

Union Calendar No. 94

118TH CONGRESS
1ST SESSION

H. R. 4366

[Report No. 118–122]

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 HOUSE OF REPRESENTATIVES

JUNE 27, 2023

Mr. CARTER of Texas, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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 of Congress of the determination and the reasons therefor:
2 *Provided further*, That of the amount made available
3 under this heading, \$162,900,000 shall be for the projects
4 and activities, and in the amounts, specified in the table
5 under the heading “Military Construction, Army” in the
6 report accompanying this Act, in addition to amounts oth-
7 erwise available for such purposes.

8 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

9 For acquisition, construction, installation, and equip-
10 ment of temporary or permanent public works, naval in-
11 stallations, facilities, and real property for the Navy and
12 Marine Corps as currently authorized by law, including
13 personnel in the Naval Facilities Engineering Command
14 and other personal services necessary for the purposes of
15 this appropriation, \$4,477,961,000, to remain available
16 until September 30, 2028: *Provided*, That, of this amount,
17 not to exceed \$602,625,000 shall be available for study,
18 planning, design, and architect and engineer services, as
19 authorized by law, unless the Secretary of the Navy deter-
20 mines that additional obligations are necessary for such
21 purposes and notifies the Committees on Appropriations
22 of both Houses of Congress of the determination and the
23 reasons therefor: *Provided further*, That of the amount
24 made available under this heading, \$52,683,000 shall be
25 for the projects and activities, and in the amounts, speci-

1 fied in the table under the heading “Military Construction,
2 Navy and Marine Corps” in the report accompanying this
3 Act, in addition to amounts otherwise available for such
4 purposes.

5 MILITARY CONSTRUCTION, AIR FORCE

6 For acquisition, construction, installation, and equip-
7 ment of temporary or permanent public works, military
8 installations, facilities, and real property for the Air Force
9 as currently authorized by law, \$2,439,614,000, to remain
10 available until September 30, 2028: *Provided*, That, of this
11 amount, not to exceed \$450,614,000 shall be available for
12 study, planning, design, and architect and engineer serv-
13 ices, as authorized by law, unless the Secretary of the Air
14 Force determines that additional obligations are necessary
15 for such purposes and notifies the Committees on Appro-
16 priations of both Houses of Congress of the determination
17 and the reasons therefor: *Provided further*, That of the
18 amount made available under this heading, \$30,300,000
19 shall be for the projects and activities, and in the amounts,
20 specified in the table under the heading “Military Con-
21 struction, Air Force” in the report accompanying this Act,
22 in addition to amounts otherwise available for such pur-
23 poses.

1 MILITARY CONSTRUCTION, DEFENSE-WIDE

2 (INCLUDING TRANSFER OF FUNDS)

3 For acquisition, construction, installation, and equip-
4 ment of temporary or permanent public works, installa-
5 tions, facilities, and real property for activities and agen-
6 cies of the Department of Defense (other than the military
7 departments), as currently authorized by law,
8 \$2,651,047,000, to remain available until September 30,
9 2028: *Provided*, That such amounts of this appropriation
10 as may be determined by the Secretary of Defense may
11 be transferred to such appropriations of the Department
12 of Defense available for military construction or family
13 housing as the Secretary may designate, to be merged with
14 and to be available for the same purposes, and for the
15 same time period, as the appropriation or fund to which
16 transferred: *Provided further*, That, of the amount, not to
17 exceed \$304,045,000 shall be available for study, plan-
18 ning, design, and architect and engineer services, as au-
19 thorized by law, unless the Secretary of Defense deter-
20 mines that additional obligations are necessary for such
21 purposes and notifies the Committees on Appropriations
22 of both Houses of Congress of the determination and the
23 reasons therefor.

1 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

2 For construction, acquisition, expansion, rehabilita-
3 tion, and conversion of facilities for the training and ad-
4 ministration of the Army National Guard, and contribu-
5 tions therefor, as authorized by chapter 1803 of title 10,
6 United States Code, and Military Construction Authoriza-
7 tion Acts, \$369,261,000, to remain available until Sep-
8 tember 30, 2028: *Provided*, That, of the amount, not to
9 exceed \$42,361,000 shall be available for study, planning,
10 design, and architect and engineer services, as authorized
11 by law, unless the Director of the Army National Guard
12 determines that additional obligations are necessary for
13 such purposes and notifies the Committees on Appropria-
14 tions of both Houses of Congress of the determination and
15 the reasons therefor: *Provided further*, That of the amount
16 made available under this heading, \$19,075,000 shall be
17 for the projects and activities, and in the amounts, speci-
18 fied in the table under the heading “Military Construction,
19 Army National Guard” in the report accompanying this
20 Act, in addition to amounts otherwise available for such
21 purposes.

22 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

23 For construction, acquisition, expansion, rehabilita-
24 tion, and conversion of facilities for the training and ad-
25 ministration of the Air National Guard, and contributions

1 therefor, as authorized by chapter 1803 of title 10, United
2 States Code, and Military Construction Authorization
3 Acts, \$189,322,000, to remain available until September
4 30, 2028: *Provided*, That, of the amount, not to exceed
5 \$36,200,000 shall be available for study, planning, design,
6 and architect and engineer services, as authorized by law,
7 unless the Director of the Air National Guard determines
8 that additional obligations are necessary for such purposes
9 and notifies the Committees on Appropriations of both
10 Houses of Congress of the determination and the reasons
11 therefor: *Provided further*, That of the amount made avail-
12 able under this heading, \$600,000 shall be for the projects
13 and activities, and in the amounts, specified in the table
14 under the heading “Military Construction, Air National
15 Guard” in the report accompanying this Act, in addition
16 to amounts otherwise available for such purposes.

17 MILITARY CONSTRUCTION, ARMY RESERVE

18 For construction, acquisition, expansion, rehabilita-
19 tion, and conversion of facilities for the training and ad-
20 ministration of the Army Reserve as authorized by chapter
21 1803 of title 10, United States Code, and Military Con-
22 struction Authorization Acts, \$117,076,000, to remain
23 available until September 30, 2028: *Provided*, That, of the
24 amount, not to exceed \$23,389,000 shall be available for
25 study, planning, design, and architect and engineer serv-

1 ices, as authorized by law, unless the Chief of the Army
2 Reserve determines that additional obligations are nec-
3 essary for such purposes and notifies the Committees on
4 Appropriations of both Houses of Congress of the deter-
5 mination and the reasons therefor.

6 MILITARY CONSTRUCTION, NAVY RESERVE

7 For construction, acquisition, expansion, rehabilita-
8 tion, and conversion of facilities for the training and ad-
9 ministration of the reserve components of the Navy and
10 Marine Corps as authorized by chapter 1803 of title 10,
11 United States Code, and Military Construction Authoriza-
12 tion Acts, \$61,291,000, to remain available until Sep-
13 tember 30, 2028: *Provided*, That, of the amount, not to
14 exceed \$6,495,000 shall be available for study, planning,
15 design, and architect and engineer services, as authorized
16 by law, unless the Secretary of the Navy determines that
17 additional obligations are necessary for such purposes and
18 notifies the Committees on Appropriations of both Houses
19 of Congress of the determination and the reasons therefor.

20 MILITARY CONSTRUCTION, AIR FORCE RESERVE

21 For construction, acquisition, expansion, rehabilita-
22 tion, and conversion of facilities for the training and ad-
23 ministration of the Air Force Reserve as authorized by
24 chapter 1803 of title 10, United States Code, and Military
25 Construction Authorization Acts, \$330,572,000, to remain

1 available until September 30, 2028: *Provided*, That, of the
2 amount, not to exceed \$12,146,000 shall be available for
3 study, planning, design, and architect and engineer serv-
4 ices, as authorized by law, unless the Chief of the Air
5 Force Reserve determines that additional obligations are
6 necessary for such purposes and notifies the Committees
7 on Appropriations of both Houses of Congress of the de-
8 termination and the reasons therefor: *Provided further*,
9 That of the amount made available under this heading,
10 \$29,000,000 shall be for the projects and activities, and
11 in the amounts, specified in the table under the heading
12 “Military Construction, Air Force Reserve” in the report
13 accompanying this Act, in addition to amounts otherwise
14 available for such purposes.

15 NORTH ATLANTIC TREATY ORGANIZATION

16 SECURITY INVESTMENT PROGRAM

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

1 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

2 For deposit into the Department of Defense Base
3 Closure Account, established by section 2906(a) of the De-
4 fense Base Closure and Realignment Act of 1990 (10
5 U.S.C. 2687 note), \$539,174,000, to remain available
6 until expended.

7 FAMILY HOUSING CONSTRUCTION, ARMY

8 For expenses of family housing for the Army for con-
9 struction, including acquisition, replacement, addition, ex-
10 pansion, extension, and alteration, as authorized by law,
11 \$304,895,000, to remain available until September 30,
12 2028.

13 FAMILY HOUSING OPERATION AND MAINTENANCE,

14 ARMY

15 For expenses of family housing for the Army for op-
16 eration and maintenance, including debt payment, leasing,
17 minor construction, principal and interest charges, and in-
18 surance premiums, as authorized by law, \$395,485,000.

19 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE

20 CORPS

21 For expenses of family housing for the Navy and Ma-
22 rine Corps for construction, including acquisition, replace-
23 ment, addition, expansion, extension, and alteration, as
24 authorized by law, \$277,142,000, to remain available until
25 September 30, 2028.

1 FAMILY HOUSING OPERATION AND MAINTENANCE,
2 NAVY AND MARINE CORPS

3 For expenses of family housing for the Navy and Ma-
4 rine Corps for operation and maintenance, including debt
5 payment, leasing, minor construction, principal and inter-
6 est charges, and insurance premiums, as authorized by
7 law, \$373,854,000.

8 FAMILY HOUSING CONSTRUCTION, AIR FORCE

9 For expenses of family housing for the Air Force for
10 construction, including acquisition, replacement, addition,
11 expansion, extension, and alteration, as authorized by law,
12 \$237,097,000, to remain available until September 30,
13 2028.

14 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
15 FORCE

16 For expenses of family housing for the Air Force for
17 operation and maintenance, including debt payment, leas-
18 ing, minor construction, principal and interest charges,
19 and insurance premiums, as authorized by law,
20 \$324,386,000.

21 FAMILY HOUSING OPERATION AND MAINTENANCE,
22 DEFENSE-WIDE

23 For expenses of family housing for the activities and
24 agencies of the Department of Defense (other than the
25 military departments) for operation and maintenance,

1 leasing, and minor construction, as authorized by law,
2 \$50,785,000.

3 DEPARTMENT OF DEFENSE

4 FAMILY HOUSING IMPROVEMENT FUND

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

11 DEPARTMENT OF DEFENSE

12 MILITARY UNACCOMPANIED HOUSING IMPROVEMENT

13 FUND

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

21 ADMINISTRATIVE PROVISIONS

22 SEC. 101. None of the funds made available in this
23 title shall be expended for payments under a cost-plus-a-
24 fixed-fee contract for construction, where cost estimates
25 exceed \$25,000, to be performed within the United States,

1 except Alaska, without the specific approval in writing of
2 the Secretary of Defense setting forth the reasons there-
3 for.

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

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

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

18 SEC. 105. None of the funds made available in this
19 title shall be used for purchase of land or land easements
20 in excess of 100 percent of the value as determined by
21 the Army Corps of Engineers or the Naval Facilities Engi-
22 neering Command, except: (1) where there is a determina-
23 tion of value by a Federal court; (2) purchases negotiated
24 by the Attorney General or the designee of the Attorney
25 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 \$15,000 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 SEC. 122. Amounts appropriated or otherwise made
13 available in an account funded under the headings in this
14 title may be transferred among projects and activities
15 within the account in accordance with the reprogramming
16 guidelines for military construction and family housing
17 construction contained in Department of Defense Finan-
18 cial Management Regulation 7000.14–R, Volume 3, Chap-
19 ter 7, of March 2011, as in effect on the date of enactment
20 of this Act.

21 SEC. 123. None of the funds made available in this
22 title may be obligated or expended for planning and design
23 and construction of projects at Arlington National Ceme-
24 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”, \$47,700,000;

5 “Military Construction, Navy and Marine
6 Corps”, \$689,409,000;

7 “Military Construction, Air Force”,
8 \$148,300,000;

9 “Military Construction, Defense-Wide”,
10 \$280,100,000;

11 “Military Construction, Army National Guard”,
12 \$26,800,000;

13 “Military Construction, Air National Guard”,
14 \$126,742,000;

15 “Military Construction, Army Reserve”,
16 \$40,000,000;

17 “Military Construction, Air Force Reserve”,
18 \$8,500,000; and

19 “Family Housing Construction, Air Force”,
20 \$27,000,000:

21 *Provided*, That such funds may only be obligated to carry
22 out construction projects identified in the respective mili-
23 tary department’s unfunded priority list for fiscal year
24 2024 submitted to Congress: *Provided further*, That such
25 projects are subject to authorization prior to obligation

1 and expenditure of funds to carry out construction: *Pro-*
2 *vided further*, That not later than 60 days after enactment
3 of this Act, the Secretary of the military department con-
4 cerned, or their designee, shall submit to the Committees
5 on Appropriations of both Houses of Congress an expendi-
6 ture plan for funds provided under this section.

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

18 SEC. 126. Notwithstanding section 116 of this Act,
19 funds made available in this Act or any available unobli-
20 gated balances from prior appropriations Acts may be obli-
21 gated before October 1, 2025, for fiscal year 2017, 2018,
22 and 2019 military construction projects for which project
23 authorization has not lapsed or for which authorization
24 is extended for fiscal year 2024 by a National Defense
25 Authorization Act: *Provided*, That no amounts may be ob-

1 ligated pursuant to this section from amounts that were
2 designated by the Congress as an emergency requirement
3 pursuant to a concurrent resolution on the budget or the
4 Balanced Budget and Emergency Deficit Control Act of
5 1985.

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

14 SEC. 128. For an additional amount for the accounts
15 and in the amounts specified for planning and design and
16 for construction improvements to Department of Defense
17 laboratory facilities, to remain available until September
18 30, 2028:

19 “Military Construction, Army”, \$30,000,000;

20 “Military Construction, Navy and Marine
21 Corps”, \$30,000,000; and

22 “Military Construction, Air Force”,
23 \$30,000,000:

24 *Provided*, That not later than 60 days after enactment of
25 this Act, the Secretary of the military department con-

1 cerned, or their designee, shall submit to the Committees
2 on Appropriations of both Houses of Congress an expendi-
3 ture plan for funds provided under this section: *Provided*
4 *further*, That the Secretary of the military department
5 concerned may not obligate or expend any funds prior to
6 approval by the Committees on Appropriations of both
7 Houses of Congress of the expenditure plan required by
8 this section.

9 SEC. 129. For an additional amount for “Military
10 Construction, Air Force”, \$252,000,000, to remain avail-
11 able until September 30, 2028, for expenses incurred as
12 a result of natural disasters: *Provided*, That not later than
13 60 days after the date of enactment of this Act, the Sec-
14 retary of the Air Force, or their designee, shall submit
15 to the Committees on Appropriations of both Houses of
16 Congress an expenditure plan for funds provided under
17 this section.

18 SEC. 130. For an additional amount for the accounts
19 and in the amounts specified for planning and design, for
20 child development centers, to remain available until Sep-
21 tember 30, 2028:

22 “Military Construction, Army”, \$25,000,000;

23 “Military Construction, Navy and Marine
24 Corps”, \$25,000,000; and

1 “Military Construction, Air Force”,
2 \$25,000,000:

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

8 SEC. 131. For an additional amount for the accounts
9 and amounts specified for planning and design, for bar-
10 racks, to remain available until September 30, 2028:

11 “Military Construction Army”, \$65,000,000;

12 “Military Construction, Navy and Marine
13 Corps”, \$65,000,000; and

14 “Military Construction, Air Force”,
15 \$65,000,000:

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

21 SEC. 132. For an additional amount for the accounts
22 and in the amounts specified for unspecified minor con-
23 struction for demolition, to remain available until Sep-
24 tember 30, 2028:

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

1 “Military Construction, Navy and Marine
2 Corps”, \$15,000,000;

3 “Military Construction, Air Force”,
4 \$15,000,000;

5 “Military Construction, Army National Guard”,
6 \$15,000,000;

7 “Military Construction, Air National Guard”,
8 \$15,000,000;

9 “Military Construction, Army Reserve”,
10 \$5,000,000;

11 “Military Construction, Navy Reserve”,
12 \$5,000,000; and

13 “Military Construction, Air Force Reserve”,
14 \$5,000,000:

15 *Provided*, That not later than 60 days after the date of
16 enactment of this Act, the Secretary of the military de-
17 partment concerned, or their designee, shall submit to the
18 Committees on Appropriations of both Houses of Congress
19 an expenditure plan for funds provided under this section:

20 *Provided further*, That the Secretary of the military de-
21 partment concerned may not obligate or expend any funds
22 prior to approval by the Committees on Appropriations of
23 both Houses of Congress of the expenditure plan required
24 by this section.

1 SEC. 133. 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”, \$122,210,000;

5 “Military Construction, Air Force”,
6 \$90,400,000;

7 “Military Construction, Army National Guard”,
8 \$134,881,000; and

9 “Military Construction, Army Reserve”,
10 \$23,000,000:

11 *Provided*, That funds may only be obligated to carry out
12 cost to complete projects identified in the respective mili-
13 tary department’s unfunded priority list for fiscal year
14 2024 submitted to Congress: *Provided further*, That such
15 projects are subject to authorization prior to obligation
16 and expenditure funds to carry out construction: *Provided*
17 *further*, That not later than 60 days after enactment of
18 this Act, the Secretary of the military department con-
19 cerned, or their designee, shall submit to the Committees
20 on Appropriations of both Houses of Congress an expendi-
21 ture plan for funds under this section.

22 SEC. 134. For an additional amount for “Military
23 Construction, Navy and Marine Corps”, \$50,000,000 to
24 remain available until September 30, 2028, for planning
25 and design for Shipyard Infrastructure Optimization Pro-

1 gram construction: *Provided*, That not later than 60 days
2 after the date of enactment of this Act, the Secretary of
3 the Navy, or their designee, shall submit to the Commit-
4 tees on Appropriations of both Houses of Congress an ex-
5 penditure plan for funds provided under this section.

6 SEC. 135. None of the funds made available by this
7 Act may be used to carry out the closure or realignment
8 of the United States Naval Station, Guantánamo Bay,
9 Cuba.

10 SEC. 136. (a) None of the funds made available by
11 this Act for the Department of the Air Force, or any other
12 Department and Agency, may be obligated or expended
13 for the construction or modification of facilities for tem-
14 porary or permanent use by the United States Space Com-
15 mand for headquarters operations unless, pursuant to sub-
16 section (b), the preferred location for permanent head-
17 quarters of the United States Space Command is selected
18 or until the required report is submitted.

19 (b) In the event a permanent location for the head-
20 quarters is selected other than the preferred location as
21 identified by the Department of the Air Force in January
22 2021, the Secretary of the Air Force shall submit to the
23 congressional appropriations committees a report on the
24 rationale for the selection of a permanent location for the
25 headquarters of the United States Space Command.

1 (c) Subsection (a) shall not apply to any repair nec-
2 essary to maintain facilities to protect personnel or prop-
3 erty.

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

6 For the payment of compensation benefits to or on
7 behalf of veterans and a pilot program for disability ex-
8 aminations as authorized by section 107 and chapters 11,
9 13, 18, 51, 53, 55, and 61 of title 38, United States Code;
10 pension benefits to or on behalf of veterans as authorized
11 by chapters 15, 51, 53, 55, and 61 of title 38, United
12 States Code; and burial benefits, the Reinstated Entitle-
13 ment Program for Survivors, emergency and other offi-
14 cers' retirement pay, adjusted-service credits and certifi-
15 cates, payment of premiums due on commercial life insur-
16 ance policies guaranteed under the provisions of title IV
17 of the Servicemembers Civil Relief Act (50 U.S.C. App.
18 541 et seq.) and for other benefits as authorized by sec-
19 tions 107, 1312, 1977, and 2106, and chapters 23, 51,
20 53, 55, and 61 of title 38, United States Code,
21 \$4,655,879,000, which shall be in addition to funds pre-
22 viously appropriated under this heading that become avail-
23 able on October 1, 2023, to remain available until ex-
24 pended; and, in addition, \$181,390,281,000, which shall
25 become available on October 1, 2024, to remain available

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

15 READJUSTMENT BENEFITS

16 For the payment of readjustment and rehabilitation
17 benefits to or on behalf of veterans as authorized by chap-
18 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and
19 61 of title 38, United States Code, \$11,523,134,000,
20 which shall become available on October 1, 2024, to re-
21 main available until expended: *Provided*, That expenses for
22 rehabilitation program services and assistance which the
23 Secretary is authorized to provide under subsection (a) of
24 section 3104 of title 38, United States Code, other than

1 under paragraphs (1), (2), (5), and (11) of that sub-
2 section, shall be charged to this account.

3 VETERANS INSURANCE AND INDEMNITIES

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

14 VETERANS HOUSING BENEFIT PROGRAM FUND

15 For the cost of direct and guaranteed loans, such
16 sums as may be necessary to carry out the program, as
17 authorized by subchapters I through III of chapter 37 of
18 title 38, United States Code: *Provided*, That such costs,
19 including the cost of modifying such loans, shall be as de-
20 fined in section 502 of the Congressional Budget Act of
21 1974: *Provided further*, That, during fiscal year 2024,
22 within the resources available, not to exceed \$500,000 in
23 gross obligations for direct loans are authorized for spe-
24 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, shall become available on October 1, 2024,
14 and shall remain available until September 30, 2025: *Pro-*
15 *vided*, That, of the amount made available on October 1,
16 2024, under this heading, \$2,000,000,000 shall remain
17 available until September 30, 2026: *Provided further*,
18 That, notwithstanding any other provision of law, the Sec-
19 retary of Veterans Affairs shall establish a priority for the
20 provision of medical treatment for veterans who have serv-
21 ice-connected disabilities, lower income, or have special
22 needs: *Provided further*, That, notwithstanding any other
23 provision of law, the Secretary of Veterans Affairs shall
24 give priority funding for the provision of basic medical
25 benefits to veterans in enrollment priority groups 1

1 through 6: *Provided further*, That, notwithstanding any
2 other provision of law, the Secretary of Veterans Affairs
3 may authorize the dispensing of prescription drugs from
4 Veterans Health Administration facilities to enrolled vet-
5 erans with privately written prescriptions based on re-
6 quirements established by the Secretary: *Provided further*,
7 That the implementation of the program described in the
8 previous proviso shall incur no additional cost to the De-
9 partment of Veterans Affairs: *Provided further*, That the
10 Secretary of Veterans Affairs shall ensure that sufficient
11 amounts appropriated under this heading for medical sup-
12 plies and equipment are available for the acquisition of
13 prosthetics designed specifically for female veterans: *Pro-*
14 *vided further*, That nothing in section 2044(e)(1) of title
15 38, United States Code, may be construed as limiting
16 amounts that may be made available under this heading
17 for fiscal years 2024 and 2025 in this or prior Acts.

18 MEDICAL COMMUNITY CARE

19 For necessary expenses for furnishing health care to
20 individuals pursuant to chapter 17 of title 38, United
21 States Code, at non-Department facilities,
22 \$20,382,000,000, plus reimbursements, shall become
23 available on October 1, 2024, and shall remain available
24 until September 30, 2025: *Provided*, That, of the amount
25 made available on October 1, 2024, under this heading,

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

3 MEDICAL SUPPORT AND COMPLIANCE

4 For necessary expenses in the administration of the
5 medical, hospital, nursing home, domiciliary, construction,
6 supply, and research activities, as authorized by law; ad-
7 ministrative expenses in support of capital policy activi-
8 ties; and administrative and legal expenses of the Depart-
9 ment for collecting and recovering amounts owed the De-
10 partment as authorized under chapter 17 of title 38,
11 United States Code, and the Federal Medical Care Recov-
12 ery Act (42 U.S.C. 2651 et seq.), \$11,800,000,000, plus
13 reimbursements, 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, \$350,000,000 shall
17 remain available until September 30, 2026.

18 MEDICAL FACILITIES

19 For necessary expenses for the maintenance and op-
20 eration of hospitals, nursing homes, domiciliary facilities,
21 and other necessary facilities of the Veterans Health Ad-
22 ministration; for administrative expenses in support of
23 planning, design, project management, real property ac-
24 quisition and disposition, construction, and renovation of
25 any facility under the jurisdiction or for the use of the

1 Department; for oversight, engineering, and architectural
2 activities not charged to project costs; for repairing, alter-
3 ing, improving, or providing facilities in the several hos-
4 pitals and homes under the jurisdiction of the Depart-
5 ment, not otherwise provided for, either by contract or by
6 the hire of temporary employees and purchase of mate-
7 rials; for leases of facilities; and for laundry services;
8 \$9,400,000,000, plus reimbursements, shall become avail-
9 able on October 1, 2024, and shall remain available until
10 September 30, 2025: *Provided*, That, of the amount made
11 available on October 1, 2024, under this heading,
12 \$500,000,000 shall remain available until September 30,
13 2026.

14 MEDICAL AND PROSTHETIC RESEARCH

15 For necessary expenses in carrying out programs of
16 medical and prosthetic research and development as au-
17 thorized by chapter 73 of title 38, United States Code,
18 \$938,000,000, plus reimbursements, shall remain avail-
19 able until September 30, 2025: *Provided*, That the Sec-
20 retary of Veterans Affairs shall ensure that sufficient
21 amounts appropriated under this heading are available for
22 prosthetic research specifically for female veterans, and
23 for toxic exposure research.

1 NATIONAL CEMETERY ADMINISTRATION

2 For necessary expenses of the National Cemetery Ad-
3 ministration for operations and maintenance, not other-
4 wise provided for, including uniforms or allowances there-
5 for; cemeterial expenses as authorized by law; purchase
6 of one passenger motor vehicle for use in cemeterial oper-
7 ations; hire of passenger motor vehicles; and repair, alter-
8 ation or improvement of facilities under the jurisdiction
9 of the National Cemetery Administration, \$480,000,000,
10 of which not to exceed 10 percent shall remain available
11 until September 30, 2025.

12 DEPARTMENTAL ADMINISTRATION

13 GENERAL ADMINISTRATION

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary operating expenses of the Department
16 of Veterans Affairs, not otherwise provided for, including
17 administrative expenses in support of Department-wide
18 capital planning, management and policy activities, uni-
19 forms, or allowances therefor; not to exceed \$25,000 for
20 official reception and representation expenses; hire of pas-
21 senger motor vehicles; and reimbursement of the General
22 Services Administration for security guard services,
23 \$475,000,000, of which not to exceed 10 percent shall re-
24 main available until September 30, 2025: *Provided*, That
25 funds provided under this heading may be transferred to

1 “General Operating Expenses, Veterans Benefits Adminis-
2 tration”.

3 BOARD OF VETERANS APPEALS

4 For necessary operating expenses of the Board of
5 Veterans Appeals, \$287,000,000 of which not to exceed
6 10 percent shall remain available until September 30,
7 2025.

8 INFORMATION TECHNOLOGY SYSTEMS

9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses for information technology
11 systems and telecommunications support, including devel-
12 opmental information systems and operational information
13 systems; for pay and associated costs; and for the capital
14 asset acquisition of information technology systems, in-
15 cluding management and related contractual costs of said
16 acquisitions, including contractual costs associated with
17 operations authorized by section 3109 of title 5, United
18 States Code, \$6,401,000,000, plus reimbursements: *Pro-*
19 *vided*, That \$1,606,977,000 shall be for pay and associ-
20 ated costs, of which not to exceed 3 percent shall remain
21 available until September 30, 2025: *Provided further*, That
22 \$4,668,373,000 shall be for operations and maintenance,
23 of which not to exceed 5 percent shall remain available
24 until September 30, 2025: *Provided further*, That
25 \$125,650,000 shall be for information technology systems

1 development, and shall remain available until September
2 30, 2025: *Provided further*, That amounts made available
3 for salaries and expenses, operations and maintenance,
4 and information technology systems development may be
5 transferred among the three subaccounts after the Sec-
6 retary of Veterans Affairs requests from the Committees
7 on Appropriations of both Houses of Congress the author-
8 ity to make the transfer and an approval is issued: *Pro-*
9 *vided further*, That amounts made available for the “Infor-
10 mation Technology Systems” account for development
11 may be transferred among projects or to newly defined
12 projects: *Provided further*, That no project may be in-
13 creased or decreased by more than \$3,000,000 of cost
14 prior to submitting a request to the Committees on Appro-
15 priations of both Houses of Congress to make the transfer
16 and an approval is issued, or absent a response, a period
17 of 30 days has elapsed: *Provided further*, That the funds
18 made available under this heading for information tech-
19 nology systems development shall be for the projects, and
20 in the amounts, specified in the table entitled “Informa-
21 tion Technology Development Projects” under this head-
22 ing in the report accompanying this Act.

23 VETERANS ELECTRONIC HEALTH RECORD

24 For activities related to implementation, preparation,
25 development, interface, management, rollout, and mainte-

1 nance of a Veterans Electronic Health Record system, in-
2 cluding contractual costs associated with operations au-
3 thorized by section 3109 of title 5, United States Code,
4 and salaries and expenses of employees hired under titles
5 5 and 38, United States Code, \$1,863,000,000, to remain
6 available until September 30, 2026: *Provided*, That the
7 Secretary of Veterans Affairs shall submit to the Commit-
8 tees on Appropriations of both Houses of Congress quar-
9 terly reports detailing obligations, expenditures, and de-
10 ployment implementation by facility, including any
11 changes from the deployment plan or schedule: *Provided*
12 *further*, That the funds provided in this account shall only
13 be available to the Office of the Deputy Secretary, to be
14 administered by that Office: *Provided further*, That 25
15 percent of the funds made available under this heading
16 shall not be available until July 1, 2024, and are contin-
17 gent upon the Secretary of Veterans Affairs—

18 (1) providing the Committees on Appropriations
19 a report detailing the status of outstanding issues
20 impacting the stability and usability of the new elec-
21 tronic health record system, including those that
22 contributed to the October 13, 2022, deployment
23 delay, along with a timeline and measurable metrics
24 to resolve issues, no later than 60 days after enact-
25 ment of this Act;

1 (2) certifying and detailing any changes to the
2 full deployment schedule, no later than 60 days prior
3 to July 1, 2024; and

4 (3) certifying in writing no later than 30 days
5 prior to July 1, 2024, the following—

6 (A) the status of issues included in the re-
7 port referenced in paragraph (1), including
8 issues that have not been closed but have been
9 suitably resolved or mitigated in a manner that
10 will enhance provider productivity and minimize
11 the potential for patient harm; and

12 (B) whether the system is stable, ready,
13 and optimized for further deployment at VA
14 sites.

15 OFFICE OF INSPECTOR GENERAL

16 For necessary expenses of the Office of Inspector
17 General, to include information technology, in carrying out
18 the provisions of the Inspector General Act of 1978 (5
19 U.S.C. App.), \$296,000,000, of which not to exceed 10
20 percent shall remain available until September 30, 2025.

21 CONSTRUCTION, MAJOR PROJECTS

22 For constructing, altering, extending, and improving
23 any of the facilities, including parking projects, under the
24 jurisdiction or for the use of the Department of Veterans
25 Affairs, or for any of the purposes set forth in sections

1 316, 2404, 2406 and chapter 81 of title 38, United States
2 Code, not otherwise provided for, including planning, ar-
3 chitectural and engineering services, construction manage-
4 ment services, maintenance or guarantee period services
5 costs associated with equipment guarantees provided
6 under the project, services of claims analysts, offsite utility
7 and storm drainage system construction costs, and site ac-
8 quisition, where the estimated cost of a project is more
9 than the amount set forth in section 8104(a)(3)(A) of title
10 38, United States Code, or where funds for a project were
11 made available in a previous major project appropriation,
12 \$881,000,000, of which \$373,096,000 shall remain avail-
13 able until September 30, 2028, and of which
14 \$507,904,000 shall remain available until expended, of
15 which \$110,000,000 shall be available for seismic improve-
16 ment projects and seismic program management activities,
17 including for projects that would otherwise be funded by
18 the Construction, Minor Projects, Medical Facilities or
19 National Cemetery Administration accounts: *Provided,*
20 That except for advance planning activities, including
21 needs assessments which may or may not lead to capital
22 investments, and other capital asset management related
23 activities, including portfolio development and manage-
24 ment activities, and planning, cost estimating, and design
25 for major medical facility projects and major medical facil-

1 ity leases and investment strategy studies funded through
2 the advance planning fund and the planning and design
3 activities funded through the design fund, staffing ex-
4 penses, and funds provided for the purchase, security, and
5 maintenance of land for the National Cemetery Adminis-
6 tration through the land acquisition line item, none of the
7 funds made available under this heading shall be used for
8 any project that has not been notified to Congress through
9 the budgetary process or that has not been approved by
10 the Congress through statute, joint resolution, or in the
11 explanatory statement accompanying such Act and pre-
12 sented to the President at the time of enrollment: *Provided*
13 *further*, That such sums as may be necessary shall be
14 available to reimburse the “General Administration” ac-
15 count for payment of salaries and expenses of all Office
16 of Construction and Facilities Management employees to
17 support the full range of capital infrastructure services
18 provided, including minor construction and leasing serv-
19 ices: *Provided further*, That funds made available under
20 this heading for fiscal year 2024, for each approved
21 project shall be obligated: (1) by the awarding of a con-
22 struction documents contract by September 30, 2024; and
23 (2) by the awarding of a construction contract by Sep-
24 tember 30, 2025: *Provided further*, That the Secretary of
25 Veterans Affairs shall promptly submit to the Committees

1 on Appropriations of both Houses of Congress a written
2 report on any approved major construction project for
3 which obligations are not incurred within the time limita-
4 tions established above: *Provided further*, That notwith-
5 standing the requirements of section 8104(a) of title 38,
6 United States Code, amounts made available under this
7 heading for seismic improvement projects and seismic pro-
8 gram management activities shall be available for the com-
9 pletion of both new and existing seismic projects of the
10 Department.

11 CONSTRUCTION, MINOR PROJECTS

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

1 United States Code, \$680,000,000, of which
2 \$612,000,000 shall remain available until September 30,
3 2028, and of which \$68,000,000 shall remain available
4 until expended, along with unobligated balances of pre-
5 vious “Construction, Minor Projects” appropriations
6 which are hereby made available for any project where the
7 estimated cost is equal to or less than the amount set forth
8 in such section: *Provided*, That funds made available
9 under this heading shall be for: (1) repairs to any of the
10 nonmedical facilities under the jurisdiction or for the use
11 of the Department which are necessary because of loss or
12 damage caused by any natural disaster or catastrophe;
13 and (2) temporary measures necessary to prevent or to
14 minimize further loss by such causes.

15 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
16 FACILITIES

17 For grants to assist States to acquire or construct
18 State nursing home and domiciliary facilities and to re-
19 model, modify, or alter existing hospital, nursing home,
20 and domiciliary facilities in State homes, for furnishing
21 care to veterans as authorized by sections 8131 through
22 8137 of title 38, United States Code, \$164,000,000, to
23 remain available until expended.

1 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

2 For grants to assist States and tribal organizations
3 in establishing, expanding, or improving veterans ceme-
4 teries as authorized by section 2408 of title 38, United
5 States Code, \$60,000,000, to remain available until ex-
6 pended.

7 ADMINISTRATIVE PROVISIONS

8 (INCLUDING TRANSFER OF FUNDS)

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

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 202. Amounts made available for the Depart-
21 ment of Veterans Affairs for fiscal year 2024, in this or
22 any other Act, under the “Medical Services”, “Medical
23 Community Care”, “Medical Support and Compliance”,
24 and “Medical Facilities” accounts may be transferred
25 among the accounts: *Provided*, That any transfers among

1 the “Medical Services”, “Medical Community Care”, and
2 “Medical Support and Compliance” accounts of 1 percent
3 or less of the total amount appropriated to the account
4 in this or any other Act may take place subject to notifica-
5 tion from the Secretary of Veterans Affairs to the Com-
6 mittees on Appropriations of both Houses of Congress of
7 the amount and purpose of the transfer: *Provided further*,
8 That any transfers among the “Medical Services”, “Med-
9 ical Community Care”, and “Medical Support and Compli-
10 ance” accounts in excess of 1 percent, or exceeding the
11 cumulative 1 percent for the fiscal year, may take place
12 only after the Secretary requests from the Committees on
13 Appropriations of both Houses of Congress the authority
14 to make the transfer and an approval is issued: *Provided*
15 *further*, That any transfers to or from the “Medical Facili-
16 ties” account may take place only after the Secretary re-
17 quests from the Committees on Appropriations of both
18 Houses of Congress the authority to make the transfer
19 and an approval is issued.

20 SEC. 203. Appropriations available in this title for
21 salaries and expenses shall be available for services au-
22 thorized by section 3109 of title 5, United States Code;
23 hire of passenger motor vehicles; lease of a facility or land
24 or both; and uniforms or allowances therefore, as author-

1 ized by sections 5901 through 5902 of title 5, United
2 States Code.

3 SEC. 204. No appropriations in this title (except the
4 appropriations for “Construction, Major Projects”, and
5 “Construction, Minor Projects”) shall be available for the
6 purchase of any site for or toward the construction of any
7 new hospital or home.

8 SEC. 205. No appropriations in this title shall be
9 available for hospitalization or examination of any persons
10 (except beneficiaries entitled to such hospitalization or ex-
11 amination under the laws providing such benefits to vet-
12 erans, and persons receiving such treatment under sec-
13 tions 7901 through 7904 of title 5, United States Code,
14 or the Robert T. Stafford Disaster Relief and Emergency
15 Assistance Act (42 U.S.C. 5121 et seq.)), unless reim-
16 bursement of the cost of such hospitalization or examina-
17 tion is made to the “Medical Services” account at such
18 rates as may be fixed by the Secretary of Veterans Affairs.

19 SEC. 206. Appropriations available in this title for
20 “Compensation and Pensions”, “Readjustment Benefits”,
21 and “Veterans Insurance and Indemnities” shall be avail-
22 able for payment of prior year accrued obligations re-
23 quired to be recorded by law against the corresponding
24 prior year accounts within the last quarter of fiscal year
25 2023.

1 SEC. 207. Appropriations available in this title shall
2 be available to pay prior year obligations of corresponding
3 prior year appropriations accounts resulting from sections
4 3328(a), 3334, and 3712(a) of title 31, United States
5 Code, except that if such obligations are from trust fund
6 accounts they shall be payable only from “Compensation
7 and Pensions”.

8 (INCLUDING TRANSFER OF FUNDS)

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

1 administration of such an insurance program exceeds the
2 amount of surplus earnings accumulated in that program,
3 reimbursement shall be made only to the extent of such
4 surplus earnings: *Provided further*, That the Secretary
5 shall determine the cost of administration for fiscal year
6 2024 which is properly allocable to the provision of each
7 such insurance program and to the provision of any total
8 disability income insurance included in that insurance pro-
9 gram.

10 SEC. 209. Amounts deducted from enhanced-use
11 lease proceeds to reimburse an account for expenses in-
12 curred by that account during a prior fiscal year for pro-
13 viding enhanced-use lease services shall be available until
14 expended.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 210. Funds available in this title or funds for
17 salaries and other administrative expenses shall also be
18 available to reimburse the Office of Resolution Manage-
19 ment, Diversity and Inclusion, the Office of Employment
20 Discrimination Complaint Adjudication, and the Alter-
21 native Dispute Resolution function within the Office of
22 Human Resources and Administration for all services pro-
23 vided at rates which will recover actual costs but not to
24 exceed \$86,481,000 for the Office of Resolution Manage-
25 ment, Diversity and Inclusion, \$6,960,000 for the Office

1 of Employment Discrimination Complaint Adjudication,
2 and \$7,772,000 for the Alternative Dispute Resolution
3 function within the Office of Human Resources and Ad-
4 ministration: *Provided*, That payments may be made in
5 advance for services to be furnished based on estimated
6 costs: *Provided further*, That amounts received shall be
7 credited to the “General Administration” and “Informa-
8 tion Technology Systems” accounts for use by the office
9 that provided the service.

10 SEC. 211. No funds of the Department of Veterans
11 Affairs shall be available for hospital care, nursing home
12 care, or medical services provided to any person under
13 chapter 17 of title 38, United States Code, for a non-serv-
14 ice-connected disability described in section 1729(a)(2) of
15 such title, unless that person has disclosed to the Sec-
16 retary of Veterans Affairs, in such form as the Secretary
17 may require, current, accurate third-party reimbursement
18 information for purposes of section 1729 of such title: *Pro-*
19 *vided*, That the Secretary may recover, in the same man-
20 ner as any other debt due the United States, the reason-
21 able charges for such care or services from any person who
22 does not make such disclosure as required: *Provided fur-*
23 *ther*, That any amounts so recovered for care or services
24 provided in a prior fiscal year may be obligated by the

1 Secretary during the fiscal year in which amounts are re-
2 ceived.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 212. Notwithstanding any other provision of
5 law, proceeds or revenues derived from enhanced-use leas-
6 ing activities (including disposal) may be deposited into
7 the “Construction, Major Projects” and “Construction,
8 Minor Projects” accounts and be used for construction
9 (including site acquisition and disposition), alterations,
10 and improvements of any medical facility under the juris-
11 diction or for the use of the Department of Veterans Af-
12 fairs. Such sums as realized are in addition to the amount
13 provided for in “Construction, Major Projects” and “Con-
14 struction, Minor Projects”.

15 SEC. 213. Amounts made available under “Medical
16 Services” are available—

17 (1) for furnishing recreational facilities, sup-
18 plies, and equipment; and

19 (2) for funeral expenses, burial expenses, and
20 other expenses incidental to funerals and burials for
21 beneficiaries receiving care in the Department.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 214. Such sums as may be deposited into the
24 Medical Care Collections Fund pursuant to section 1729A
25 of title 38, United States Code, may be transferred to the

1 “Medical Services” and “Medical Community Care” ac-
2 counts to remain available until expended for the purposes
3 of these accounts.

4 SEC. 215. The Secretary of Veterans Affairs may
5 enter into agreements with Federally Qualified Health
6 Centers in the State of Alaska and Indian Tribes and
7 Tribal organizations which are party to the Alaska Native
8 Health Compact with the Indian Health Service, to pro-
9 vide healthcare, including behavioral health and dental
10 care, to veterans in rural Alaska. The Secretary shall re-
11 quire participating veterans and facilities to comply with
12 all appropriate rules and regulations, as established by the
13 Secretary. The term “rural Alaska” shall mean those
14 lands which are not within the boundaries of the munici-
15 pality of Anchorage or the Fairbanks North Star Borough.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 216. Such sums as may be deposited into the
18 Department of Veterans Affairs Capital Asset Fund pur-
19 suant to section 8118 of title 38, United States Code, may
20 be transferred to the “Construction, Major Projects” and
21 “Construction, Minor Projects” accounts, to remain avail-
22 able until expended for the purposes of these accounts.

23 SEC. 217. Not later than 30 days after the end of
24 each fiscal quarter, the Secretary of Veterans Affairs shall
25 submit to the Committees on Appropriations of both

1 Houses of Congress a report on the financial status of the
2 Department of Veterans Affairs for the preceding quarter:
3 *Provided*, That, at a minimum, the report shall include
4 the direction contained in the paragraph entitled “Quar-
5 terly reporting”, under the heading “General Administra-
6 tion” in the joint explanatory statement accompanying
7 Public Law 114–223.

8 (INCLUDING TRANSFER OF FUNDS)

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

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 219. Of the amounts appropriated to the De-
3 partment of Veterans Affairs for fiscal year 2024 for
4 “Medical Services”, “Medical Community Care”, “Medical
5 Support and Compliance”, “Medical Facilities”, “Con-
6 struction, Minor Projects”, and “Information Technology
7 Systems”, up to \$430,532,000, plus reimbursements, may
8 be transferred to the Joint Department of Defense—De-
9 partment of Veterans Affairs Medical Facility Demonstra-
10 tion Fund, established by section 1704 of the National De-
11 fense Authorization Act for Fiscal Year 2010 (Public Law
12 111–84; 123 Stat. 2571) and may be used for operation
13 of the facilities designated as combined Federal medical
14 facilities as described by section 706 of the Duncan Hun-
15 ter National Defense Authorization Act for Fiscal Year
16 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*,
17 That additional funds may be transferred from accounts
18 designated in this section to the Joint Department of De-
19 fense—Department of Veterans Affairs Medical Facility
20 Demonstration Fund upon written notification by the Sec-
21 retary of Veterans Affairs to the Committees on Appro-
22 priations of both Houses of Congress: *Provided further*,
23 That section 220 of title II of division J of Public Law
24 117–328 is repealed.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 220. Of the amounts appropriated to the De-
3 partment of Veterans Affairs which become available on
4 October 1, 2024, for “Medical Services”, “Medical Com-
5 munity Care”, “Medical Support and Compliance”, and
6 “Medical Facilities”, up to \$456,547,000, plus reimburse-
7 ments, may be transferred to the Joint Department of De-
8 fense—Department of Veterans Affairs Medical Facility
9 Demonstration Fund, established by section 1704 of the
10 National Defense Authorization Act for Fiscal Year 2010
11 (Public Law 111–84; 123 Stat. 2571) and may be used
12 for operation of the facilities designated as combined Fed-
13 eral medical facilities as described by section 706 of the
14 Duncan Hunter National Defense Authorization Act for
15 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500):
16 *Provided*, That additional funds may be transferred from
17 accounts designated in this section to the Joint Depart-
18 ment of Defense—Department of Veterans Affairs Med-
19 ical Facility Demonstration Fund upon written notifica-
20 tion by the Secretary of Veterans Affairs to the Commit-
21 tees on Appropriations of both Houses of Congress.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 221. Such sums as may be deposited into the
24 Medical Care Collections Fund pursuant to section 1729A
25 of title 38, United States Code, for healthcare provided

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

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 222. Of the amounts available in this title for
22 “Medical Services”, “Medical Community Care”, “Medical
23 Support and Compliance”, and “Medical Facilities”, a
24 minimum of \$15,000,000 shall be transferred to the
25 DOD–VA Health Care Sharing Incentive Fund, as au-

1 thORIZED by section 8111(d) of title 38, United States
2 Code, to remain available until expended, for any purpose
3 authorized by section 8111 of title 38, United States Code.

4 SEC. 223. The Secretary of Veterans Affairs shall no-
5 tify the Committees on Appropriations of both Houses of
6 Congress of all bid savings in a major construction project
7 that total at least \$5,000,000, or 5 percent of the pro-
8 grammed amount of the project, whichever is less: *Pro-*
9 *vided*, That such notification shall occur within 14 days
10 of a contract identifying the programmed amount: *Pro-*
11 *vided further*, That the Secretary shall notify the Commit-
12 tees on Appropriations of both Houses of Congress 14
13 days prior to the obligation of such bid savings and shall
14 describe the anticipated use of such savings.

15 SEC. 224. None of the funds made available for
16 “Construction, Major Projects” may be used for a project
17 in excess of the scope specified for that project in the origi-
18 nal justification data provided to the Congress as part of
19 the request for appropriations unless the Secretary of Vet-
20 erans Affairs receives approval from the Committees on
21 Appropriations of both Houses of Congress.

22 SEC. 225. Not later than 30 days after the end of
23 each fiscal quarter, the Secretary of Veterans Affairs shall
24 submit to the Committees on Appropriations of both
25 Houses of Congress a quarterly report containing perform-

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

12 SEC. 226. The Secretary of Veterans Affairs shall
13 provide written notification to the Committees on Appro-
14 priations of both Houses of Congress 15 days prior to or-
15 ganizational changes which result in the transfer of 25 or
16 more full-time equivalents from one organizational unit of
17 the Department of Veterans Affairs to another.

18 SEC. 227. The Secretary of Veterans Affairs shall
19 provide on a quarterly basis to the Committees on Appro-
20 priations of both Houses of Congress notification of any
21 single national outreach and awareness marketing cam-
22 paign in which obligations exceed \$1,000,000.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 228. The Secretary of Veterans Affairs, upon
25 determination that such action is necessary to address

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

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

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 229. Amounts made available for the Depart-
9 ment of Veterans Affairs for fiscal year 2024, under the
10 “Board of Veterans Appeals” and the “General Operating
11 Expenses, Veterans Benefits Administration” accounts
12 may be transferred between such accounts: *Provided*, That
13 before a transfer may take place, the Secretary of Vet-
14 erans Affairs shall request from the Committees on Appro-
15 priations of both Houses of Congress the authority to
16 make the transfer and receive approval of that request.

17 SEC. 230. The Secretary of Veterans Affairs may not
18 reprogram funds among major construction projects or
19 programs if such instance of reprogramming will exceed
20 \$7,000,000, unless such reprogramming is approved by
21 the Committees on Appropriations of both Houses of Con-
22 gress.

23 SEC. 231. (a) The Secretary of Veterans Affairs shall
24 ensure that the toll-free suicide hotline under section
25 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. 232. 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. 233. (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. 234. 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. 235. 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. 236. (a) Except as provided in subsection (b),
2 the Secretary of Veterans Affairs, in consultation with the
3 Secretary of Defense and the Secretary of Labor, shall dis-
4 continue using Social Security account numbers to identify
5 individuals in all information systems of the Department
6 of Veterans Affairs as follows:

7 (1) For all veterans submitting to the Secretary
8 of Veterans Affairs new claims for benefits under
9 laws administered by the Secretary, not later than
10 September 30, 2024.

11 (2) For all individuals not described in para-
12 graph (1), not later than March 23, 2026.

13 (b) The Secretary of Veterans Affairs may use a So-
14 cial Security account number to identify an individual in
15 an information system of the Department of Veterans Af-
16 fairs if and only if the use of such number is required
17 to obtain information the Secretary requires from an in-
18 formation system that is not under the jurisdiction of the
19 Secretary.

20 (c) The matter in subsections (a) and (b) shall super-
21 sede section 238 of division F of Public Law 116–94.

22 SEC. 237. For funds provided to the Department of
23 Veterans Affairs for each of fiscal year 2024 and 2025
24 for “Medical Services”, section 239 of division A of Public
25 Law 114–223 shall apply.

1 SEC. 238. None of the funds appropriated in this or
2 prior appropriations Acts or otherwise made available to
3 the Department of Veterans Affairs may be used to trans-
4 fer any amounts from the Filipino Veterans Equity Com-
5 pensation Fund to any other account within the Depart-
6 ment of Veterans Affairs.

7 SEC. 239. Of the funds provided to the Department
8 of Veterans Affairs for each of fiscal year 2024 and fiscal
9 year 2025 for “Medical Services”, funds may be used in
10 each year to carry out and expand the child care program
11 authorized by section 205 of Public Law 111–163, not-
12 withstanding subsection (e) of such section.

13 SEC. 240. None of the funds appropriated or other-
14 wise made available in this title may be used by the Sec-
15 retary of Veterans Affairs to enter into an agreement re-
16 lated to resolving a dispute or claim with an individual
17 that would restrict in any way the individual from speak-
18 ing to members of Congress or their staff on any topic
19 not otherwise prohibited from disclosure by Federal law
20 or required by Executive order to be kept secret in the
21 interest of national defense or the conduct of foreign af-
22 fairs.

23 SEC. 241. For funds provided to the Department of
24 Veterans Affairs for each of fiscal year 2024 and 2025,

1 section 258 of division A of Public Law 114–223 shall
2 apply.

3 SEC. 242. (a) None of the funds appropriated or oth-
4 erwise made available by this Act may be used to deny
5 an Inspector General funded under this Act timely access
6 to any records, documents, or other materials available to
7 the department or agency over which that Inspector Gen-
8 eral has responsibilities under the Inspector General Act
9 of 1978 (5 U.S.C. App.), or to prevent or impede the ac-
10 cess of the Inspector General to such records, documents,
11 or other materials, under any provision of law, except a
12 provision of law that expressly refers to such Inspector
13 General and expressly limits the right of access.

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

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

22 (d) Each Inspector General covered by this section
23 shall report to the Committee on Appropriations of the
24 Senate and the Committee on Appropriations of the House
25 of Representatives within 5 calendar days of any failure

1 by any department or agency covered by this section to
2 comply with this requirement.

3 SEC. 243. None of the funds made available in this
4 Act may be used in a manner that would increase wait
5 times for veterans who seek care at medical facilities of
6 the Department of Veterans Affairs.

7 SEC. 244. None of the funds appropriated or other-
8 wise made available by this Act to the Veterans Health
9 Administration may be used in fiscal year 2024 to convert
10 any program which received specific purpose funds in fis-
11 cal year 2023 to a general purpose funded program unless
12 the Secretary of Veterans Affairs submits written notifica-
13 tion of any such proposal to the Committees on Appropria-
14 tions of both Houses of Congress at least 30 days prior
15 to any such action and an approval is issued by the Com-
16 mittees.

17 SEC. 245. For funds provided to the Department of
18 Veterans Affairs for each of fiscal year 2024 and 2025,
19 section 248 of division A of Public Law 114–223 shall
20 apply.

21 SEC. 246. (a) None of the funds appropriated or oth-
22 erwise made available by this Act may be used to conduct
23 research commencing on or after October 1, 2019, that
24 uses any canine, feline, or non-human primate unless the

1 Secretary of Veterans Affairs approves such research spe-
2 cifically and in writing pursuant to subsection (b).

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

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

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

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

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

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

23 (1) the nature of the research to be conducted
24 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. 247. (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. 248. 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. 249. 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. 250. 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. 251. Notwithstanding any other law, by no later
25 than September 30, 2023, the Secretary shall commence

1 construction of the Community Based Outpatient Clinic
2 in Bakersfield, California in accordance with Lease
3 No.36C10F20L0008.

4 SEC. 252. None of the funds made available in this
5 Act shall be expended for monthly payments under Lease
6 No. VA10112R0032, including section 11 of the lease,
7 that exceed \$223,166.67 unless required for maintenance
8 and repairs or improvements related to the form, fit, or
9 function of the facility that directly enhances the safety
10 of veterans or improves healthcare services.

11 SEC. 253. Not later than 30 days after the end of
12 each fiscal quarter, the Secretary of Veterans Affairs shall
13 submit to the Committees on Appropriations of both
14 Houses of Congress a quarterly report on the status of
15 the “Veterans Medical Care and Health Fund”, estab-
16 lished to execute section 8002 of the American Rescue
17 Plan Act of 2021 (Public Law 117–2): *Provided*, That,
18 at a minimum, the report shall include an update on obli-
19 gations by program, project or activity and a plan for ex-
20 pending the remaining funds: *Provided further*, That the
21 Secretary of Veterans Affairs must submit notification of
22 any plans to reallocate funds from the current apporportion-
23 ment categories of “Medical Services”, “Medical Support
24 and Compliance”, “Medical Facilities”, “Medical Commu-
25 nity Care”, or “Medical and Prosthetic Research”, includ-

1 ing the amount and purpose of each reallocation to the
2 Committees on Appropriations of both Houses of Congress
3 and such Committees issue an approval, or absent a re-
4 sponse, a period of 30 days has elapsed.

5 SEC. 254. Any amounts transferred to the Secretary
6 and administered by a corporation referred to in section
7 7364(b) of title 38, United States Code, between October
8 1, 2017 and September 30, 2018 for purposes of carrying
9 out an order placed with the Department of Veterans Af-
10 fairs pursuant to section 1535 of title 31, United States
11 Code, that are available for obligation pursuant to section
12 7364(b)(1) of title 38, United States Code, are to remain
13 available for the liquidation of valid obligations incurred
14 by such corporation during the period of performance of
15 such order, provided that the Secretary of Veterans Af-
16 fairs determines that such amounts need to remain avail-
17 able for such liquidation.

18 SEC. 255. Unobligated balances available under the
19 headings “Construction, Major Projects” and “Construc-
20 tion, Minor Projects” may be obligated by the Secretary
21 of Veterans Affairs for a facility pursuant to section
22 2(e)(1) of the Communities Helping Invest through Prop-
23 erty and Improvements Needed for Veterans Act of 2016
24 (Public Law 114–294; 38 U.S.C. 8103 note), as amended,
25 to provide additional funds or to fund an escalation clause

1 under such section of such Act: *Provided*, That before such
2 unobligated balances are obligated pursuant to this sec-
3 tion, the Secretary of Veterans Affairs shall request from
4 the Committees on Appropriations of both Houses of Con-
5 gress the authority to obligate such unobligated balances
6 and such Committees issue an approval, or absent a re-
7 sponse, a period of 30 days has elapsed: *Provided further*,
8 That the request to obligate such unobligated balances
9 must provide Congress notice that the entity described in
10 section 2(a)(2) of Public Law 114–294, as amended, has
11 exhausted available cost containment approaches as set
12 forth in the agreement under section 2(c) of such Public
13 Law.

14 SEC. 256. Of the unobligated balances available to
15 the Department of Veterans Affairs from prior appropria-
16 tions Acts, the following funds are hereby rescinded from
17 the following accounts in the amounts specified:

18 “Veterans Health Administration—Medical
19 Services”, \$4,933,113,000;

20 “Veterans Health Administration—Medical
21 Community Care”, \$1,909,069,000; and

22 “Veterans Health Administration—Medical Fa-
23 cilities”, \$250,515,000.

24 SEC. 257. Not later than 30 days after the date the
25 funds become available, the Secretary shall submit to the

1 Committees on Appropriations an expenditure plan for
2 funds made available through the Fiscal Responsibility
3 Act of 2023 (P.L. 118-5) for the Cost of War Toxic Expo-
4 sures Fund for fiscal years 2024 and 2025.

5 SEC. 258. (a) None of the funds made available in
6 this Act may be used to implement, administer, or other-
7 wise carry out the Department of Veterans Affairs interim
8 final rule published on September 9, 2022, or any suc-
9 cessor to such rule, or to propose, promulgate, or imple-
10 ment any substantially similar rule or policy.

11 (b) None of the funds appropriated in this Act shall
12 be expended for any abortion, including through a medical
13 benefits package or health benefits program that includes
14 coverage of abortion.

15 (c) The limitations established in subsection (b) shall
16 not apply to an abortion—

17 (1) if the pregnancy is the result of an act of
18 rape or incest; or

19 (2) in the case where a woman suffers from a
20 physical disorder, physical injury, or physical illness,
21 including a life-endangering physical condition
22 caused by or arising from the pregnancy itself, that
23 would, as certified by a physician, place the woman
24 in danger of death unless an abortion is performed.

1 SEC. 259. None of the funds made available by this
2 Act may be used for surgical procedures or hormone thera-
3 pies for the purposes of gender affirming care.

4 SEC. 260. None of the funds made available by this
5 Act may be used by the Secretary of Veterans Affairs to
6 fly or display a flag over a facility of the Department of
7 Veterans Affairs or a national cemetery other than the
8 flag of the United States, the flag of a State, Territory,
9 or District of Columbia, the flag of an Indian Tribal gov-
10 ernment, the flag of the Department, the flag of an Armed
11 Force, or the POW/MIA flag.

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 \$3,385,000 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 \$100,267,000, of which not to exceed \$15,000,000 shall
22 remain 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. None of the funds made available in this
9 Act may be used for a project or program named for an
10 individual serving as a Member, Delegate, or Resident
11 Commissioner of the United States House of Representa-
12 tives.

13 SEC. 407. (a) Any agency receiving funds made avail-
14 able in this Act, shall, subject to subsections (b) and (c),
15 post on the public Web site of that agency any report re-
16 quired to be submitted by the Congress in this or any
17 other Act, upon the determination by the head of the agen-
18 cy that it shall serve the national interest.

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

20 (1) the public posting of the report com-
21 promises national security; or

22 (2) the report contains confidential or propri-
23 etary information.

24 (c) The head of the agency posting such report shall
25 do so only after such report has been made available to

1 the requesting Committee or Committees of Congress for
2 no less than 30 days.

3 SEC. 408. (a) None of the funds made available in
4 this Act may be used to maintain or establish a computer
5 network unless such network blocks the viewing,
6 downloading, and exchanging of pornography.

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

11 SEC. 409. None of the funds made available in this
12 Act may be used by an agency of the executive branch
13 to pay for first-class travel by an employee of the agency
14 in contravention of sections 301–10.122 through 301–
15 10.124 of title 41, Code of Federal Regulations.

16 SEC. 410. None of the funds made available in this
17 Act may be used to execute a contract for goods or serv-
18 ices, including construction services, where the contractor
19 has not complied with Executive Order No. 12989.

20 SEC. 411. None of the funds made available by this
21 Act may be used in contravention of section 101(e)(8) of
22 title 10, United States Code.

23 SEC. 412. (a) IN GENERAL.—None of the funds ap-
24 propriated or otherwise made available to the Department
25 of Defense in this Act may be used to construct, renovate,

1 or expand any facility in the United States, its territories,
2 or possessions to house any individual detained at United
3 States Naval Station, Guantánamo Bay, Cuba, for the
4 purposes of detention or imprisonment in the custody or
5 under the control of the Department of Defense.

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

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

12 (1) is not a citizen of the United States or a
13 member of the Armed Forces of the United States;
14 and

15 (2) is—

16 (A) in the custody or under the effective
17 control of the Department of Defense; or

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

20 SEC. 413. None of the funds appropriated by this Act
21 may be used in any way, directly or indirectly, to influence
22 congressional action on any legislation or appropriation
23 matter pending before Congress, other than to commu-
24 nicate to Members of Congress as described in 18 U.S.C.
25 1913.

1 SEC. 414. None of the funds appropriated or other-
2 wise made available by this Act may be made available
3 to implement, administer, apply, enforce, or carry out Ex-
4 ecutive Order 13985 of January 20, 2021 (86 Fed. Reg.
5 7009), Executive Order 14035 of June 25, 2021 (86 Fed.
6 Reg. 34593), or Executive Order 14091 of February 16,
7 2023 (88 Fed. Reg. 10825).

8 SEC. 415. None of the funds made available by this
9 Act may be used to carry out any program, project, or
10 activity that promotes or advances Critical Race Theory
11 or any concept associated with Critical Race Theory.

12 SEC. 416. (a) IN GENERAL.—Notwithstanding sec-
13 tion 7 of title 1, United States Code, section 1738C of
14 title 28, United States Code, or any other provision of law,
15 none of the funds provided by this Act, or previous appro-
16 priations Acts, shall be used in whole or in part to take
17 any discriminatory action against a person, wholly or par-
18 tially, on the basis that such person speaks, or acts, in
19 accordance with a sincerely held religious belief, or moral
20 conviction, that marriage is, or should be recognized as,
21 a union of one man and one woman.

22 (b) Discriminatory action defined.—As used in sub-
23 section (a), a discriminatory action means any action
24 taken by the Federal Government to—

1 (1) alter in any way the Federal tax treatment
2 of, or cause any tax, penalty, or payment to be as-
3 sessed against, or deny, delay, or revoke an exemp-
4 tion from taxation under section 501(a) of the Inter-
5 nal Revenue Code of 1986 of, any person referred to
6 in subsection (a);

7 (2) disallow a deduction for Federal tax pur-
8 poses of any charitable contribution made to or by
9 such person;

10 (3) withhold, reduce the amount or funding for,
11 exclude, terminate, or otherwise make unavailable or
12 deny, any Federal grant, contract, subcontract, co-
13 operative agreement, guarantee, loan, scholarship, li-
14 cense, certification, accreditation, employment, or
15 other similar position or status from or to such per-
16 son;

17 (4) withhold, reduce, exclude, terminate, or oth-
18 erwise make unavailable or deny, any entitlement or
19 benefit under a Federal benefit program, including
20 admission to, equal treatment in, or eligibility for a
21 degree from an educational program, from or to
22 such person; or

23 (5) withhold, reduce, exclude, terminate, or oth-
24 erwise make unavailable or deny access or an entitle-
25 ment to Federal property, facilities, educational in-

Union Calendar No. 94

118TH CONGRESS
1ST Session

H. R. 4366

[Report No. 118-122]

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 27, 2023

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed