this title to ensure that the ratio of veterans to full-time
11 employment equivalents within any program of rehabilita-
12 tion conducted under chapter 31 of title 38, United States
13 Code, does not exceed 125 veterans to one full-time em-
14 ployment equivalent.

15 (b) Not later than 180 days after the date of the en-
16 actment of this Act, the Secretary shall submit to Con-
17 gress a report on the programs of rehabilitation conducted
18 under chapter 31 of title 38, United States Code, includ-
19 ing—

20 (1) an assessment of the veteran-to-staff ratio
21 for each such program; and

22 (2) recommendations for such action as the
23 Secretary considers necessary to reduce the veteran-
24 to-staff ratio for each such program.

1 SEC. 249. Amounts made available for the “Veterans
2 Health Administration, Medical Community Care” ac-
3 count in this or any other Act for fiscal years 2024 and
4 2025 may be used for expenses that would otherwise be
5 payable from the Veterans Choice Fund established by
6 section 802 of the Veterans Access, Choice, and Account-
7 ability Act, as amended (38 U.S.C. 1701 note).

8 SEC. 250. Obligations and expenditures applicable to
9 the “Medical Services” account in fiscal years 2017
10 through 2019 for aid to state homes (as authorized by
11 section 1741 of title 38, United States Code) shall remain
12 in the “Medical Community Care” account for such fiscal
13 years.

14 SEC. 251. Of the amounts made available for the De-
15 partment of Veterans Affairs for fiscal year 2024, in this
16 or any other Act, under the “Veterans Health Administra-
17 tion—Medical Services”, “Veterans Health Administra-
18 tion—Medical Community Care”, “Veterans Health Ad-
19 ministration—Medical Support and Compliance”, and
20 “Veterans Health Administration—Medical Facilities” ac-
21 counts, \$1,279,096,000 shall be made available for gen-
22 der-specific care and programmatic efforts to deliver care
23 for women veterans.

24 SEC. 252. Of the unobligated balances available in
25 fiscal year 2024 in the “Recurring Expenses Trans-

1 formational Fund” established in section 243 of division
2 J of Public Law 114–113, and in addition to any funds
3 otherwise made available for such purposes in this, prior,
4 or subsequent fiscal years, \$600,000,000 shall be available
5 for constructing, altering, extending, and improving med-
6 ical facilities of the Veterans Health Administration, in-
7 cluding all supporting activities and required contin-
8 gencies, during the period of availability of the Fund:

9 *Provided*, That prior to obligation of any of the funds pro-
10 vided in this section, the Secretary of Veterans Affairs
11 must provide a plan for the execution of the funds appro-
12 priated in this section to the Committees on Appropria-
13 tions of both Houses of Congress and such Committees
14 issue an approval, or absent a response, a period of 30
15 days has elapsed.

16 SEC. 253. Not later than 30 days after the end of
17 each fiscal quarter, the Secretary of Veterans Affairs shall
18 submit to the Committees on Appropriations of both
19 Houses of Congress a quarterly report on the status of
20 the “Cost of War Toxic Exposures Fund”, as authorized
21 by section 324 of title 38, United States Code: *Provided*,
22 That, at a minimum, the report shall include an update
23 on obligations by program, project or activity and a plan
24 for expending the remaining funds: *Provided further*, That
25 the budget resource categories supporting the Veterans

(RESCISSIONS OF FUNDS)

1
2 SEC. 256. Of the unobligated balances available to
3 the Department of Veterans Affairs from prior appropria-
4 tions Acts, the following funds are hereby rescinded from
5 the following accounts in the amounts specified:

6 Veterans Health Administration—Medical Serv-
7 ices, \$1,000,000,000; and

8 Veterans Health Administration—Medical Com-
9 munity Care, \$976,005,000:

10 *Provided*, That no amounts may be rescinded from
11 amounts that were designated by the Congress as an
12 emergency requirement pursuant to a concurrent resolu-
13 tion on the budget or the Balanced Budget and Emer-
14 gency Deficit Control Act of 1985.

15 SEC. 257. None of the funds in this or any other Act
16 may be used to close Department of Veterans Affairs hos-
17 pitals, domiciliaries, or clinics, conduct an environmental
18 assessment, or to diminish healthcare services at existing
19 Veterans Health Administration medical facilities as part
20 of a planned realignment of services until the Secretary
21 provides to the Committees on Appropriations of both
22 Houses of Congress a report including an analysis of how
23 any such planned realignment of services will impact ac-
24 cess to care for veterans living in rural or highly rural
25 areas, including travel distances and transportation costs

1 to access a Department medical facility and availability
2 of local specialty and primary care.

3 SEC. 258. Unobligated balances available under the
4 headings “Construction, Major Projects” and “Construc-
5 tion, Minor Projects” may be obligated by the Secretary
6 of Veterans Affairs for a facility pursuant to section
7 2(e)(1) of the Communities Helping Invest through Prop-
8 erty and Improvements Needed for Veterans Act of 2016
9 (Public Law 114–294; 38 U.S.C. 8103 note), as amended,
10 to provide additional funds or to fund an escalation clause
11 under such section of such Act: *Provided*, That before such
12 unobligated balances are obligated pursuant to this sec-
13 tion, the Secretary of Veterans Affairs shall request from
14 the Committees on Appropriations of both Houses of Con-
15 gress the authority to obligate such unobligated balances
16 and such Committees issue an approval, or absent a re-
17 sponse, a period of 30 days has elapsed: *Provided further*,
18 That the request to obligate such unobligated balances
19 must provide Congress notice that the entity described in
20 section 2(a)(2) of Public Law 114–294, as amended, has
21 exhausted available cost containment approaches as set
22 forth in the agreement under section 2(c) of such Public
23 Law.

24 SEC. 259. (a) IN GENERAL.—None of the funds ap-
25 propriated by this Act or otherwise made available for fis-

1 cal year 2024 for the Department of Veterans Affairs may
2 be obligated or expended to procure or purchase com-
3 puters, printers, software, hardware, connecting cables, or
4 other information technology equipment needed for an of-
5 fice environment in which the manufacturer, bidder, or of-
6 feror, or any subsidiary or parent entity of the manufac-
7 turer, bidder, or offeror, of the equipment or software is
8 an entity, or is a subsidiary or parent company of an enti-
9 ty—

10 (1) in which the People’s Republic of China has
11 any ownership stake;

12 (2) that has been organized under the laws of
13 the People’s Republic of China; or

14 (3) that contributes to the defense industry of
15 the Chinese Communist Party.

16 (b) APPLICABILITY TO THIRD PARTIES.—The prohi-
17 bition in subsection (a) also applies in cases in which the
18 Secretary has contracted with a third party for the pro-
19 curement, purchase, or expenditure of funds on any of the
20 equipment and software described in such subsection.

21 SEC. 260. None of the funds appropriated or other-
22 wise made available to the Department of Veterans Affairs
23 in this Act may be used in a manner that would—

1 (1) interfere with the ability of a veteran to
2 participate in a medicinal marijuana program ap-
3 proved by a State;

4 (2) deny any services from the Department to
5 a veteran who is participating in such a program; or

6 (3) limit or interfere with the ability of a health
7 care provider of the Department to make appro-
8 priate recommendations, fill out forms, or take steps
9 to comply with such a program.

1 TITLE III
2 RELATED AGENCIES
3 AMERICAN BATTLE MONUMENTS COMMISSION
4 SALARIES AND EXPENSES

5 For necessary expenses, not otherwise provided for,
6 of the American Battle Monuments Commission, including
7 the acquisition of land or interest in land in foreign coun-
8 tries; purchases and repair of uniforms for caretakers of
9 national cemeteries and monuments outside of the United
10 States and its territories and possessions; rent of office
11 and garage space in foreign countries; purchase (one-for-
12 one replacement basis only) and hire of passenger motor
13 vehicles; not to exceed \$15,000 for official reception and
14 representation expenses; and insurance of official motor
15 vehicles in foreign countries, when required by law of such
16 countries, \$158,630,000, to remain available until ex-
17 pended.

18 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT
19 For necessary expenses, not otherwise provided for,
20 of the American Battle Monuments Commission, such
21 sums as may be necessary, to remain available until ex-
22 pended, for purposes authorized by section 2109 of title
23 36, United States Code.

1 UNITED STATES COURT OF APPEALS FOR VETERANS
2 CLAIMS
3 SALARIES AND EXPENSES

4 For necessary expenses for the operation of the
5 United States Court of Appeals for Veterans Claims as
6 authorized by sections 7251 through 7298 of title 38,
7 United States Code, \$47,200,000: *Provided*, That
8 \$3,000,000 shall be available for the purpose of providing
9 financial assistance as described and in accordance with
10 the process and reporting procedures set forth under this
11 heading in Public Law 102–229.

12 DEPARTMENT OF DEFENSE—CIVIL
13 CEMETERIAL EXPENSES, ARMY
14 SALARIES AND EXPENSES

15 For necessary expenses for maintenance, operation,
16 and improvement of Arlington National Cemetery and Sol-
17 diers' and Airmen's Home National Cemetery, including
18 the purchase or lease of passenger motor vehicles for re-
19 placement on a one-for-one basis only, and not to exceed
20 \$2,000 for official reception and representation expenses,
21 \$99,880,000, of which not to exceed \$15,000,000 shall re-
22 main available until September 30, 2026. In addition,
23 such sums as may be necessary for parking maintenance,
24 repairs and replacement, to be derived from the "Lease

1 of Department of Defense Real Property for Defense
2 Agencies’’ account.

3 CONSTRUCTION

4 For necessary expenses for planning and design and
5 construction at Arlington National Cemetery and Soldiers’
6 and Airmen’s Home National Cemetery, \$88,600,000, to
7 remain available until expended, for planning and design
8 and construction associated with the Southern Expansion
9 project at Arlington National Cemetery.

10 ARMED FORCES RETIREMENT HOME

11 TRUST FUND

12 For expenses necessary for the Armed Forces Retire-
13 ment Home to operate and maintain the Armed Forces
14 Retirement Home—Washington, District of Columbia,
15 and the Armed Forces Retirement Home—Gulfport, Mis-
16 sissippi, to be paid from funds available in the Armed
17 Forces Retirement Home Trust Fund, \$77,000,000, to re-
18 main available until September 30, 2025, of which
19 \$8,940,000 shall remain available until expended for con-
20 struction and renovation of the physical plants at the
21 Armed Forces Retirement Home—Washington, District of
22 Columbia, and the Armed Forces Retirement Home—
23 Gulfport, Mississippi: *Provided*, That of the amounts made
24 available under this heading from funds available in the
25 Armed Forces Retirement Home Trust Fund,

1 \$25,000,000 shall be paid from the general fund of the
2 Treasury to the Trust Fund.

3 ADMINISTRATIVE PROVISION

4 SEC. 301. Amounts deposited into the special account
5 established under 10 U.S.C. 7727 are appropriated and
6 shall be available until expended to support activities at
7 the Army National Military Cemeteries.

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TITLE IV

GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 403. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of “E-Commerce” technologies and procedures in the conduct of their business practices and public service activities.

SEC. 404. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs,

1 and Related Agencies of the Committee on Appropriations
2 of the Senate.

3 SEC. 405. None of the funds made available in this
4 Act may be transferred to any department, agency, or in-
5 strumentality of the United States Government except
6 pursuant to a transfer made by, or transfer authority pro-
7 vided in, this or any other appropriations Act.

8 SEC. 406. (a) Any agency receiving funds made avail-
9 able in this Act, shall, subject to subsections (b) and (c),
10 post on the public Web site of that agency any report re-
11 quired to be submitted by the Congress in this or any
12 other Act, upon the determination by the head of the agen-
13 cy that it shall serve the national interest.

14 (b) Subsection (a) shall not apply to a report if—

15 (1) the public posting of the report com-
16 promises national security; or

17 (2) the report contains confidential or propri-
18 etary information.

19 (c) The head of the agency posting such report shall
20 do so only after such report has been made available to
21 the requesting Committee or Committees of Congress for
22 no less than 45 days.

23 SEC. 407. (a) None of the funds made available in
24 this Act may be used to maintain or establish a computer

1 network unless such network blocks the viewing,
2 downloading, and exchanging of pornography.

3 (b) Nothing in subsection (a) shall limit the use of
4 funds necessary for any Federal, State, tribal, or local law
5 enforcement agency or any other entity carrying out crimi-
6 nal investigations, prosecution, or adjudication activities.

7 SEC. 408. None of the funds made available in this
8 Act may be used by an agency of the executive branch
9 to pay for first-class travel by an employee of the agency
10 in contravention of sections 301–10.122 through 301–
11 10.124 of title 41, Code of Federal Regulations.

12 SEC. 409. None of the funds made available in this
13 Act may be used to execute a contract for goods or serv-
14 ices, including construction services, where the contractor
15 has not complied with Executive Order No. 12989.

16 SEC. 410. None of the funds made available by this
17 Act may be used in contravention of section 101(e)(8) of
18 title 10, United States Code.

19 SEC. 411. (a) IN GENERAL.—None of the funds ap-
20 propriated or otherwise made available to the Department
21 of Defense in this Act may be used to construct, renovate,
22 or expand any facility in the United States, its territories,
23 or possessions to house any individual detained at United
24 States Naval Station, Guantánamo Bay, Cuba, for the

1 purposes of detention or imprisonment in the custody or
2 under the control of the Department of Defense.

3 (b) The prohibition in subsection (a) shall not apply
4 to any modification of facilities at United States Naval
5 Station, Guantánamo Bay, Cuba.

6 (c) An individual described in this subsection is any
7 individual who, as of June 24, 2009, is located at United
8 States Naval Station, Guantánamo Bay, Cuba, and who—

9 (1) is not a citizen of the United States or a
10 member of the Armed Forces of the United States;
11 and

12 (2) is—

13 (A) in the custody or under the effective
14 control of the Department of Defense; or

15 (B) otherwise under detention at United
16 States Naval Station, Guantánamo Bay, Cuba.

17 This Act may be cited as the “Military Construction,
18 Veterans Affairs, and Related Agencies Appropriations
19 Act, 2024”.

Calendar No. 110

118TH CONGRESS
1ST Session

S. 2127

[Report No. 118-43]

A BILL

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

JUNE 22, 2023

Read twice and placed on the calendar