

[COMMITTEE PRINT]

NOTICE: This bill is a draft for use of the Committee and its Staff only, in preparation for markup.

Calendar No. 000116TH CONGRESS
2^D SESSION**S. 0000****[Report No. 116-000]**

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2021, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER _____, 2020

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

A BILL

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2021, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for
3 military construction, the Department of Veterans Affairs,
4 and related agencies for the fiscal year ending September
5 30, 2021, and for other purposes, namely:

6 TITLE I
7 DEPARTMENT OF DEFENSE
8 MILITARY CONSTRUCTION, ARMY

9 For acquisition, construction, installation, and equip-
10 ment of temporary or permanent public works, military
11 installations, facilities, and real property for the Army as
12 currently authorized by law, including personnel in the
13 Army Corps of Engineers and other personal services nec-
14 essary for the purposes of this appropriation, and for con-
15 struction and operation of facilities in support of the func-
16 tions of the Commander in Chief, \$650,336,000, to re-
17 main available until September 30, 2025: *Provided*, That,
18 of this amount, not to exceed \$168,436,000 shall be avail-
19 able for study, planning, design, architect and engineer
20 services, and host nation support, as authorized by law,
21 unless the Secretary of the Army determines that addi-
22 tional obligations are necessary for such purposes and no-
23 tifies the Committees on Appropriations of both Houses
24 of Congress of the determination and the reasons therefor.

1 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

2 For acquisition, construction, installation, and equip-
3 ment of temporary or permanent public works, naval in-
4 stallations, facilities, and real property for the Navy and
5 Marine Corps as currently authorized by law, including
6 personnel in the Naval Facilities Engineering Command
7 and other personal services necessary for the purposes of
8 this appropriation, \$1,754,436,000, to remain available
9 until September 30, 2025: *Provided*, That, of this amount,
10 not to exceed \$210,710,000 shall be available for study,
11 planning, design, and architect and engineer services, as
12 authorized by law, unless the Secretary of the Navy deter-
13 mines that additional obligations are necessary for such
14 purposes and notifies the Committees on Appropriations
15 of both Houses of Congress of the determination and the
16 reasons therefor.

17 MILITARY CONSTRUCTION, AIR FORCE

18 For acquisition, construction, installation, and equip-
19 ment of temporary or permanent public works, military
20 installations, facilities, and real property for the Air Force
21 as currently authorized by law, \$716,799,000, to remain
22 available until September 30, 2025: *Provided*, That, of
23 this amount, not to exceed \$253,199,000 shall be available
24 for study, planning, design, and architect and engineer
25 services, as authorized by law, unless the Secretary of the

1 Air Force determines that additional obligations are nec-
2 essary for such purposes and notifies the Committees on
3 Appropriations of both Houses of Congress of the deter-
4 mination and the reasons therefor.

5 MILITARY CONSTRUCTION, DEFENSE-WIDE
6 (INCLUDING TRANSFER OF FUNDS)

7 For acquisition, construction, installation, and equip-
8 ment of temporary or permanent public works, installa-
9 tions, facilities, and real property for activities and agen-
10 cies of the Department of Defense (other than the military
11 departments), as currently authorized by law,
12 \$1,968,338,000, to remain available until September 30,
13 2025: *Provided*, That such amounts of this appropriation
14 as may be determined by the Secretary of Defense may
15 be transferred to such appropriations of the Department
16 of Defense available for military construction or family
17 housing as the Secretary may designate, to be merged with
18 and to be available for the same purposes, and for the
19 same time period, as the appropriation or fund to which
20 transferred: *Provided further*, That, of the amount, not to
21 exceed \$175,505,000 shall be available for study, plan-
22 ning, design, and architect and engineer services, as au-
23 thorized by law, unless the Secretary of Defense deter-
24 mines that additional obligations are necessary for such
25 purposes and notifies the Committees on Appropriations

1 of both Houses of Congress of the determination and the
2 reasons therefor.

3 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

4 For construction, acquisition, expansion, rehabilita-
5 tion, and conversion of facilities for the training and ad-
6 ministration of the Army National Guard, and contribu-
7 tions therefor, as authorized by chapter 1803 of title 10,
8 United States Code, and Military Construction Authoriza-
9 tion Acts, \$321,437,000, to remain available until Sep-
10 tember 30, 2025: *Provided*, That, of the amount, not to
11 exceed \$29,593,000 shall be available for study, planning,
12 design, and architect and engineer services, as authorized
13 by law, unless the Director of the Army National Guard
14 determines that additional obligations are necessary for
15 such purposes and notifies the Committees on Appropria-
16 tions of both Houses of Congress of the determination and
17 the reasons therefor.

18 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

19 For construction, acquisition, expansion, rehabilita-
20 tion, and conversion of facilities for the training and ad-
21 ministration of the Air National Guard, and contributions
22 therefor, as authorized by chapter 1803 of title 10, United
23 States Code, and Military Construction Authorization
24 Acts, \$64,214,000, to remain available until September
25 30, 2025: *Provided*, That, of the amount, not to exceed

1 \$3,414,000 shall be available for study, planning, design,
2 and architect and engineer services, as authorized by law,
3 unless the Director of the Air National Guard determines
4 that additional obligations are necessary for such purposes
5 and notifies the Committees on Appropriations of both
6 Houses of Congress of the determination and the reasons
7 therefor.

8 MILITARY CONSTRUCTION, ARMY RESERVE

9 For construction, acquisition, expansion, rehabilita-
10 tion, and conversion of facilities for the training and ad-
11 ministration of the Army Reserve as authorized by chapter
12 1803 of title 10, United States Code, and Military Con-
13 struction Authorization Acts, \$88,337,000, to remain
14 available until September 30, 2025: *Provided*, That, of the
15 amount, not to exceed \$1,218,000 shall be available for
16 study, planning, design, and architect and engineer serv-
17 ices, as authorized by law, unless the Chief of the Army
18 Reserve determines that additional obligations are nec-
19 essary for such purposes and notifies the Committees on
20 Appropriations of both Houses of Congress of the deter-
21 mination and the reasons therefor.

22 MILITARY CONSTRUCTION, NAVY RESERVE

23 For construction, acquisition, expansion, rehabilita-
24 tion, and conversion of facilities for the training and ad-
25 ministration of the reserve components of the Navy and

1 Marine Corps as authorized by chapter 1803 of title 10,
2 United States Code, and Military Construction Authoriza-
3 tion Acts, \$70,995,000, to remain available until Sep-
4 tember 30, 2025: *Provided*, That, of the amount, not to
5 exceed \$3,485,000 shall be available for study, planning,
6 design, and architect and engineer services, as authorized
7 by law, unless the Secretary of the Navy determines that
8 additional obligations are necessary for such purposes and
9 notifies the Committees on Appropriations of both Houses
10 of Congress of the determination and the reasons therefor.

11 MILITARY CONSTRUCTION, AIR FORCE RESERVE

12 For construction, acquisition, expansion, rehabilita-
13 tion, and conversion of facilities for the training and ad-
14 ministration of the Air Force Reserve as authorized by
15 chapter 1803 of title 10, United States Code, and Military
16 Construction Authorization Acts, \$23,117,000, to remain
17 available until September 30, 2025: *Provided*, That, of the
18 amount, not to exceed \$3,270,000 shall be available for
19 study, planning, design, and architect and engineer serv-
20 ices, as authorized by law, unless the Chief of the Air
21 Force Reserve determines that additional obligations are
22 necessary for such purposes and notifies the Committees
23 on Appropriations of both Houses of Congress of the de-
24 termination and the reasons therefor.

1 NORTH ATLANTIC TREATY ORGANIZATION
2 SECURITY INVESTMENT PROGRAM

3 For the United States share of the cost of the North
4 Atlantic Treaty Organization Security Investment Pro-
5 gram for the acquisition and construction of military fa-
6 cilities and installations (including international military
7 headquarters) and for related expenses for the collective
8 defense of the North Atlantic Treaty Area as authorized
9 by section 2806 of title 10, United States Code, and Mili-
10 tary Construction Authorization Acts, \$173,030,000, to
11 remain available until expended.

12 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

13 For deposit into the Department of Defense Base
14 Closure Account, established by section 2906(a) of the De-
15 fense Base Closure and Realignment Act of 1990 (10
16 U.S.C. 2687 note), \$315,447,000, to remain available
17 until expended.

18 FAMILY HOUSING CONSTRUCTION, ARMY

19 For expenses of family housing for the Army for con-
20 struction, including acquisition, replacement, addition, ex-
21 pansion, extension, and alteration, as authorized by law,
22 \$119,400,000, to remain available until September 30,
23 2025.

1 FAMILY HOUSING OPERATION AND MAINTENANCE,
2 ARMY

3 For expenses of family housing for the Army for op-
4 eration and maintenance, including debt payment, leasing,
5 minor construction, principal and interest charges, and in-
6 surance premiums, as authorized by law, \$340,142,000.

7 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE
8 CORPS

9 For expenses of family housing for the Navy and Ma-
10 rine Corps for construction, including acquisition, replace-
11 ment, addition, expansion, extension, and alteration, as
12 authorized by law, \$42,897,000, to remain available until
13 September 30, 2025.

14 FAMILY HOUSING OPERATION AND MAINTENANCE,
15 NAVY AND MARINE CORPS

16 For expenses of family housing for the Navy and Ma-
17 rine Corps for operation and maintenance, including debt
18 payment, leasing, minor construction, principal and inter-
19 est charges, and insurance premiums, as authorized by
20 law, \$346,493,000.

21 FAMILY HOUSING CONSTRUCTION, AIR FORCE

22 For expenses of family housing for the Air Force for
23 construction, including acquisition, replacement, addition,
24 expansion, extension, and alteration, as authorized by law,

10

1 \$97,214,000, to remain available until September 30,
2 2025.

3 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
4 FORCE

5 For expenses of family housing for the Air Force for
6 operation and maintenance, including debt payment, leas-
7 ing, minor construction, principal and interest charges,
8 and insurance premiums, as authorized by law,
9 \$317,021,000.

10 FAMILY HOUSING OPERATION AND MAINTENANCE,
11 DEFENSE-WIDE

12 For expenses of family housing for the activities and
13 agencies of the Department of Defense (other than the
14 military departments) for operation and maintenance,
15 leasing, and minor construction, as authorized by law,
16 \$54,728,000.

17 DEPARTMENT OF DEFENSE

18 FAMILY HOUSING IMPROVEMENT FUND

19 For the Department of Defense Family Housing Im-
20 provement Fund, \$5,897,000, to remain available until ex-
21 pended, for family housing initiatives undertaken pursu-
22 ant to section 2883 of title 10, United States Code, pro-
23 viding alternative means of acquiring and improving mili-
24 tary family housing and supporting facilities.

11

1 DEPARTMENT OF DEFENSE
2 MILITARY UNACCOMPANIED HOUSING IMPROVEMENT
3 FUND

4 For the Department of Defense Military Unaccom-
5 panied Housing Improvement Fund, \$600,000, to remain
6 available until expended, for unaccompanied housing ini-
7 tiatives undertaken pursuant to section 2883 of title 10,
8 United States Code, providing alternative means of acquir-
9 ing and improving military unaccompanied housing and
10 supporting facilities.

11 ADMINISTRATIVE PROVISIONS

12 SEC. 101. None of the funds made available in this
13 title shall be expended for payments under a cost-plus-a-
14 fixed-fee contract for construction, where cost estimates
15 exceed \$25,000, to be performed within the United States,
16 except Alaska, without the specific approval in writing of
17 the Secretary of Defense setting forth the reasons there-
18 for.

19 SEC. 102. Funds made available in this title for con-
20 struction shall be available for hire of passenger motor ve-
21 hicles.

22 SEC. 103. Funds made available in this title for con-
23 struction may be used for advances to the Federal High-
24 way Administration, Department of Transportation, for
25 the construction of access roads as authorized by section

1 210 of title 23, United States Code, when projects author-
2 ized therein are certified as important to the national de-
3 fense by the Secretary of Defense.

4 SEC. 104. None of the funds made available in this
5 title may be used to begin construction of new bases in
6 the United States for which specific appropriations have
7 not been made.

8 SEC. 105. None of the funds made available in this
9 title shall be used for purchase of land or land easements
10 in excess of 100 percent of the value as determined by
11 the Army Corps of Engineers or the Naval Facilities Engi-
12 neering Command, except: (1) where there is a determina-
13 tion of value by a Federal court; (2) purchases negotiated
14 by the Attorney General or the designee of the Attorney
15 General; (3) where the estimated value is less than
16 \$25,000; or (4) as otherwise determined by the Secretary
17 of Defense to be in the public interest.

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

24 SEC. 107. None of the funds made available in this
25 title for minor construction may be used to transfer or

1 relocate any activity from one base or installation to an-
2 other, without prior notification to the Committees on Ap-
3 propriations of both Houses of Congress.

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

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

13 SEC. 110. None of the funds made available in this
14 title may be used to initiate a new installation overseas
15 without prior notification to the Committees on Appro-
16 priations of both Houses of Congress.

17 SEC. 111. None of the funds made available in this
18 title may be obligated for architect and engineer contracts
19 estimated by the Government to exceed \$500,000 for
20 projects to be accomplished in Japan, in any North Atlan-
21 tic Treaty Organization member country, or in countries
22 bordering the Arabian Gulf, unless such contracts are
23 awarded to United States firms or United States firms
24 in joint venture with host nation firms.

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

15 SEC. 113. The Secretary of Defense shall inform the
16 appropriate committees of both Houses of Congress, in-
17 cluding the Committees on Appropriations, of plans and
18 scope of any proposed military exercise involving United
19 States personnel 30 days prior to its occurring, if amounts
20 expended for construction, either temporary or permanent,
21 are anticipated to exceed \$100,000.

22 SEC. 114. Funds appropriated to the Department of
23 Defense for construction in prior years shall be available
24 for construction authorized for each such military depart-

1 ment by the authorizations enacted into law during the
2 current session of Congress.

3 SEC. 115. For military construction or family housing
4 projects that are being completed with funds otherwise ex-
5 pired or lapsed for obligation, expired or lapsed funds may
6 be used to pay the cost of associated supervision, inspec-
7 tion, overhead, engineering and design on those projects
8 and on subsequent claims, if any.

9 SEC. 116. Notwithstanding any other provision of
10 law, any funds made available to a military department
11 or defense agency for the construction of military projects
12 may be obligated for a military construction project or
13 contract, or for any portion of such a project or contract,
14 at any time before the end of the fourth fiscal year after
15 the fiscal year for which funds for such project were made
16 available, if the funds obligated for such project: (1) are
17 obligated from funds available for military construction
18 projects; and (2) do not exceed the amount appropriated
19 for such project, plus any amount by which the cost of
20 such project is increased pursuant to law.

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 117. Subject to 30 days prior notification, or
23 14 days for a notification provided in an electronic me-
24 dium pursuant to sections 480 and 2883 of title 10,
25 United States Code, to the Committees on Appropriations

1 of both Houses of Congress, such additional amounts as
2 may be determined by the Secretary of Defense may be
3 transferred to: (1) the Department of Defense Family
4 Housing Improvement Fund from amounts appropriated
5 for construction in “Family Housing” accounts, to be
6 merged with and to be available for the same purposes
7 and for the same period of time as amounts appropriated
8 directly to the Fund; or (2) the Department of Defense
9 Military Unaccompanied Housing Improvement Fund
10 from amounts appropriated for construction of military
11 unaccompanied housing in “Military Construction” ac-
12 counts, to be merged with and to be available for the same
13 purposes and for the same period of time as amounts ap-
14 propriated directly to the Fund: *Provided*, That appropria-
15 tions made available to the Funds shall be available to
16 cover the costs, as defined in section 502(5) of the Con-
17 gressional Budget Act of 1974, of direct loans or loan
18 guarantees issued by the Department of Defense pursuant
19 to the provisions of subchapter IV of chapter 169 of title
20 10, United States Code, pertaining to alternative means
21 of acquiring and improving military family housing, mili-
22 tary unaccompanied housing, and supporting facilities.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 118. In addition to any other transfer authority
25 available to the Department of Defense, amounts may be

1 transferred from the Department of Defense Base Closure
2 Account to the fund established by section 1013(d) of the
3 Demonstration Cities and Metropolitan Development Act
4 of 1966 (42 U.S.C. 3374) to pay for expenses associated
5 with the Homeowners Assistance Program incurred under
6 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall
7 be merged with and be available for the same purposes
8 and for the same time period as the fund to which trans-
9 ferred.

10 SEC. 119. Notwithstanding any other provision of
11 law, funds made available in this title for operation and
12 maintenance of family housing shall be the exclusive
13 source of funds for repair and maintenance of all family
14 housing units, including general or flag officer quarters:
15 *Provided*, That not more than \$35,000 per unit may be
16 spent annually for the maintenance and repair of any gen-
17 eral or flag officer quarters without 30 days prior notifica-
18 tion, or 14 days for a notification provided in an electronic
19 medium pursuant to sections 480 and 2883 of title 10,
20 United States Code, to the Committees on Appropriations
21 of both Houses of Congress, except that an after-the-fact
22 notification shall be submitted if the limitation is exceeded
23 solely due to costs associated with environmental remedi-
24 ation that could not be reasonably anticipated at the time
25 of the budget submission: *Provided further*, That the

1 Under Secretary of Defense (Comptroller) is to report an-
2 nually to the Committees on Appropriations of both
3 Houses of Congress all operation and maintenance ex-
4 penditures for each individual general or flag officer quar-
5 ters for the prior fiscal year.

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

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 121. During the 5-year period after appropria-
14 tions available in this Act to the Department of Defense
15 for military construction and family housing operation and
16 maintenance and construction have expired for obligation,
17 upon a determination that such appropriations will not be
18 necessary for the liquidation of obligations or for making
19 authorized adjustments to such appropriations for obliga-
20 tions incurred during the period of availability of such ap-
21 propriations, unobligated balances of such appropriations
22 may be transferred into the appropriation “Foreign Cur-
23 rency Fluctuations, Construction, Defense”, to be merged
24 with and to be available for the same time period and for

1 the same purposes as the appropriation to which trans-
2 ferred.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 122. Amounts appropriated or otherwise made
5 available in an account funded under the headings in this
6 title may be transferred among projects and activities
7 within the account in accordance with the reprogramming
8 guidelines for military construction and family housing
9 construction contained in Department of Defense Finan-
10 cial Management Regulation 7000.14–R, Volume 3, Chap-
11 ter 7, of March 2011, as in effect on the date of enactment
12 of this Act.

13 SEC. 123. None of the funds made available in this
14 title may be obligated or expended for planning and design
15 and construction of projects at Arlington National Ceme-
16 tery.

17 SEC. 124. For an additional amount for the accounts
18 and in the amounts specified, to remain available until
19 September 30, 2025:

20 “Military Construction, Army”, \$240,000,000;

21 “Military Construction, Navy and Marine Corps”,
22 \$94,900,000;

23 “Military Construction, Air Force”, \$95,700,000;

24 “Military Construction, Defense-Wide”,
25 \$35,500,000;

1 “Military Construction, Army National Guard”,
2 \$49,835,000;

3 “Military Construction, Air National Guard”,
4 \$29,500,000;

5 “Military Construction, Army Reserve”, \$2,500,000;

6 “Military Construction, Navy Reserve”, \$12,800,000;

7 “Military Construction, Air Force Reserve”,
8 \$25,000,000:

9 *Provided*, That such funds may only be obligated to carry
10 out construction projects identified in the respective mili-
11 tary department’s unfunded priority list for fiscal year
12 2021 submitted to Congress: *Provided further*, That such
13 projects are subject to authorization prior to obligation
14 and expenditure of funds to carry out construction: *Pro-*
15 *vided further*, That not later than 30 days after enactment
16 of this Act, the Secretary of the military department con-
17 cerned, or his or her designee, shall submit to the Commit-
18 tees on Appropriations of both Houses of Congress an ex-
19 penditure plan for funds provided under this section.

20 (RESCISSIONS OF FUNDS)

21 SEC. 125. Of the unobligated balances available to
22 the Department of Defense from prior appropriation Acts,
23 the following funds are hereby rescinded from the fol-
24 lowing accounts in the amounts specified:

25 “Military Construction, Air Force”, \$9,975,000; and

1 “Military Construction, Defense-Wide”,
2 \$29,838,000:

3 *Provided*, That no amounts may be rescinded from
4 amounts that were designated by the Congress for Over-
5 seas Contingency Operations/Global War on Terrorism or
6 as an emergency requirement pursuant to a concurrent
7 resolution on the budget or the Balanced Budget and
8 Emergency Deficit Control Act of 1985.

9 SEC. 126. For the purposes of this Act, the term
10 “congressional defense committees” means the Commit-
11 tees on Armed Services of the House of Representatives
12 and the Senate, the Subcommittee on Military Construc-
13 tion and Veterans Affairs of the Committee on Appropria-
14 tions of the Senate, and the Subcommittee on Military
15 Construction and Veterans Affairs of the Committee on
16 Appropriations of the House of Representatives.

17 SEC. 127. None of the funds made available by this
18 Act may be used to carry out the closure or realignment
19 of the United States Naval Station, Guantánamo Bay,
20 Cuba.

21 SEC. 128. Notwithstanding any other provision of
22 law, none of the funds appropriated or otherwise made
23 available by this or any other Act may be used to consoli-
24 date or relocate any element of a United States Air Force
25 Rapid Engineer Deployable Heavy Operational Repair

1 Squadron Engineer (RED HORSE) outside of the United
2 States until the Secretary of the Air Force: (1) completes
3 an analysis and comparison of the cost and infrastructure
4 investment required to consolidate or relocate a RED
5 HORSE squadron outside of the United States versus
6 within the United States; (2) provides to the Committees
7 on Appropriations of both Houses of Congress (“the Com-
8 mittees”) a report detailing the findings of the cost anal-
9 ysis; and (3) certifies in writing to the Committees that
10 the preferred site for the consolidation or relocation yields
11 the greatest savings for the Air Force: *Provided*, That the
12 term “United States” in this section does not include any
13 territory or possession of the United States.

14 SEC. 129. All amounts appropriated to the “Depart-
15 ment of Defense—Military Construction, Army”, “De-
16 partment of Defense—Military Construction, Navy and
17 Marine Corps”, “Department of Defense—Military Con-
18 struction, Air Force”, and “Department of Defense—Mili-
19 tary Construction, Defense-Wide” accounts pursuant to
20 the authorization of appropriations in a National Defense
21 Authorization Act specified for fiscal year 2021 in the
22 funding table in section 4601 of that Act shall be imme-
23 diately available and allotted to contract for the full scope
24 of authorized projects.

1 SEC. 130. For an additional amount for the accounts
2 and in the amounts specified for planning and design, for
3 improving military installation resilience, to remain avail-
4 able until September 30, 2025:

5 “Military Construction, Army”, \$4,000,000;

6 “Military Construction, Navy and Marine Corps”,
7 \$7,000,000; and

8 “Military Construction, Air Force”, \$4,000,000:

9 *Provided*, That not later than 60 days after enactment of
10 this Act, the Secretary of the military department con-
11 cerned, or his or her designee, shall submit to the Commit-
12 tees on Appropriations of both Houses of Congress an ex-
13 penditure plan for funds provided under this section: *Pro-*
14 *vided further*, That the Secretary of the military depart-
15 ment concerned may not obligate or expend any funds
16 prior to approval by the Committees on Appropriations of
17 both Houses of Congress of the expenditure plan required
18 by this section.

19 SEC. 131. For an additional amount for “Military
20 Construction, Navy and Marine Corps”, \$32,200,000, to
21 remain available until September 30, 2025, for child devel-
22 opment center construction: *Provided*, That projects fund-
23 ed using amounts available under this section are subject
24 to authorization prior to obligation and expenditure of
25 funds to carry out construction: *Provided further*, That

1 amounts made available under this section may not be ob-
2 ligated or expended until the Secretary of the Navy sub-
3 mits to the Committees on Appropriations of both Houses
4 of Congress a detailed expenditure plan not later than 30
5 days after enactment of this Act.

6 SEC. 132. Of the unobligated balances available from
7 prior appropriations Acts under the heading “Department
8 of Defense—Military Construction, Defense-Wide”,
9 \$131,000,000 is hereby rescinded, and in addition to
10 amounts otherwise provided for this fiscal year, an amount
11 of additional new budget authority equivalent to the
12 amount rescinded pursuant to this section is hereby appro-
13 priated, to remain available until September 30, 2025, and
14 shall be available for the same purposes and under the
15 same authorities as provided under such heading: *Pro-*
16 *vided*, That no amounts may be rescinded from amounts
17 that were designated by the Congress for Overseas Contin-
18 gency Operations/Global War on Terrorism or as an emer-
19 gency requirement pursuant to a concurrent resolution on
20 the budget or the Balanced Budget and Emergency Def-
21 icit Control Act of 1985: *Provided further*, That projects
22 funded using amounts available under this section are sub-
23 ject to authorization prior to obligation and expenditure
24 of funds to carry out construction: *Provided further*, That
25 amounts made available under this section may not be ob-

1 ligated or expended until the Secretary of Defense, or his
2 or her designee, submits to the Committees on Appropria-
3 tions of both Houses of Congress a detailed expenditure
4 plan not later than 30 days after enactment of this Act.

5

TITLE II

6

DEPARTMENT OF VETERANS AFFAIRS

7

VETERANS BENEFITS ADMINISTRATION

8

COMPENSATION AND PENSIONS

9

(INCLUDING TRANSFER OF FUNDS)

10 For the payment of compensation benefits to or on
11 behalf of veterans and a pilot program for disability ex-
12 aminations as authorized by section 107 and chapters 11,
13 13, 18, 51, 53, 55, and 61 of title 38, United States Code;
14 pension benefits to or on behalf of veterans as authorized
15 by chapters 15, 51, 53, 55, and 61 of title 38, United
16 States Code; and burial benefits, the Reinstated Entitle-
17 ment Program for Survivors, emergency and other offi-
18 cers' retirement pay, adjusted-service credits and certifi-
19 cates, payment of premiums due on commercial life insur-
20 ance policies guaranteed under the provisions of title IV
21 of the Servicemembers Civil Relief Act (50 U.S.C. App.
22 541 et seq.) and for other benefits as authorized by sec-
23 tions 107, 1312, 1977, and 2106, and chapters 23, 51,
24 53, 55, and 61 of title 38, United States Code,
25 \$6,110,251,552, to remain available until expended, which

1 shall be in addition to funds previously appropriated under
2 this heading that became available on October 1, 2020;
3 and, \$130,227,650,000, to remain available until ex-
4 pended, shall become available on October 1, 2021: *Pro-*
5 *vided*, That not to exceed \$20,115,000 of the amount
6 made available for fiscal year 2022 under this heading
7 shall be reimbursed to “General Operating Expenses, Vet-
8 erans Benefits Administration”, and “Information Tech-
9 nology Systems” for necessary expenses in implementing
10 the provisions of chapters 51, 53, and 55 of title 38,
11 United States Code, the funding source for which is spe-
12 cifically provided as the “Compensation and Pensions” ap-
13 propriation: *Provided further*, That such sums as may be
14 earned on an actual qualifying patient basis, shall be reim-
15 bursed to “Medical Care Collections Fund” to augment
16 the funding of individual medical facilities for nursing
17 home care provided to pensioners as authorized: *Provided*
18 *further*, That funds recovered (including refunds and reim-
19 bursable activity) from fiscal year 2020 obligations and
20 disbursements made with funds that became available on
21 October 1, 2019, as provided under this heading in title
22 II of Division C of Public Law 115–244, shall be available
23 until expended.

1 READJUSTMENT BENEFITS

2 For the payment of readjustment and rehabilitation
3 benefits to or on behalf of veterans as authorized by chap-
4 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and
5 61 of title 38, United States Code, \$14,946,618,000, to
6 remain available until expended and to become available
7 on October 1, 2021: *Provided*, That expenses for rehabili-
8 tation program services and assistance which the Sec-
9 retary is authorized to provide under subsection (a) of sec-
10 tion 3104 of title 38, United States Code, other than
11 under paragraphs (1), (2), (5), and (11) of that sub-
12 section, shall be charged to this account.

13 VETERANS INSURANCE AND INDEMNITIES

14 For military and naval insurance, national service life
15 insurance, servicemen's indemnities, service-disabled vet-
16 erans insurance, and veterans mortgage life insurance as
17 authorized by chapters 19 and 21 of title 38, United
18 States Code, \$2,148,000, which shall be in addition to
19 funds previously appropriated under this heading that be-
20 came available on October 1, 2020, to remain available
21 until expended; and, in addition, \$136,950,000, shall be-
22 come available on October 1, 2021, and shall remain avail-
23 able until expended.

1 VETERANS HOUSING BENEFIT PROGRAM FUND

2 For the cost of direct and guaranteed loans, such
3 sums as may be necessary to carry out the program, as
4 authorized by subchapters I through III of chapter 37 of
5 title 38, United States Code: *Provided*, That such costs,
6 including the cost of modifying such loans, shall be as de-
7 fined in section 502 of the Congressional Budget Act of
8 1974: *Provided further*, That, during fiscal year 2021,
9 within the resources available, not to exceed \$500,000 in
10 gross obligations for direct loans are authorized for spe-
11 cially adapted housing loans.

12 In addition, for administrative expenses to carry out
13 the direct and guaranteed loan programs, \$204,400,000.

14 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

15 For the cost of direct loans, \$33,826, as authorized
16 by chapter 31 of title 38, United States Code: *Provided*,
17 That such costs, including the cost of modifying such
18 loans, shall be as defined in section 502 of the Congres-
19 sional Budget Act of 1974: *Provided further*, That funds
20 made available under this heading are available to sub-
21 sidize gross obligations for the principal amount of direct
22 loans not to exceed \$2,469,522.

23 In addition, for administrative expenses necessary to
24 carry out the direct loan program, \$424,272, which may

1 be paid to the appropriation for “General Operating Ex-
2 penses, Veterans Benefits Administration”.

3 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM

4 ACCOUNT

5 For administrative expenses to carry out the direct
6 loan program authorized by subchapter V of chapter 37
7 of title 38, United States Code, \$1,163,000.

8 GENERAL OPERATING EXPENSES, VETERANS BENEFITS

9 ADMINISTRATION

10 For necessary operating expenses of the Veterans
11 Benefits Administration, not otherwise provided for, in-
12 cluding hire of passenger motor vehicles, reimbursement
13 of the General Services Administration for security guard
14 services, and reimbursement of the Department of De-
15 fense for the cost of overseas employee mail,
16 \$3,160,000,000: *Provided*, That expenses for services and
17 assistance authorized under paragraphs (1), (2), (5), and
18 (11) of section 3104(a) of title 38, United States Code,
19 that the Secretary of Veterans Affairs determines are nec-
20 essary to enable entitled veterans: (1) to the maximum ex-
21 tent feasible, to become employable and to obtain and
22 maintain suitable employment; or (2) to achieve maximum
23 independence in daily living, shall be charged to this ac-
24 count: *Provided further*, That, of the funds made available

1 under this heading, not to exceed 10 percent shall remain
2 available until September 30, 2022.

3 VETERANS HEALTH ADMINISTRATION

4 MEDICAL SERVICES

5 For necessary expenses for furnishing, as authorized
6 by law, inpatient and outpatient care and treatment to
7 beneficiaries of the Department of Veterans Affairs and
8 veterans described in section 1705(a) of title 38, United
9 States Code, including care and treatment in facilities not
10 under the jurisdiction of the Department, and including
11 medical supplies and equipment, bioengineering services,
12 food services, and salaries and expenses of healthcare em-
13 ployees hired under title 38, United States Code, assist-
14 ance and support services for caregivers as authorized by
15 section 1720G of title 38, United States Code, loan repay-
16 ments authorized by section 604 of the Caregivers and
17 Veterans Omnibus Health Services Act of 2010 (Public
18 Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note),
19 monthly assistance allowances authorized by section
20 322(d) of title 38, United States Code, grants authorized
21 by section 521A of title 38, United States Code, and ad-
22 ministrative expenses necessary to carry out sections
23 322(d) and 521A of title 38, United States Code, and hos-
24 pital care and medical services authorized by section 1787
25 of title 38, United States Code; \$5,594,318,000, which

1 shall be in addition to funds previously appropriated under
2 this heading that became available on October 1, 2020,
3 and is designated by the Congress as being for an emer-
4 gency requirement pursuant to section 251(b)(2)(A)(i) of
5 the Balanced Budget and Emergency Deficit Control Act
6 of 1985; and, in addition, \$58,897,219,000, plus reim-
7 bursements, shall become available on October 1, 2021,
8 and shall remain available until September 30, 2022: *Pro-*
9 *vided*, That, of the amount made available on October 1,
10 2021, under this heading, \$1,500,000,000 shall remain
11 available until September 30, 2023: *Provided further*,
12 That, notwithstanding any other provision of law, the Sec-
13 retary of Veterans Affairs shall establish a priority for the
14 provision of medical treatment for veterans who have serv-
15 ice-connected disabilities, lower income, or have special
16 needs: *Provided further*, That, notwithstanding any other
17 provision of law, the Secretary of Veterans Affairs shall
18 give priority funding for the provision of basic medical
19 benefits to veterans in enrollment priority groups 1
20 through 6: *Provided further*, That, notwithstanding any
21 other provision of law, the Secretary of Veterans Affairs
22 may authorize the dispensing of prescription drugs from
23 Veterans Health Administration facilities to enrolled vet-
24 erans with privately written prescriptions based on re-
25 quirements established by the Secretary: *Provided further*,

1 That the implementation of the program described in the
2 previous proviso shall incur no additional cost to the De-
3 partment of Veterans Affairs: *Provided further*, That the
4 Secretary of Veterans Affairs shall ensure that sufficient
5 amounts appropriated under this heading for medical sup-
6 plies and equipment are available for the acquisition of
7 prosthetics designed specifically for female veterans.

8 MEDICAL COMMUNITY CARE

9 For necessary expenses for furnishing health care to
10 individuals pursuant to chapter 17 of title 38, United
11 States Code, at non-Department facilities,
12 \$3,847,180,000, which shall be in addition to funds pre-
13 viously appropriated under this heading that became avail-
14 able on October 1, 2020, and is designated by the Con-
15 gress as being for an emergency requirement pursuant to
16 section 251(b)(2)(A)(i) of the Balanced Budget and
17 Emergency Deficit Control Act of 1985; and, in addition,
18 \$20,148,244,000, plus reimbursements, shall become
19 available on October 1, 2021, and shall remain available
20 until September 30, 2022: *Provided*, That, of the amount
21 made available on October 1, 2021, under this heading,
22 \$2,000,000,000 shall remain available until September 30,
23 2023.

1 MEDICAL SUPPORT AND COMPLIANCE

2 For necessary expenses in the administration of the
3 medical, hospital, nursing home, domiciliary, construction,
4 supply, and research activities, as authorized by law; ad-
5 ministrative expenses in support of capital policy activi-
6 ties; and administrative and legal expenses of the Depart-
7 ment for collecting and recovering amounts owed the De-
8 partment as authorized under chapter 17 of title 38,
9 United States Code, and the Federal Medical Care Recov-
10 ery Act (42 U.S.C. 2651 et seq.), \$886,235,000, which
11 shall be in addition to funds previously appropriated under
12 this heading that became available on October 1, 2020,
13 and is designated by the Congress as being for an emer-
14 gency requirement pursuant to section 251(b)(2)(A)(i) of
15 the Balanced Budget and Emergency Deficit Control Act
16 of 1985; and, in addition, \$8,403,117,000, plus reimburse-
17 ments, shall become available on October 1, 2021, and
18 shall remain available until September 30, 2022: *Provided*,
19 That, of the amount made available on October 1, 2021,
20 under this heading, \$200,000,000 shall remain available
21 until September 30, 2023.

22 MEDICAL FACILITIES

23 For necessary expenses for the maintenance and op-
24 eration of hospitals, nursing homes, domiciliary facilities,
25 and other necessary facilities of the Veterans Health Ad-

1 ministration; for administrative expenses in support of
2 planning, design, project management, real property ac-
3 quisition and disposition, construction, and renovation of
4 any facility under the jurisdiction or for the use of the
5 Department; for oversight, engineering, and architectural
6 activities not charged to project costs; for repairing, alter-
7 ing, improving, or providing facilities in the several hos-
8 pitals and homes under the jurisdiction of the Depart-
9 ment, not otherwise provided for, either by contract or by
10 the hire of temporary employees and purchase of mate-
11 rials; for leases of facilities; and for laundry services;
12 \$441,385,000, which shall be in addition to funds pre-
13 viously appropriated under this heading that became avail-
14 able on October 1, 2020, and is designated by the Con-
15 gress as being for an emergency requirement pursuant to
16 section 251(b)(2)(A)(i) of the Balanced Budget and
17 Emergency Deficit Control Act of 1985; and, in addition,
18 \$6,734,680,000, plus reimbursements, shall become avail-
19 able on October 1, 2021, and shall remain available until
20 September 30, 2022: *Provided*, That, of the amount made
21 available on October 1, 2021, under this heading,
22 \$350,000,000 shall remain available until September 30,
23 2023.

1 MEDICAL AND PROSTHETIC RESEARCH

2 For necessary expenses in carrying out programs of
3 medical and prosthetic research and development as au-
4 thorized by chapter 73 of title 38, United States Code,
5 \$800,000,000, plus reimbursements, shall remain avail-
6 able until September 30, 2022: *Provided*, That the Sec-
7 retary of Veterans Affairs shall ensure that sufficient
8 amounts appropriated under this heading are available for
9 prosthetic research specifically for female veterans, and
10 for toxic exposure research.

11 NATIONAL CEMETERY ADMINISTRATION

12 For necessary expenses of the National Cemetery Ad-
13 ministration for operations and maintenance, not other-
14 wise provided for, including uniforms or allowances there-
15 for; cemeterial expenses as authorized by law; purchase
16 of one passenger motor vehicle for use in cemeterial oper-
17 ations; hire of passenger motor vehicles; and repair, alter-
18 ation or improvement of facilities under the jurisdiction
19 of the National Cemetery Administration, \$352,000,000,
20 of which not to exceed 10 percent shall remain available
21 until September 30, 2022.

1 DEPARTMENTAL ADMINISTRATION

2 GENERAL ADMINISTRATION

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary operating expenses of the Department
5 of Veterans Affairs, not otherwise provided for, including
6 administrative expenses in support of Department-wide
7 capital planning, management and policy activities, uni-
8 forms, or allowances therefor; not to exceed \$25,000 for
9 official reception and representation expenses; hire of pas-
10 senger motor vehicles; and reimbursement of the General
11 Services Administration for security guard services,
12 \$365,911,000, of which not to exceed 10 percent shall re-
13 main available until September 30, 2022: *Provided*, That
14 funds provided under this heading may be transferred to
15 “General Operating Expenses, Veterans Benefits Adminis-
16 tration”.

17 BOARD OF VETERANS APPEALS

18 For necessary operating expenses of the Board of
19 Veterans Appeals, \$190,000,000, of which not to exceed
20 10 percent shall remain available until September 30,
21 2022.

22 INFORMATION TECHNOLOGY SYSTEMS

23 (INCLUDING TRANSFER OF FUNDS)

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

1 opmental information systems and operational information
2 systems; for pay and associated costs; and for the capital
3 asset acquisition of information technology systems, in-
4 cluding management and related contractual costs of said
5 acquisitions, including contractual costs associated with
6 operations authorized by section 3109 of title 5, United
7 States Code, \$4,912,000,000, plus reimbursements, of
8 which \$540,385,000 is designated by the Congress as
9 being for an emergency requirement pursuant to section
10 251(b)(2)(A)(i) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985: *Provided*, That
12 \$1,211,238,000 shall be for pay and associated costs, of
13 which not to exceed 3 percent shall remain available until
14 September 30, 2022: *Provided further*, That
15 \$3,205,216,000 shall be for operations and maintenance,
16 of which not to exceed 5 percent shall remain available
17 until September 30, 2022: *Provided further*, That
18 \$495,546,000 shall be for information technology systems
19 development, and shall remain available until September
20 30, 2022: *Provided further*, That amounts made available
21 for salaries and expenses, operations and maintenance,
22 and information technology systems development may be
23 transferred among the three subaccounts after the Sec-
24 retary of Veterans Affairs requests from the Committees
25 on Appropriations of both Houses of Congress the author-

1 ity to make the transfer and an approval is issued: *Pro-*
2 *vided further*, That amounts made available for the “Infor-
3 mation Technology Systems” account for development
4 may be transferred among projects or to newly defined
5 projects: *Provided further*, That no project may be in-
6 creased or decreased by more than \$1,000,000 of cost
7 prior to submitting a request to the Committees on Appro-
8 priations of both Houses of Congress to make the transfer
9 and an approval is issued, or absent a response, a period
10 of 30 days has elapsed: *Provided further*, That the funds
11 made available under this heading for information tech-
12 nology systems development shall be for the projects, and
13 in the amounts, specified under this heading in the explan-
14 atory statement accompanying this Act.

15 VETERANS ELECTRONIC HEALTH RECORD

16 For activities related to implementation, preparation,
17 development, interface, management, rollout, and mainte-
18 nance of a Veterans Electronic Health Record system, in-
19 cluding contractual costs associated with operations au-
20 thorized by section 3109 of title 5, United States Code,
21 and salaries and expenses of employees hired under titles
22 5 and 38, United States Code, \$2,627,000,000, to remain
23 available until September 30, 2023, of which
24 \$1,184,485,000 is designated by the Congress as being for
25 an emergency requirement pursuant to section

1 251(b)(2)(A)(i) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985: *Provided*, That the Secretary
3 of Veterans Affairs shall submit to the Committees on Ap-
4 propriations of both Houses of Congress quarterly reports
5 detailing obligations, expenditures, and deployment imple-
6 mentation by facility, including any changes from the de-
7 ployment plan or schedule: *Provided further*, That the
8 funds provided in this account shall only be available to
9 the Office of the Deputy Secretary, to be administered by
10 that Office: *Provided further*, That 25 percent of the funds
11 made available under this heading shall not be available
12 until July 1, 2021, and are contingent upon the Secretary
13 of Veterans Affairs providing a certification within 7 days
14 prior to that date to the Committees on Appropriations
15 of any changes to the deployment schedules.

16 OFFICE OF INSPECTOR GENERAL

17 For necessary expenses of the Office of Inspector
18 General, to include information technology, in carrying out
19 the provisions of the Inspector General Act of 1978 (5
20 U.S.C. App.), \$228,000,000, of which not to exceed 10
21 percent shall remain available until September 30, 2022.

22 CONSTRUCTION, MAJOR PROJECTS

23 For constructing, altering, extending, and improving
24 any of the facilities, including parking projects, under the
25 jurisdiction or for the use of the Department of Veterans

1 Affairs, or for any of the purposes set forth in sections
2 316, 2404, 2406 and chapter 81 of title 38, United States
3 Code, not otherwise provided for, including planning, ar-
4 chitectural and engineering services, construction manage-
5 ment services, maintenance or guarantee period services
6 costs associated with equipment guarantees provided
7 under the project, services of claims analysts, offsite utility
8 and storm drainage system construction costs, and site ac-
9 quisition, where the estimated cost of a project is more
10 than the amount set forth in section 8104(a)(3)(A) of title
11 38, United States Code, or where funds for a project were
12 made available in a previous major project appropriation,
13 \$1,316,000,000, of which \$980,638,000 shall remain
14 available until September 30, 2025, and of which
15 \$335,362,000 shall remain available until expended, of
16 which \$180,198,000 shall be available for seismic improve-
17 ment projects and seismic program management activities,
18 including for projects that would otherwise be funded by
19 the Construction, Minor Projects, Medical Facilities or
20 National Cemetery Administration accounts: *Provided,*
21 That except for advance planning activities, including
22 needs assessments which may or may not lead to capital
23 investments, and other capital asset management related
24 activities, including portfolio development and manage-
25 ment activities, and investment strategy studies funded

1 through the advance planning fund and the planning and
2 design activities funded through the design fund, including
3 needs assessments which may or may not lead to capital
4 investments, and funds provided for the purchase, secu-
5 rity, and maintenance of land for the National Cemetery
6 Administration through the land acquisition line item,
7 none of the funds made available under this heading shall
8 be used for any project that has not been notified to Con-
9 gress through the budgetary process or that has not been
10 approved by the Congress through statute, joint resolu-
11 tion, or in the explanatory statement accompanying such
12 Act and presented to the President at the time of enroll-
13 ment: *Provided further*, That such sums as may be nec-
14 essary shall be available to reimburse the “General Admin-
15 istration” account for payment of salaries and expenses
16 of all Office of Construction and Facilities Management
17 employees to support the full range of capital infrastruc-
18 ture services provided, including minor construction and
19 leasing services: *Provided further*, That funds made avail-
20 able under this heading for fiscal year 2021, for each ap-
21 proved project shall be obligated: (1) by the awarding of
22 a construction documents contract by September 30,
23 2021; and (2) by the awarding of a construction contract
24 by September 30, 2022: *Provided further*, That the Sec-
25 retary of Veterans Affairs shall promptly submit to the

1 Committees on Appropriations of both Houses of Congress
2 a written report on any approved major construction
3 project for which obligations are not incurred within the
4 time limitations established above: *Provided further*, That
5 notwithstanding the requirements of section 8104(a) of
6 title 38, United States Code, amounts made available
7 under this heading for seismic improvement projects and
8 seismic program management activities shall be available
9 for the completion of both new and existing seismic
10 projects of the 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, \$390,000,000, to remain available
2 until September 30, 2025, along with unobligated balances
3 of previous “Construction, Minor Projects” appropriations
4 which are hereby made available for any project where the
5 estimated cost is equal to or less than the amount set forth
6 in such section: *Provided*, That funds made available
7 under this heading shall be for: (1) repairs to any of the
8 nonmedical facilities under the jurisdiction or for the use
9 of the Department which are necessary because of loss or
10 damage caused by any natural disaster or catastrophe;
11 and (2) temporary measures necessary to prevent or to
12 minimize further loss by such causes.

13 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
14 FACILITIES

15 For grants to assist States to acquire or construct
16 State nursing home and domiciliary facilities and to re-
17 model, modify, or alter existing hospital, nursing home,
18 and domiciliary facilities in State homes, for furnishing
19 care to veterans as authorized by sections 8131 through
20 8137 of title 38, United States Code, \$90,000,000, to re-
21 main available until expended.

22 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

23 For grants to assist States and tribal organizations
24 in establishing, expanding, or improving veterans ceme-
25 teries as authorized by section 2408 of title 38, United

1 States Code, \$45,000,000, to remain available until ex-
2 pended.

3 ADMINISTRATIVE PROVISIONS

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 201. Any appropriation for fiscal year 2021 for
6 “Compensation and Pensions”, “Readjustment Benefits”,
7 and “Veterans Insurance and Indemnities” may be trans-
8 ferred as necessary to any other of the mentioned appro-
9 priations: *Provided*, That, before a transfer may take
10 place, the Secretary of Veterans Affairs shall request from
11 the Committees on Appropriations of both Houses of Con-
12 gress the authority to make the transfer and such Com-
13 mittees issue an approval, or absent a response, a period
14 of 30 days has elapsed.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 202. Amounts made available for the Depart-
17 ment of Veterans Affairs for fiscal year 2021, in this or
18 any other Act, under the “Medical Services”, “Medical
19 Community Care”, “Medical Support and Compliance”,
20 and “Medical Facilities” accounts may be transferred
21 among the accounts: *Provided*, That any transfers among
22 the “Medical Services”, “Medical Community Care”, and
23 “Medical Support and Compliance” accounts of 1 percent
24 or less of the total amount appropriated to the account
25 in this or any other Act may take place subject to notifica-

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

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

23 SEC. 204. No appropriations in this title (except the
24 appropriations for “Construction, Major Projects”, and
25 “Construction, Minor Projects”) shall be available for the

1 purchase of any site for or toward the construction of any
2 new hospital or home.

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

14 SEC. 206. Appropriations available in this title for
15 “Compensation and Pensions”, “Readjustment Benefits”,
16 and “Veterans Insurance and Indemnities” shall be avail-
17 able for payment of prior year accrued obligations re-
18 quired to be recorded by law against the corresponding
19 prior year accounts within the last quarter of fiscal year
20 2020.

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

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

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 208. Notwithstanding any other provision of
5 law, during fiscal year 2021, the Secretary of Veterans
6 Affairs shall, from the National Service Life Insurance
7 Fund under section 1920 of title 38, United States Code,
8 the Veterans’ Special Life Insurance Fund under section
9 1923 of title 38, United States Code, and the United
10 States Government Life Insurance Fund under section
11 1955 of title 38, United States Code, reimburse the “Gen-
12 eral Operating Expenses, Veterans Benefits Administra-
13 tion” and “Information Technology Systems” accounts for
14 the cost of administration of the insurance programs fi-
15 nanced through those accounts: *Provided*, That reimburse-
16 ment shall be made only from the surplus earnings accu-
17 mulated in such an insurance program during fiscal year
18 2021 that are available for dividends in that program after
19 claims have been paid and actuarially determined reserves
20 have been set aside: *Provided further*, That if the cost of
21 administration of such an insurance program exceeds the
22 amount of surplus earnings accumulated in that program,
23 reimbursement shall be made only to the extent of such
24 surplus earnings: *Provided further*, That the Secretary
25 shall determine the cost of administration for fiscal year

1 2021 which is properly allocable to the provision of each
2 such insurance program and to the provision of any total
3 disability income insurance included in that insurance pro-
4 gram.

5 SEC. 209. Amounts deducted from enhanced-use
6 lease proceeds to reimburse an account for expenses in-
7 curred by that account during a prior fiscal year for pro-
8 viding enhanced-use lease services, may be obligated dur-
9 ing the fiscal year in which the proceeds are received.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 210. Funds available in this title or funds for
12 salaries and other administrative expenses shall also be
13 available to reimburse the Office of Resolution Manage-
14 ment, the Office of Employment Discrimination Complaint
15 Adjudication, and the Office of Diversity and Inclusion for
16 all services provided at rates which will recover actual
17 costs but not to exceed \$60,096,000 for the Office of Reso-
18 lution Management, \$6,100,000 for the Office of Employ-
19 ment Discrimination Complaint Adjudication, and
20 \$5,294,000 for the Office of Diversity and Inclusion: *Pro-*
21 *vided*, That payments may be made in advance for services
22 to be furnished based on estimated costs: *Provided further*,
23 That amounts received shall be credited to the “General
24 Administration” and “Information Technology Systems”
25 accounts for use by the office that provided the service.

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

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 212. Notwithstanding any other provision of
20 law, proceeds or revenues derived from enhanced-use leas-
21 ing activities (including disposal) may be deposited into
22 the “Construction, Major Projects” and “Construction,
23 Minor Projects” accounts and be used for construction
24 (including site acquisition and disposition), alterations,
25 and improvements of any medical facility under the juris-

1 diction or for the use of the Department of Veterans Af-
2 fairs. Such sums as realized are in addition to the amount
3 provided for in “Construction, Major Projects” and “Con-
4 struction, Minor Projects”.

5 SEC. 213. Amounts made available under “Medical
6 Services” are available—

7 (1) for furnishing recreational facilities, sup-
8 plies, and equipment; and

9 (2) for funeral expenses, burial expenses, and
10 other expenses incidental to funerals and burials for
11 beneficiaries receiving care in the Department.

12 (INCLUDING TRANSFER OF FUNDS)

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

19 SEC. 215. The Secretary of Veterans Affairs may
20 enter into agreements with Federally Qualified Health
21 Centers in the State of Alaska and Indian tribes and tribal
22 organizations which are party to the Alaska Native Health
23 Compact with the Indian Health Service, to provide
24 healthcare, including behavioral health and dental care, to
25 veterans in rural Alaska. The Secretary shall require par-

1 participating veterans and facilities to comply with all appro-
2 priate rules and regulations, as established by the Sec-
3 retary. The term “rural Alaska” shall mean those lands
4 which are not within the boundaries of the municipality
5 of Anchorage or the Fairbanks North Star Borough.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 216. Such sums as may be deposited to the De-
8 partment of Veterans Affairs Capital Asset Fund pursu-
9 ant to section 8118 of title 38, United States Code, may
10 be transferred to the “Construction, Major Projects” and
11 “Construction, Minor Projects” accounts, to remain avail-
12 able until expended for the purposes of these accounts.

13 SEC. 217. Not later than 30 days after the end of
14 each fiscal quarter, the Secretary of Veterans Affairs shall
15 submit to the Committees on Appropriations of both
16 Houses of Congress a report on the financial status of the
17 Department of Veterans Affairs for the preceding quarter:
18 *Provided*, That, at a minimum, the report shall include
19 the direction contained in the paragraph entitled “Quar-
20 terly reporting”, under the heading “General Administra-
21 tion” in the joint explanatory statement accompanying
22 Public Law 114–223.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 218. Amounts made available under the “Med-
25 ical Services”, “Medical Community Care”, “Medical Sup-

1 port and Compliance”, “Medical Facilities”, “General Op-
2 erating Expenses, Veterans Benefits Administration”,
3 “Board of Veterans Appeals”, “General Administration”,
4 and “National Cemetery Administration” accounts for fis-
5 cal year 2021 may be transferred to or from the “Informa-
6 tion Technology Systems” account: *Provided*, That such
7 transfers may not result in a more than 10 percent aggre-
8 gate increase in the total amount made available by this
9 Act for the “Information Technology Systems” account:
10 *Provided further*, That, before a transfer may take place,
11 the Secretary of Veterans Affairs shall request from the
12 Committees on Appropriations of both Houses of Congress
13 the authority to make the transfer and an approval is
14 issued.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 219. Of the amounts appropriated to the De-
17 partment of Veterans Affairs for fiscal year 2021 for
18 “Medical Services”, “Medical Community Care”, “Medical
19 Support and Compliance”, “Medical Facilities”, “Con-
20 struction, Minor Projects”, and “Information Technology
21 Systems”, up to \$322,932,000, plus reimbursements, may
22 be transferred to the Joint Department of Defense—De-
23 partment of Veterans Affairs Medical Facility Demonstra-
24 tion Fund, established by section 1704 of the National De-
25 fense Authorization Act for Fiscal Year 2010 (Public Law

1 111–84; 123 Stat. 3571) and may be used for operation
2 of the facilities designated as combined Federal medical
3 facilities as described by section 706 of the Duncan Hun-
4 ter National Defense Authorization Act for Fiscal Year
5 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*,
6 That additional funds may be transferred from accounts
7 designated in this section to the Joint Department of De-
8 fense—Department of Veterans Affairs Medical Facility
9 Demonstration Fund upon written notification by the Sec-
10 retary of Veterans Affairs to the Committees on Appro-
11 priations of both Houses of Congress: *Provided further*,
12 That section 220 of title II of division F of Public Law
13 116-94 is repealed.

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 220. Of the amounts appropriated to the De-
16 partment of Veterans Affairs which become available on
17 October 1, 2021, for “Medical Services”, “Medical Com-
18 munity Care”, “Medical Support and Compliance”, and
19 “Medical Facilities”, up to \$327,126,000, plus reimburse-
20 ments, may be transferred to the Joint Department of De-
21 fense—Department of Veterans Affairs Medical Facility
22 Demonstration Fund, established by section 1704 of the
23 National Defense Authorization Act for Fiscal Year 2010
24 (Public Law 111–84; 123 Stat. 3571) and may be used
25 for operation of the facilities designated as combined Fed-

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

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 221. Such sums as may be deposited to the
12 Medical Care Collections Fund pursuant to section 1729A
13 of title 38, United States Code, for healthcare provided
14 at facilities designated as combined Federal medical facili-
15 ties as described by section 706 of the Duncan Hunter
16 National Defense Authorization Act for Fiscal Year 2009
17 (Public Law 110–417; 122 Stat. 4500) shall also be avail-
18 able: (1) for transfer to the Joint Department of De-
19 fense—Department of Veterans Affairs Medical Facility
20 Demonstration Fund, established by section 1704 of the
21 National Defense Authorization Act for Fiscal Year 2010
22 (Public Law 111–84; 123 Stat. 3571); and (2) for oper-
23 ations of the facilities designated as combined Federal
24 medical facilities as described by section 706 of the Dun-
25 can Hunter National Defense Authorization Act for Fiscal

1 Year 2009 (Public Law 110–417; 122 Stat. 4500): *Pro-*
2 *vided*, That, notwithstanding section 1704(b)(3) of the
3 National Defense Authorization Act for Fiscal Year 2010
4 (Public Law 111–84; 123 Stat. 2573), amounts trans-
5 ferred to the Joint Department of Defense—Department
6 of Veterans Affairs Medical Facility Demonstration Fund
7 shall remain available until expended.

8 (INCLUDING TRANSFER OF FUNDS)

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

17 SEC. 223. None of the funds available to the Depart-
18 ment of Veterans Affairs, in this or any other Act, may
19 be used to replace the current system by which the Vet-
20 erans Integrated Service Networks select and contract for
21 diabetes monitoring supplies and equipment.

22 SEC. 224. The Secretary of Veterans Affairs shall no-
23 tify the Committees on Appropriations of both Houses of
24 Congress of all bid savings in a major construction project
25 that total at least \$5,000,000, or 5 percent of the pro-

1 grammed amount of the project, whichever is less: *Pro-*
2 *vided*, That such notification shall occur within 14 days
3 of a contract identifying the programmed amount: *Pro-*
4 *vided further*, That the Secretary shall notify the Commit-
5 tees on Appropriations of both Houses of Congress 14
6 days prior to the obligation of such bid savings and shall
7 describe the anticipated use of such savings.

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

15 SEC. 226. Not later than 30 days after the end of
16 each fiscal quarter, the Secretary of Veterans Affairs shall
17 submit to the Committees on Appropriations of both
18 Houses of Congress a quarterly report containing perform-
19 ance measures and data from each Veterans Benefits Ad-
20 ministration Regional Office: *Provided*, That, at a min-
21 imum, the report shall include the direction contained in
22 the section entitled “Disability claims backlog”, under the
23 heading “General Operating Expenses, Veterans Benefits
24 Administration” in the joint explanatory statement accom-
25 panying Public Law 114–223: *Provided further*, That the

1 report shall also include information on the number of ap-
2 peals pending at the Veterans Benefits Administration as
3 well as the Board of Veterans Appeals on a quarterly
4 basis.

5 SEC. 227. The Secretary of Veterans Affairs shall
6 provide written notification to the Committees on Appro-
7 priations of both Houses of Congress 15 days prior to or-
8 ganizational changes which result in the transfer of 25 or
9 more full-time equivalents from one organizational unit of
10 the Department of Veterans Affairs to another.

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

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 229. The Secretary of Veterans Affairs, upon
18 determination that such action is necessary to address
19 needs of the Veterans Health Administration, may trans-
20 fer to the “Medical Services” account any discretionary
21 appropriations made available for fiscal year 2021 in this
22 title (except appropriations made to the “General Oper-
23 ating Expenses, Veterans Benefits Administration” ac-
24 count) or any discretionary unobligated balances within
25 the Department of Veterans Affairs, including those ap-

1 appropriated for fiscal year 2021, that were provided in ad-
2 vance by appropriations Acts: *Provided*, That transfers
3 shall be made only with the approval of the Office of Man-
4 agement and Budget: *Provided further*, That the transfer
5 authority provided in this section is in addition to any
6 other transfer authority provided by law: *Provided further*,
7 That no amounts may be transferred from amounts that
8 were designated by Congress as an emergency requirement
9 pursuant to a concurrent resolution on the budget or the
10 Balanced Budget and Emergency Deficit Control Act of
11 1985: *Provided further*, That such authority to transfer
12 may not be used unless for higher priority items, based
13 on emergent healthcare requirements, than those for
14 which originally appropriated and in no case where the
15 item for which funds are requested has been denied by
16 Congress: *Provided further*, That, upon determination that
17 all or part of the funds transferred from an appropriation
18 are not necessary, such amounts may be transferred back
19 to that appropriation and shall be available for the same
20 purposes as originally appropriated: *Provided further*,
21 That before a transfer may take place, the Secretary of
22 Veterans Affairs shall request from the Committees on
23 Appropriations of both Houses of Congress the authority
24 to make the transfer and receive approval of that request.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 230. Amounts made available for the Depart-
3 ment of Veterans Affairs for fiscal year 2021, under the
4 “Board of Veterans Appeals” and the “General Operating
5 Expenses, Veterans Benefits Administration” accounts
6 may be transferred between such accounts: *Provided*, That
7 before a transfer may take place, the Secretary of Vet-
8 erans Affairs shall request from the Committees on Appro-
9 priations of both Houses of Congress the authority to
10 make the transfer and receive approval of that request.

11 SEC. 231. The Secretary of Veterans Affairs may not
12 reprogram funds among major construction projects or
13 programs if such instance of reprogramming will exceed
14 \$7,000,000, unless such reprogramming is approved by
15 the Committees on Appropriations of both Houses of Con-
16 gress.

17 SEC. 232. (a) The Secretary of Veterans Affairs shall
18 ensure that the toll-free suicide hotline under section
19 1720F(h) of title 38, United States Code—

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

23 (2) adheres to all requirements of the American
24 Association of Suicidology.

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

9 (2) In this subsection—

10 (A) the term “civil service” has the mean-
11 ing given such term in section 2101(1) of title
12 5, United States Code; and

13 (B) the term “Executive action” in-
14 cludes—

15 (i) any Executive order, presidential
16 memorandum, or other action by the Presi-
17 dent; and

18 (ii) any agency policy, order, or other
19 directive.

20 (c)(1) The Secretary of Veterans Affairs shall con-
21 duct a study on the effectiveness of the hotline specified
22 in subsection (a) during the five-year period beginning on
23 January 1, 2016, based on an analysis of national suicide
24 data and data collected from such hotline.

1 (2) At a minimum, the study required by para-
2 graph (1) shall—

3 (A) determine the number of veterans who
4 contact the hotline specified in subsection (a)
5 and who receive follow up services from the hot-
6 line or mental health services from the Depart-
7 ment of Veterans Affairs thereafter;

8 (B) determine the number of veterans who
9 contact the hotline who are not referred to, or
10 do not continue receiving, mental health care
11 who commit suicide; and

12 (C) determine the number of veterans de-
13 scribed in subparagraph (A) who commit or at-
14 tempt suicide.

15 SEC. 233. None of the funds in this or any other Act
16 may be used to close Department of Veterans Affairs (VA)
17 hospitals, domiciliaries, or clinics, conduct an environ-
18 mental assessment, or to diminish healthcare services at
19 existing Veterans Health Administration medical facilities
20 as part of a planned realignment of VA services until the
21 Secretary provides to the Committees on Appropriations
22 of both Houses of Congress a report including the fol-
23 lowing elements—

24 (1) a national realignment strategy that in-
25 cludes a detailed description of realignment plans

1 within each Veterans Integrated Services Network
2 (VISN), including an updated Long Range Capital
3 Plan to implement realignment requirements;

4 (2) an explanation of the process by which
5 those plans were developed and coordinated within
6 each VISN;

7 (3) a cost versus benefit analysis of each
8 planned realignment, including the cost of replacing
9 Veterans Health Administration services with con-
10 tract care or other outsourced services;

11 (4) an analysis of how any such planned re-
12 alignment of services will impact access to care for
13 veterans living in rural or highly rural areas, includ-
14 ing travel distances and transportation costs to ac-
15 cess a VA medical facility and availability of local
16 specialty and primary care;

17 (5) an inventory of VA buildings with historic
18 designation and the methodology used to determine
19 the buildings' condition and utilization;

20 (6) a description of how any realignment will be
21 consistent with requirements under the National
22 Historic Preservation Act; and

23 (7) consideration given for reuse of historic
24 buildings within newly identified realignment re-
25 quirements: *Provided*, That, this provision shall not

1 apply to capital projects in any VISN, which have
2 been authorized or approved by Congress.

3 SEC. 234. Effective during the period beginning on
4 October 1, 2018 and ending on January 1, 2024, none
5 of the funds made available to the Secretary of Veterans
6 Affairs by this or any other Act may be obligated or ex-
7 pended in contravention of the “Veterans Health Adminis-
8 tration Clinical Preventive Services Guidance Statement
9 on the Veterans Health Administration’s Screening for
10 Breast Cancer Guidance” published on May 10, 2017, as
11 issued by the Veterans Health Administration National
12 Center for Health Promotion and Disease Prevention.

13 SEC. 235. (a) Notwithstanding any other provision
14 of law, the amounts appropriated or otherwise made avail-
15 able to the Department of Veterans Affairs for the “Med-
16 ical Services” account may be used to provide—

17 (1) fertility counseling and treatment using as-
18 sisted reproductive technology to a covered veteran
19 or the spouse of a covered veteran; or

20 (2) adoption reimbursement to a covered vet-
21 eran.

22 (b) In this section:

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

1 (2) The term “covered veteran” means a vet-
2 eran, as such term is defined in section 101 of title
3 38, United States Code, who has a service-connected
4 disability that results in the inability of the veteran
5 to procreate without the use of fertility treatment.

6 (3) The term “assisted reproductive tech-
7 nology” means benefits relating to reproductive as-
8 sistance provided to a member of the Armed Forces
9 who incurs a serious injury or illness on active duty
10 pursuant to section 1074(c)(4)(A) of title 10, United
11 States Code, as described in the memorandum on
12 the subject of “Policy for Assisted Reproductive
13 Services for the Benefit of Seriously or Severely Ill/
14 Injured (Category II or III) Active Duty Service
15 Members” issued by the Assistant Secretary of De-
16 fense for Health Affairs on April 3, 2012, and the
17 guidance issued to implement such policy, including
18 any limitations on the amount of such benefits avail-
19 able to such a member except that—

20 (A) the time periods regarding embryo
21 cryopreservation and storage set forth in part
22 III(G) and in part IV(H) of such memorandum
23 shall not apply; and

24 (B) such term includes embryo
25 cryopreservation and storage without limitation

1 on the duration of such cryopreservation and
2 storage.

3 (4) The term “adoption reimbursement” means
4 reimbursement for the adoption-related expenses for
5 an adoption that is finalized after the date of the en-
6 actment of this Act under the same terms as apply
7 under the adoption reimbursement program of the
8 Department of Defense, as authorized in Depart-
9 ment of Defense Instruction 1341.09, including the
10 reimbursement limits and requirements set forth in
11 such instruction.

12 (c) Amounts made available for the purposes speci-
13 fied in subsection (a) of this section are subject to the
14 requirements for funds contained in section 508 of division
15 H of the Consolidated Appropriations Act, 2018 (Public
16 Law 115–141).

17 SEC. 236. None of the funds appropriated or other-
18 wise made available by this Act or any other Act for the
19 Department of Veterans Affairs may be used in a manner
20 that is inconsistent with: (1) section 842 of the Transpor-
21 tation, Treasury, Housing and Urban Development, the
22 Judiciary, the District of Columbia, and Independent
23 Agencies Appropriations Act, 2006 (Public Law 109–115;
24 119 Stat. 2506); or (2) section 8110(a)(5) of title 38,
25 United States Code.

1 SEC. 237. Section 842 of Public Law 109–115 shall
2 not apply to conversion of an activity or function of the
3 Veterans Health Administration, Veterans Benefits Ad-
4 ministration, or National Cemetery Administration to con-
5 tractor performance by a business concern that is at least
6 51 percent owned by one or more Indian tribes as defined
7 in section 5304(e) of title 25, United States Code, or one
8 or more Native Hawaiian Organizations as defined in sec-
9 tion 637(a)(15) of title 15, United States Code.

10 SEC. 238. (a) Except as provided in subsection (b),
11 the Secretary of Veterans Affairs, in consultation with the
12 Secretary of Defense and the Secretary of Labor, shall dis-
13 continue using Social Security account numbers to identify
14 individuals in all information systems of the Department
15 of Veterans Affairs as follows:

16 (1) For all veterans submitting to the Secretary
17 of Veterans Affairs new claims for benefits under
18 laws administered by the Secretary, not later March
19 23, 2023.

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

22 (b) The Secretary of Veterans Affairs may use a So-
23 cial Security account number to identify an individual in
24 an information system of the Department of Veterans Af-
25 fairs if and only if the use of such number is required

1 to obtain information the Secretary requires from an in-
2 formation system that is not under the jurisdiction of the
3 Secretary.

4 (c) The matter in subsections (a) and (b) shall super-
5 sede section 238 of Public Law 116-94.

6 SEC. 239. For funds provided to the Department of
7 Veterans Affairs for each of fiscal year 2021 and 2022
8 for “Medical Services”, section 239 of Division A of Public
9 Law 114–223 shall apply.

10 SEC. 240. None of the funds appropriated in this or
11 prior appropriations Acts or otherwise made available to
12 the Department of Veterans Affairs may be used to trans-
13 fer any amounts from the Filipino Veterans Equity Com-
14 pensation Fund to any other account within the Depart-
15 ment of Veterans Affairs.

16 SEC. 241. Of the funds provided to the Department
17 of Veterans Affairs for each of fiscal year 2021 and fiscal
18 year 2022 for “Medical Services”, funds may be used in
19 each year to carry out and expand the child care program
20 authorized by section 205 of Public Law 111–163, not-
21 withstanding subsection (e) of such section.

22 SEC. 242. None of the funds appropriated or other-
23 wise made available in this title may be used by the Sec-
24 retary of Veterans Affairs to enter into an agreement re-
25 lated to resolving a dispute or claim with an individual

1 that would restrict in any way the individual from speak-
2 ing to members of Congress or their staff on any topic
3 not otherwise prohibited from disclosure by Federal law
4 or required by Executive Order to be kept secret in the
5 interest of national defense or the conduct of foreign af-
6 fairs.

7 SEC. 243. For funds provided to the Department of
8 Veterans Affairs for each of fiscal year 2021 and 2022,
9 section 258 of Division A of Public Law 114–223 shall
10 apply.

11 SEC. 244. (a) None of the funds appropriated or oth-
12 erwise made available by this Act may be used to deny
13 an Inspector General funded under this Act timely access
14 to any records, documents, or other materials available to
15 the department or agency of the United States Govern-
16 ment over which such Inspector General has responsibil-
17 ities under the Inspector General Act of 1978 (5 U.S.C.
18 App.), or to prevent or impede the access of such Inspector
19 General to such records, documents, or other materials,
20 under any provision of law, except a provision of law that
21 expressly refers to such Inspector General and expressly
22 limits the right of access of such Inspector General.

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

1 (c) Each Inspector General covered by this section
2 shall ensure compliance with statutory limitations on dis-
3 closure relevant to the information provided by the depart-
4 ment or agency over which that Inspector General has re-
5 sponsibilities under the Inspector General Act of 1978 (5
6 U.S.C. App.).

7 (d) Each Inspector General covered by this section
8 shall report to the Committee on Appropriations of the
9 Senate and the Committee on Appropriations of the House
10 of Representatives within 5 calendar days of any failure
11 by any department or agency covered by this section to
12 comply with this section.

13 SEC. 245. For funds provided to the Department of
14 Veterans Affairs for each of fiscal year 2021 and 2022,
15 section 248 of Division A of Public Law 114–223 shall
16 apply.

17 SEC. 246. (a) The Secretary of Veterans Affairs may
18 use amounts appropriated or otherwise made available in
19 this title to ensure that the ratio of veterans to full-time
20 employment equivalents within any program of rehabilita-
21 tion conducted under chapter 31 of title 38, United States
22 Code, does not exceed 125 veterans to one full-time em-
23 ployment equivalent.

24 (b) Not later than 180 days after the date of the en-
25 actment of this Act, the Secretary shall submit to Con-

1 gress a report on the programs of rehabilitation conducted
2 under chapter 31 of title 38, United States Code, includ-
3 ing—

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

6 (2) recommendations for such action as the
7 Secretary considers necessary to reduce the veteran-
8 to-staff ratio for each such program.

9 SEC. 247. None of the funds made available in this
10 Act may be used in a manner that would increase wait
11 times for veterans who seek care at medical facilities of
12 the Department of Veterans Affairs.

13 SEC. 248. None of the funds appropriated or other-
14 wise made available by this Act to the Veterans Health
15 Administration may be used in fiscal year 2021 to convert
16 any program which received specific purpose funds in fis-
17 cal year 2020 to a general purpose funded program unless
18 the Secretary of Veterans Affairs submits written notifica-
19 tion of any such proposal to the Committees on Appropria-
20 tions of both Houses of Congress at least thirty days prior
21 to any such action and an approval is issued by the Com-
22 mittees.

23 SEC. 249. (a) None of the funds appropriated or oth-
24 erwise made available by this Act may be used to conduct
25 research commencing on or after October 1, 2019, that

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

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

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

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

14 (C) the research is consistent with the re-
15 vised Department of Veterans Affairs canine re-
16 search policy document dated December 15,
17 2017, including any subsequent revisions to
18 such document.

19 (2) The Secretary may not delegate the author-
20 ity under this subsection.

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

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

3 (2) the date on which the Secretary approved
4 the research;

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

9 (4) the frequency and duration of such re-
10 search; and

11 (5) the protocols in place to ensure the neces-
12 sity, safety, and efficacy of the research; and

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

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

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

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

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

6 (e) Not later than December 31, 2020, the Secretary
7 shall submit to such Committees a plan under which the
8 Secretary will eliminate or reduce the research conducted
9 using canines, felines, or non-human primates by not later
10 than five years after the date of enactment of Public Law
11 116-94.

12 SEC. 250. None of the funds made available by this
13 Act may be used by the Secretary of Veterans Affairs to
14 close the community based outpatient clinic located in
15 Bainbridge, New York, until the Secretary of Veterans Af-
16 fairs submits to the Committees on Appropriations of the
17 House of Representatives and the Senate a market area
18 assessment.

19 SEC. 251. (a) PLAN REQUIRED.—Not later than 90
20 days after the date of the enactment of this Act, the Sec-
21 retary of Veterans Affairs shall submit to the appropriate
22 committees of Congress a plan to reduce the chances that
23 clinical mistakes by employees of the Department of Vet-
24 erans Affairs will result in adverse events that require in-
25 stitutional or clinical disclosures and to prevent any un-

1 necessary hardship for patients and families impacted by
2 such adverse events.

3 (b) ELEMENTS.—The plan required by subsection (a)
4 shall include the following:

5 (1) A description of a process for the timely
6 identification of individuals impacted by disclosures
7 described in subsection (a) and the process for con-
8 tacting those individuals or their next of kin.

9 (2) A description of procedures for expediting
10 any remedial or follow-up care required for those in-
11 dividuals.

12 (3) A detailed outline of proposed changes to
13 the process of the Department for clinical quality
14 checks and oversight.

15 (4) A communication plan to ensure all facili-
16 ties of the Department are made aware of any re-
17 quirements updated pursuant to the plan.

18 (5) A timeline detailing the implementation of
19 the plan.

20 (6) An identification of the senior executive of
21 the Department responsible for ensuring compliance
22 with the plan.

23 (7) An identification of potential impacts of the
24 plan on timely diagnoses for patients.

1 (8) An identification of the processes and proce-
2 dures for employees of the Department to make
3 leadership at the facility and the Department aware
4 of adverse events that are concerning and that result
5 in disclosures and to ensure that the medical impact
6 on veterans of such disclosures is minimized.

7 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
8 FINED.—In this section, the term “appropriate commit-
9 tees of Congress” means—

10 (1) the Committee on Veterans’ Affairs and the
11 Subcommittee on Military Construction, Veterans
12 Affairs, and Related Agencies of the Committee on
13 Appropriations of the Senate; and

14 (2) the Committee on Veterans’ Affairs and the
15 Subcommittee on Military Construction, Veterans
16 Affairs, and Related Agencies of the Committee on
17 Appropriations of the House of Representatives.

18 (RESCISSIONS OF FUNDS)

19 SEC. 252. Of the unobligated balances available to
20 the Department of Veterans Affairs from amounts appro-
21 priated in title II of division F of the Further Consolidated
22 Appropriations Act, 2020 (Public Law 116-94), that be-
23 came available on October 1, 2020, the following funds
24 are hereby rescinded from the following accounts in the
25 amounts specified:

1 “Veterans Health Administration, Medical Services”,
2 \$5,096,850,000;

3 “Veterans Health Administration, Medical Commu-
4 nity Care”, \$2,466,380,000;

5 “Veterans Health Administration, Medical Support
6 and Compliance”, \$586,235,000; and

7 “Veterans Health Administration, Medical Facili-
8 ties”, \$291,385,000:

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

14 (RESCISSIONS OF FUNDS)

15 SEC. 253. Of the unobligated balances available to
16 the Department of Veterans Affairs from prior appropria-
17 tions Acts, the following funds are hereby rescinded from
18 the following accounts in the amounts specified:

19 “Veterans Health Administration, Medical Services”,
20 \$200,000,000; and

21 “Departmental Administration, Information Tech-
22 nology Systems”, \$57,462,000:

23 *Provided*, That no amounts may be rescinded from
24 amounts that were designated by the Congress as an
25 emergency requirement pursuant to a concurrent resolu-

1 tion on the budget or the Balanced Budget and Emer-
2 gency Deficit Control Act of 1985.

3 SEC. 254. Amounts made available for the “Veterans
4 Health Administration, Medical Community Care” ac-
5 count in this or any other Act for fiscal years 2021 and
6 2022 may be used for expenses that would otherwise be
7 payable from the Veterans Choice Fund established by
8 section 802 of the Veterans Access, Choice, and Account-
9 ability Act, as amended (38 U.S.C. 1701 note).

10 SEC. 255. Each amount designated in this Act by the
11 Congress as being for an emergency requirement pursuant
12 to section 251(b)(2)(A)(i) of the Balanced Budget and
13 Emergency Deficit Control Act of 1985 shall be available
14 (or rescinded or transferred, if applicable) only if the
15 President subsequently so designates all such amounts
16 and transmits such designations to the Congress.

17 SEC. 256. Any amount appropriated by this Act, des-
18 igned by the Congress as an emergency requirement
19 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
20 et and Emergency Deficit Control Act of 1985 and subse-
21 quently so designated by the President, and transferred
22 pursuant to transfer authorities provided by this Act shall
23 retain such designation.

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, \$82,100,000, 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, \$37,100,000: *Provided*, That
8 \$3,286,509 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 \$81,100,000, of which not to exceed \$15,000,000 shall re-
22 main available until September 30, 2023. 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 ARMED FORCES RETIREMENT HOME

4 TRUST FUND

5 For expenses necessary for the Armed Forces Retire-
6 ment Home to operate and maintain the Armed Forces
7 Retirement Home—Washington, District of Columbia,
8 and the Armed Forces Retirement Home—Gulfport, Mis-
9 sissippi, to be paid from funds available in the Armed
10 Forces Retirement Home Trust Fund, \$75,300,000, to re-
11 main available until September 30, 2022, of which
12 \$9,000,000 shall remain available until expended for con-
13 struction and renovation of the physical plants at the
14 Armed Forces Retirement Home—Washington, District of
15 Columbia, and the Armed Forces Retirement Home—
16 Gulfport, Mississippi: *Provided*, That of the amounts made
17 available under this heading from funds available in the
18 Armed Forces Retirement Home Trust Fund,
19 \$22,000,000 shall be paid from the general fund of the
20 Treasury to the Trust Fund.

21 ADMINISTRATIVE PROVISION

22 SEC. 301. Amounts deposited into the special account
23 established under 10 U.S.C. 4727 are appropriated and
24 shall be available until expended to support activities at
25 the Army National Military Cemeteries.

1 TITLE IV
2 OVERSEAS CONTINGENCY OPERATIONS
3 DEPARTMENT OF DEFENSE
4 MILITARY CONSTRUCTION, ARMY

5 For an additional amount for “Military Construction,
6 Army”, \$15,873,000, to remain available until September
7 30, 2025, for projects outside of the United States: *Pro-*
8 *vided*, That such amount is designated by the Congress
9 for Overseas Contingency Operations/Global War on Ter-
10 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
11 anced Budget and Emergency Deficit Control Act of 1985.

12 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

13 For an additional amount for “Military Construction,
14 Navy and Marine Corps”, \$70,020,000, to remain avail-
15 able until September 30, 2025, for projects outside of the
16 United States: *Provided*, That such amount is designated
17 by the Congress for Overseas Contingency Operations/
18 Global War on Terrorism pursuant to section
19 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
20 Deficit Control Act of 1985.

21 MILITARY CONSTRUCTION, AIR FORCE

22 For an additional amount for “Military Construction,
23 Air Force” \$263,869,000, to remain available until Sep-
24 tember 30, 2025, for projects outside of the United States:
25 *Provided*, That such amount is designated by the Congress

1 for Overseas Contingency Operations/Global War on Ter-
2 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
3 anced Budget and Emergency Deficit Control Act of 1985.

4 ADMINISTRATIVE PROVISIONS

5 SEC. 401. Each amount designated in this Act by the
6 Congress for Overseas Contingency Operations/Global
7 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
8 the Balanced Budget and Emergency Deficit Control Act
9 of 1985 shall be available only if the President subse-
10 quently so designates all such amounts and transmits such
11 designations to the Congress.

12 SEC. 402. None of the funds appropriated for mili-
13 tary construction projects outside the United States under
14 this title may be obligated or expended for planning and
15 design of any project associated with the European Deter-
16 rence Initiative until the Secretary of Defense develops
17 and submits to the congressional defense committees, in
18 a classified and unclassified format, a list of all of the mili-
19 tary construction projects associated with the European
20 Deterrence Initiative which the Secretary anticipates will
21 be carried out during each of the fiscal years 2022
22 through 2026.

1 TITLE V

2 GENERAL PROVISIONS

3 SEC. 501. No part of any appropriation contained in
4 this Act shall remain available for obligation beyond the
5 current fiscal year unless expressly so provided herein.

6 SEC. 502. None of the funds made available in this
7 Act may be used for any program, project, or activity,
8 when it is made known to the Federal entity or official
9 to which the funds are made available that the program,
10 project, or activity is not in compliance with any Federal
11 law relating to risk assessment, the protection of private
12 property rights, or unfunded mandates.

13 SEC. 503. All departments and agencies funded under
14 this Act are encouraged, within the limits of the existing
15 statutory authorities and funding, to expand their use of
16 “E-Commerce” technologies and procedures in the con-
17 duct of their business practices and public service activi-
18 ties.

19 SEC. 504. Unless stated otherwise, all reports and no-
20 tifications required by this Act shall be submitted to the
21 Subcommittee on Military Construction and Veterans Af-
22 fairs, and Related Agencies of the Committee on Appro-
23 priations of the House of Representatives and the Sub-
24 committee on Military Construction and Veterans Affairs,

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

3 SEC. 505. 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. 506. (a) Any agency receiving funds made avail-
9 able in this Act, shall, subject to subsections (b) and (c),
10 post on the public Web site of that agency any report re-
11 quired to be submitted by the Congress in this or any
12 other Act, upon the determination by the head of the agen-
13 cy that it shall serve the national interest.

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

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

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

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

23 SEC. 507. (a) None of the funds made available in
24 this Act may be used to maintain or establish a computer

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

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

7 SEC. 508. None of the funds made available in this
8 Act may be used by an agency of the executive branch
9 to pay for first-class travel by an employee of the agency
10 in contravention of sections 301–10.122 through 301–
11 10.124 of title 41, Code of Federal Regulations.

12 SEC. 509. None of the funds made available in this
13 Act may be used to execute a contract for goods or serv-
14 ices, including construction services, where the contractor
15 has not complied with Executive Order No. 12989.

16 SEC. 510. None of the funds made available by this
17 Act may be used by the Department of Defense or the
18 Department of Veterans Affairs to lease or purchase new
19 light duty vehicles for any executive fleet, or for an agen-
20 cy's fleet inventory, except in accordance with Presidential
21 Memorandum—Federal Fleet Performance, dated May
22 24, 2011.

23 SEC. 511. None of the funds made available by this
24 Act may be used in contravention of section 101(e)(8) of
25 title 10, United States Code.

1 SEC. 512. (a) IN GENERAL.—None of the funds ap-
2 propriated or otherwise made available to the Department
3 of Defense in this Act may be used to construct, renovate,
4 or expand any facility in the United States, its territories,
5 or possessions to house any individual detained at United
6 States Naval Station, Guantánamo Bay, Cuba, for the
7 purposes of detention or imprisonment in the custody or
8 under the control of the Department of Defense.

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

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

15 (1) is not a citizen of the United States or a
16 member of the Armed Forces of the United States;
17 and

18 (2) is—

19 (A) in the custody or under the effective
20 control of the Department of Defense; or

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