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

Calendar No. 000

117TH CONGRESS 2D SESSION S. 0000

[Report No. 117–000]

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2023, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY ______, 2022

Mr. HEINRICH, 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, 2023, 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,
That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2023, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $1,481,665,000, to remain available until September 30, 2027: Provided, That, of this amount, not to exceed $235,491,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the amount made available
under this heading, $624,100,000 shall be for the projects
and activities, and in the amounts, specified under the
heading “Military Construction, Army” in the explanatory
statement accompanying this Act, in addition to amounts
otherwise available for such purposes.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equip-
ment of temporary or permanent public works, naval in-
stallations, facilities, and real property for the Navy and
Marine Corps as currently authorized by law, including
personnel in the Naval Facilities Engineering Command
and other personal services necessary for the purposes of
this appropriation, $4,024,314,000, to remain available
until September 30, 2027: *Provided,* That, of this amount,
not to exceed $434,524,000 shall be available for study,
planning, design, and architect and engineer services, as
authorized by law, unless the Secretary of the Navy deter-
mines that additional obligations are necessary for such
purposes and notifies the Committees on Appropriations
of both Houses of Congress of the determination and the
reasons therefor: *Provided further,* That of the amount
made available under this heading, $486,980,000 shall be
for the projects and activities, and in the amounts, speci-
fied under the heading “Military Construction, Navy and
Marine Corps” in the explanatory statement accom-
panying this Act, in addition to amounts otherwise available for such purposes.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $2,306,796,000, to remain available until September 30, 2027: Provided, That, of this amount, not to exceed $210,934,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the amount made available under this heading, $323,840,000 shall be for the projects and activities, and in the amounts, specified under the heading “Military Construction, Air Force” in the explanatory statement accompanying this Act, in addition to amounts otherwise available for such purposes.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installa-
tions, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $2,514,648,000, to remain available until September 30, 2027: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That, of the amount, not to exceed $473,197,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the amount made available under this heading, $50,950,000 shall be for the projects and activities, and in the amounts, specified under the heading “Military Construction, Defense-Wide” in the explanatory statement accompanying this Act, in addition to amounts otherwise available for such purposes.
MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $480,638,000, to remain available until September 30, 2027: Provided, That, of the amount, not to exceed $82,555,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the amount made available under this heading, $150,160,000 shall be for the projects and activities, and in the amounts, specified under the heading “Military Construction, Army National Guard” in the explanatory statement accompanying this Act, in addition to amounts otherwise available for such purposes.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions
therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $242,553,000, to remain available until September 30, 2027: Provided, That, of the amount, not to exceed $43,182,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the amount made available under this heading, $101,170,000 shall be for the projects and activities, and in the amounts, specified under the heading “Military Construction, Air National Guard” in the explanatory statement accompanying this Act, in addition to amounts otherwise available for such purposes.

**MILITARY CONSTRUCTION, ARMY RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $221,878,000, to remain available until September 30, 2027: Provided, That, of the amount, not to exceed $37,829,000 shall be available for
study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further,* That of the amount made available under this heading, $74,000,000 shall be for the projects and activities, and in the amounts, specified under the heading “Military Construction, Army Reserve” in the explanatory statement accompanying this Act, in addition to amounts otherwise available for such purposes.

**MILITARY CONSTRUCTION, NAVY RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $30,337,000, to remain available until September 30, 2027: *Provided,* That, of the amount, not to exceed $2,590,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and
notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $93,423,000, to remain available until September 30, 2027: Provided, That, of the amount, not to exceed $21,573,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the amount made available under this heading, $35,800,000 shall be for the projects and activities, and in the amounts, specified under the heading “Military Construction, Air Force Reserve” in the explanatory statement accompanying this Act, in addition to amounts otherwise available for such purposes.
10

NORTH ATLANTIC TREATY ORGANIZATION

SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, $210,139,000, to remain available until expended.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

For deposit into the Department of Defense Base Closure Account, established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $296,687,000, to remain available until September 30, 2027.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $169,339,000, to remain available until September 30, 2027.
11

FAMILY HOUSING OPERATION AND MAINTENANCE,

Army

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $436,411,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $337,297,000, to remain available until September 30, 2027.

FAMILY HOUSING OPERATION AND MAINTENANCE,

Navy and Marine Corps

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $368,224,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law,
1 $232,788,000, to remain available until September 30, 2027.

2 **FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE**

3 For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $355,222,000.

4 **FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE**

5 For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $50,113,000.

6 **DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND**

7 For the Department of Defense Family Housing Improvement Fund, $6,442,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.
DEPARTMENT OF DEFENSE MILITARY UNACCOMPANIED HOUSING IMPROVEMENT FUND

For the Department of Defense Military Unaccompanied Housing Improvement Fund, $494,000, to remain available until expended, for unaccompanied housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military unaccompanied housing and supporting facilities.

ADMINISTRATIVE PROVISIONS

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

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects author-
ized therein are certified as important to the national de-

fense by the Secretary of Defense.

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

SEC. 105. None of the funds made available in this
title shall be used for purchase of land or land easements
in excess of 100 percent of the value as determined by
the Army Corps of Engineers or the Naval Facilities En-
ingeering Command, except: (1) where there is a determi-
ation of value by a Federal court; (2) purchases negotiated
by the Attorney General or the designee of the Attorney
General; (3) where the estimated value is less than
$25,000; or (4) as otherwise determined by the Secretary
of Defense to be in the public interest.

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

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

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

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

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

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

SEC. 114. Funds appropriated to the Department of
Defense for construction in prior years shall be available
for construction authorized for each such military depart-
ment by the authorizations enacted into law during the
current session of Congress.
SEC. 115. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 117. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be
transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in “Family Housing” accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in “Military Construction” accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

(INCLUDING TRANSFER OF FUNDS)

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

SEC. 119. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both
Houses of Congress all operation and maintenance expendi-
itures for each individual general or flag officer quar-
ters for the prior fiscal year.

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 121. During the 5-year period after appropria-
tions available in this Act to the Department of Defense
for military construction and family housing operation and
maintenance and construction have expired for obligation,
upon a determination that such appropriations will not be
necessary for the liquidation of obligations or for making
authorized adjustments to such appropriations for obliga-
tions incurred during the period of availability of such ap-
propriations, unobligated balances of such appropriations
may be transferred into the appropriation “Foreign Cur-
rency Fluctuations, Construction, Defense”, to be merged
with and to be available for the same time period and for
the same purposes as the appropriation to which trans-
ferred.
(INCLUDING TRANSFER OF FUNDS)

Sec. 122. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14–R, Volume 3, Chapter 7, of March 2011, as in effect on the date of enactment of this Act.

Sec. 123. None of the funds made available in this title may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

Sec. 124. For an additional amount for the accounts and in the amounts specified, to remain available until September 30, 2027:

“Military Construction, Army”, $261,040,000;
“Military Construction, Navy and Marine Corps”, $727,387,000;
“Military Construction, Air Force”, $591,700,000;
“Military Construction, Defense-Wide”, $151,000,000;
“Military Construction, Army National Guard”, $54,743,000;
“Military Construction, Air National Guard”,  
$9,200,000;  
“Military Construction, Army Reserve”,  
$59,600,000;  
“Military Construction, Navy Reserve”,  
$137,300,000;  
“Military Construction, Air Force Reserve”,  
$8,000,000;  
“Family Housing Construction, Army”,  
$292,822,000; and  
“Family Housing Construction, Air Force”,  
$18,800,000:

Provided, That such funds may only be obligated to carry out construction and cost to complete projects identified in the respective military department’s unfunded priority list for fiscal year 2023 submitted to Congress: Provided further, That such projects are subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That not later than 60 days after enactment of this Act, the Secretary of the military department concerned, or his or her designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 126. Notwithstanding section 116 of this Act, funds made available in this Act or any available unobligated balances from prior appropriations Acts may be obligated before October 1, 2024 for fiscal year 2017 and fiscal year 2018 military construction projects for which project authorization has not lapsed or for which authorization is extended for fiscal year 2023 by a National Defense Authorization Act: Provided, That no amounts may be obligated pursuant to this section from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.
SEC. 127. For the purposes of this Act, the term “congressional defense committees” means the Committees on Armed Services of the House of Representatives and the Senate, the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the Senate, and the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the House of Representatives.

SEC. 128. For an additional amount for the accounts and in the amounts specified for planning and design, unspecified minor construction, and authorized major construction projects, for construction improvements to Department of Defense laboratory facilities, to remain available until September 30, 2027:

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

“Military Construction, Navy and Marine Corps”, $10,000,000; and

“Military Construction, Air Force”, $90,000,000:

Provided, That not later than 60 days after enactment of this Act, the Secretary of the military department concerned, or his or her designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section: Provided further, That the Secretary of the military department concerned may not obligate or expend any funds
prior to approval by the Committees on Appropriations of both Houses of Congress of the expenditure plan required by this section.

SEC. 129. For an additional amount for the accounts and in the amounts specified for planning and design and unspecified minor construction, for improving military installation resilience, to remain available until September 30, 2027:

“Military Construction, Army”, $10,000,000;

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

“Military Construction, Air Force”, $10,000,000:

Provided, That not later than 60 days after enactment of this Act, the Secretary of the military department concerned, or his or her designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section: Provided further, That the Secretary of the military department concerned may not obligate or expend any funds prior to approval by the Committees on Appropriations of both Houses of Congress of the expenditure plan required by this section.

SEC. 130. For an additional amount for “Military Construction, Air Force”, $100,000,000, to remain available until September 30, 2027, for expenses incurred as
a result of natural disasters: *Provided*, That not later than 60 days after the date of enactment of this Act, the Secretary of the Air Force, or his or her designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 131. For an additional amount for the accounts and in the amounts specified to address cost increases identified subsequent to the fiscal year 2023 budget request for authorized major construction projects included in that request, to remain available until September 30, 2027:

‘‘Military Construction, Army’’, $40,000,000;

‘‘Military Construction, Navy and Marine Corps’’, $65,000,000;

‘‘Military Construction, Air Force’’, $58,000,000;

and

‘‘Military Construction, Defense-Wide’’, $51,000,000:

*Provided*, That not later than 60 days after the date of enactment of this Act, the Secretary of the military department concerned, or his or her designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section: *Provided further*, That the Secretary of the
military department concerned may not obligate or expend
any funds prior to approval by the Committees on Appropriations of both Houses of Congress of the expenditure plan required by this section.
TITLE II

DEPARTMENT OF VETERANS AFFAIRS

Veterans Benefits Administration

Compensation and Pensions

(Including Transfer of Funds)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers’ retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, $146,778,136,000, which shall become available on October 1, 2023, to remain available until expended: Provided, That not to exceed $21,423,000 of the amount made available for fiscal year 2024 under this heading shall be reimbursed to “General Operating Expenses, Veterans Bene-
fits Administration”, and “Information Technology Sys-
tems” for necessary expenses in implementing the provi-
sions of chapters 51, 53, and 55 of title 38, United States
Code, the funding source for which is specifically provided
as the “Compensation and Pensions” appropriation: Pro-
vided further, That such sums as may be earned on an
actual qualifying patient basis, shall be reimbursed to
“Medical Care Collections Fund” to augment the funding
of individual medical facilities for nursing home care pro-
vided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation
benefits to or on behalf of veterans as authorized by chap-
ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and
61 of title 38, United States Code, $8,452,500,000, which
shall become available on October 1, 2023, to remain
available until expended: Provided, That expenses for re-
habilitation program services and assistance which the
Secretary is authorized to provide under subsection (a) of
section 3104 of title 38, United States Code, other than
under paragraphs (1), (2), (5), and (11) of that sub-
section, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life
insurance, servicemen’s indemnities, service-disabled vet-
erans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21 of title 38, United States Code, $121,126,000, which shall become available on October 1, 2023, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That, during fiscal year 2023, within the resources available, not to exceed $500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $282,361,131.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $7,171, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to sub-
sidize gross obligations for the principal amount of direct
loans not to exceed $942,330.

In addition, for administrative expenses necessary to
carry out the direct loan program, $445,698, which may
be paid to the appropriation for “General Operating Ex-
penses, Veterans Benefits Administration”.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM

ACCOUNT

For administrative expenses to carry out the direct
loan program authorized by subchapter V of chapter 37
of title 38, United States Code, $1,400,000.

GENERAL OPERATING EXPENSES, VETERANS BENEFITS
ADMINISTRATION

For necessary operating expenses of the Veterans
Benefits Administration, not otherwise provided for, in-
cluding hire of passenger motor vehicles, reimbursement
of the General Services Administration for security guard
services, and reimbursement of the Department of De-
fense for the cost of overseas employee mail,

$3,863,000,000: Provided, That expenses for services and
assistance authorized under paragraphs (1), (2), (5), and
(11) of section 3104(a) of title 38, United States Code,
that the Secretary of Veterans Affairs determines are nec-
essary to enable entitled veterans: (1) to the maximum ex-
tent feasible, to become employable and to obtain and
maintain suitable employment; or (2) to achieve maximum
independence in daily living, shall be charged to this ac-
count: Provided further, That, of the funds made available
under this heading, not to exceed 10 percent shall remain
available until September 30, 2024.

Veterans Health Administration
Medical Services

For necessary expenses for furnishing, as authorized
by law, inpatient and outpatient care and treatment to
beneficiaries of the Department of Veterans Affairs and
veterans described in section 1705(a) of title 38, United
States Code, including care and treatment in facilities not
under the jurisdiction of the Department, and including
medical supplies and equipment, bioengineering services,
food services, and salaries and expenses of healthcare em-
ployees hired under title 38, United States Code, assist-
ance and support services for caregivers as authorized by
section 1720G of title 38, United States Code, loan repay-
ments authorized by section 604 of the Caregivers and
Veterans Omnibus Health Services Act of 2010 (Public
monthly assistance allowances authorized by section
322(d) of title 38, United States Code, grants authorized
by section 521A of title 38, United States Code, and ad-
ministrative expenses necessary to carry out sections
322(d) and 521A of title 38, United States Code, and hospital care and medical services authorized by section 1787 of title 38, United States Code; $261,000,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2022; and, in addition, $74,004,000,000, plus reimbursements, shall become available on October 1, 2023, and shall remain available until September 30, 2024: Provided, That, of the amount made available on October 1, 2023, under this heading, $2,000,000,000 shall remain available until September 30, 2025: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of
the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: 

Provided further, That the Secretary of Veterans Affairs shall ensure that sufficient amounts appropriated under this heading for medical supplies and equipment are available for the acquisition of prosthetics designed specifically for female veterans.

MEDICAL COMMUNITY CARE

For necessary expenses for furnishing health care to individuals pursuant to chapter 17 of title 38, United States Code, at non-Department facilities, $4,300,000,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2022; and, in addition, $33,000,000,000, plus reimbursements, shall become available on October 1, 2023, and shall remain available until September 30, 2024: Provided, That, of the amount made available on October 1, 2023, under this heading, $2,000,000,000 shall remain available until September 30, 2025.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activi-
ties; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), $1,400,000,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2022; and, in addition, $12,300,000,000, plus reimbursements, shall become available on October 1, 2023, and shall remain available until September 30, 2024: Provided, That, of the amount made available on October 1, 2023, under this heading, $350,000,000 shall remain available until September 30, 2025.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Depart-
ment, not otherwise provided for, either by contract or by
the hire of temporary employees and purchase of mate-
rials; for leases of facilities; and for laundry services;
$1,500,000,000, which shall be in addition to funds pre-
viously appropriated under this heading that become avail-
able on October 1, 2022; and, in addition,
$8,800,000,000, plus reimbursements, shall become avail-
able on October 1, 2023, and shall remain available until
September 30, 2024: Provided, That, of the amount made
available on October 1, 2023, under this heading,
$500,000,000 shall remain available until September 30,
2025.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of
medical and prosthetic research and development as au-
thorized by chapter 73 of title 38, United States Code,
$916,000,000, plus reimbursements, shall remain avail-
able until September 30, 2024: Provided, That the Sec-
retary of Veterans Affairs shall ensure that sufficient
amounts appropriated under this heading are available for
prosthetic research specifically for female veterans, and
for toxic exposure research.

NATIONAL CEMETARY ADMINISTRATION

For necessary expenses of the National Cemetery Ad-
ministration for operations and maintenance, not other-
wise provided for, including uniforms or allowances there-
for; cemeterial expenses as authorized by law; purchase
of one passenger motor vehicle for use in cemeterial oper-
ations; hire of passenger motor vehicles; and repair, alter-
ation or improvement of facilities under the jurisdiction
of the National Cemetery Administration, $430,000,000,
of which not to exceed 10 percent shall remain available
until September 30, 2024.

**DEPARTMENTAL ADMINISTRATION**

**GENERAL ADMINISTRATION**

**(INCLUDING TRANSFER OF FUNDS)**

For necessary operating expenses of the Department
of Veterans Affairs, not otherwise provided for, including
administrative expenses in support of Department-wide
capital planning, management and policy activities, uni-
forms, or allowances therefor; not to exceed $25,000 for
official reception and representation expenses; hire of pas-
senger motor vehicles; and reimbursement of the General
Services Administration for security guard services,
$425,000,000, of which not to exceed 10 percent shall re-
main available until September 30, 2024: Provided, That
funds provided under this heading may be transferred to
“General Operating Expenses, Veterans Benefits Adminis-
tration”.

July 26, 2022 (12:36 p.m.)
For necessary operating expenses of the Board of Veterans Appeals, $285,000,000, of which not to exceed 10 percent shall remain available until September 30, 2024.

 INFORMATION TECHNOLOGY SYSTEMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, $5,782,000,000, plus reimbursements: Provided, That $1,494,230,000 shall be for pay and associated costs, of which not to exceed 3 percent shall remain available until September 30, 2024: Provided further, That $4,145,678,000 shall be for operations and maintenance, of which not to exceed 5 percent shall remain available until September 30, 2024: Provided further, That $142,092,000 shall be for information technology systems development, and shall remain available until September 30, 2024: Provided further, That amounts made available
for salaries and expenses, operations and maintenance,
and information technology systems development may be
transferred among the three subaccounts after the Sec-
retary of Veterans Affairs requests from the Committees
on Appropriations of both Houses of Congress the author-
ity to make the transfer and an approval is issued: Pro-
vided further, That amounts made available for the “Infor-
mation Technology Systems” account for development
may be transferred among projects or to newly defined
projects: Provided further, That no project may be in-
creased or decreased by more than $3,000,000 of cost
prior to submitting a request to the Committees on Approp-
riations of both Houses of Congress to make the transfer
and an approval is issued, or absent a response, a period
of 30 days has elapsed: Provided further, That the funds
made available under this heading for information tech-
nology systems development shall be for the projects, and
in the amounts, specified under this heading in the explan-
atory statement accompanying this Act.

VETERANS ELECTRONIC HEALTH RECORD

For activities related to implementation, preparation,
development, interface, management, rollout, and mainte-
nance of a Veterans Electronic Health Record system, in-
cluding contractual costs associated with operations au-
thorized by section 3109 of title 5, United States Code,
and salaries and expenses of employees hired under titles 5 and 38, United States Code, $1,759,000,000, to remain available until September 30, 2024: Provided, That the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress quarterly reports detailing obligations, expenditures, and deployment implementation by facility, including any changes from the deployment plan or schedule: Provided further, That the funds provided in this account shall only be available to the Office of the Deputy Secretary, to be administered by that Office: Provided further, That 25 percent of the funds made available under this heading shall not be available until July 1, 2023, and are contingent upon the Secretary of Veterans Affairs (1) being up to date on the quarterly reports on cost, performance metrics, and outcomes as required by the VA Electronic Health Record Transparency Act of 2021 (Public Law 117–154), and (2) providing a report comparing current estimated costs to the revised Life Cycle Cost Estimate and certifying and detailing any changes to the full deployment schedule, no later than 30 days prior to that date to the Committees on Appropriations.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out
the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $273,000,000, of which not to exceed 10 percent shall remain available until September 30, 2024.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, $1,447,890,000, of which $731,722,000 shall remain available until September 30, 2027, and of which $716,168,000 shall remain available until expended, of which $1,500,000 shall be available for seismic improvement projects and seismic program management activities, including for projects that would otherwise be funded by
the Construction, Minor Projects, Medical Facilities or National Cemetery Administration accounts: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and planning, cost estimating, and design for major medical facility projects and major medical facility leases and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, staffing expenses, and funds provided for the purchase, security, and maintenance of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project that has not been notified to Congress through the budgetary process or that has not been approved by the Congress through statute, joint resolution, or in the explanatory statement accompanying such Act and presented to the President at the time of enrollment: Provided further, That such sums as may be necessary shall be available to reimburse the “General Administration” account for payment of salaries and expenses of all Office of Construction and Facilities Management employees to support the full range of capital infrastructure services
provided, including minor construction and leasing services: Provided further, That funds made available under this heading for fiscal year 2023, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2023; and (2) by the awarding of a construction contract by September 30, 2024: Provided further, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above: Provided further, That notwithstanding the requirements of section 8104(a) of title 38, United States Code, amounts made available under this heading for seismic improvement projects and seismic program management activities shall be available for the completion of both new and existing seismic projects of the Department.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period
services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, $626,110,000, of which $563,499,000 shall remain available until September 30, 2027, and of which $62,611,000 shall remain available until expended, along with unobligated balances of previous “Construction, Minor Projects” appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: Provided, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.
GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, $150,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal organizations in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, $50,000,000, to remain available until expended.

COST OF WAR TOXIC EXPOSURES FUND

For investment in the delivery of veterans health care associated with exposure to environmental hazards, the expenses incident to the delivery of veterans’ health care and benefits associated with exposure to environmental hazards, and medical and other research relating to exposure to environmental hazards, as authorized by section 324 of title 38, United States Code, $1,400,000,000, to remain available until September 30, 2027: Provided, That not later than 30 days after the date of enactment of this Act,
the Secretary of the Department of Veterans Affairs, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this heading for fiscal year 2023: Provided further, That the Secretary may not obligate, expend, or transfer any funds prior to approval by the Committees on Appropriations of both Houses of Congress of the expenditure plan required by this section or absent a response, a period of 30 days has elapsed.

**Administrative Provisions**

**(INCLUDING TRANSFER OF FUNDS)**

Sec. 201. Any appropriation for fiscal year 2023 for “Compensation and Pensions”, “Readjustment Benefits”, and “Veterans Insurance and Indemnities” may be transferred as necessary to any other of the mentioned appropriations: Provided, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

**(INCLUDING TRANSFER OF FUNDS)**

Sec. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2023, in this or any other Act, under the “Medical Services”, “Medical
Community Care”, “Medical Support and Compliance”, and “Medical Facilities” accounts may be transferred among the accounts: Provided, That any transfers among the “Medical Services”, “Medical Community Care”, and “Medical Support and Compliance” accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: Provided further, That any transfers among the “Medical Services”, “Medical Community Care”, and “Medical Support and Compliance” accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That any transfers to or from the “Medical Facilities” account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

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

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

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

SEC. 206. Appropriations available in this title for
“Compensation and Pensions”, “Readjustment Benefits”,
and “Veterans Insurance and Indemnities” shall be avail-
able for payment of prior year accrued obligations re-
quired to be recorded by law against the corresponding
prior year accounts within the last quarter of fiscal year 2022.

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2023, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans’ Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the “General Operating Expenses, Veterans Benefits Administration” and “Information Technology Systems” accounts for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2023 that are available for dividends in that program after
claims have been paid and actuarially determined reserves
have been set aside: Provided further, That if the cost of
administration of such an insurance program exceeds the
amount of surplus earnings accumulated in that program,
reimbursement shall be made only to the extent of such
surplus earnings: Provided further, That the Secretary
shall determine the cost of administration for fiscal year
2023 which is properly allocable to the provision of each
such insurance program and to the provision of any total
disability income insurance included in that insurance pro-
gram.

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for
salaries and other administrative expenses shall also be
available to reimburse the Office of Resolution Manage-
ment, Diversity and Inclusion, the Office of Employment
Discrimination Complaint Adjudication, and the Alter-
native Dispute Resolution function within the Office of
Human Resources and Administration for all services pro-
vided at rates which will recover actual costs but not to
exceed $86,481,000 for the Office of Resolution Management, Diversity and Inclusion, $6,812,000 for the Office of Employment Discrimination Complaint Adjudication, and $4,576,000 for the Alternative Dispute Resolution function within the Office of Human Resources and Administration: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to the “General Administration” and “Information Technology Systems” accounts for use by the office that provided the service.

Sec. 211. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services
provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 212. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the “Construction, Major Projects” and “Construction, Minor Projects” accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in “Construction, Major Projects” and “Construction, Minor Projects”.

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

(1) for furnishing recreational facilities, supplies, and equipment; and

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

(INCLUDING TRANSFER OF FUNDS)

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

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

(INCLUDING TRANSFER OF FUNDS)

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

SEC. 217. Not later than 30 days after the end of
each fiscal quarter, the Secretary of Veterans Affairs shall
submit to the Committees on Appropriations of both Houses of Congress a report on the financial status of the Department of Veterans Affairs for the preceding quarter: Provided, That, at a minimum, the report shall include the direction contained in the paragraph entitled “Quarterly reporting”, under the heading “General Administration” in the joint explanatory statement accompanying Public Law 114–223.

(INCLUDING TRANSFER OF FUNDS)

SEC. 218. Amounts made available under the “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, “Medical Facilities”, “General Operating Expenses, Veterans Benefits Administration”, “Board of Veterans Appeals”, “General Administration”, and “National Cemetery Administration” accounts for fiscal year 2023 may be transferred to or from the “Information Technology Systems” account: Provided, That such transfers may not result in a more than 10 percent aggregate increase in the total amount made available by this Act for the “Information Technology Systems” account: Provided further, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.
SEC. 219. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2023 for “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, “Medical Facilities”, “Construction, Minor Projects”, and “Information Technology Systems”, up to $330,140,000, plus reimbursements, may be transferred to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress: Provided further, That section 220 of title II of division J of Public Law 117–103 is repealed.
SEC. 220. Of the amounts appropriated to the Department of Veterans Affairs which become available on October 1, 2023, for “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, and “Medical Facilities”, up to $314,825,000, plus reimbursements, may be transferred to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500):

Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

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

(INCLUDING TRANSFER OF FUNDS)
at facilities designated as combined Federal medical facili-
ties as described by section 706 of the Duncan Hunter
(Public Law 110–417; 122 Stat. 4500) shall also be avail-
able: (1) for transfer to the Joint Department of De-
defense—Department of Veterans Affairs Medical Facility
Demonstration Fund, established by section 1704 of the
(Public Law 111–84; 123 Stat. 2571); and (2) for oper-
ations of the facilities designated as combined Federal
medical facilities as described by section 706 of the Dun-
can Hunter National Defense Authorization Act for Fiscal
Year 2009 (Public Law 110–417; 122 Stat. 4500): Pro-
vided, That, notwithstanding section 1704(b)(3) of the
(Public Law 111–84; 123 Stat. 2573), amounts trans-
ferred to the Joint Department of Defense—Department
of Veterans Affairs Medical Facility Demonstration Fund
shall remain available until expended.

(INCLUDING TRANSFER OF FUNDS)

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

SEC. 223. None of the funds available to the Department of Veterans Affairs, in this or any other Act, may be used to replace the current system by which the Veterans Integrated Service Networks select and contract for diabetes monitoring supplies and equipment.

SEC. 224. The Secretary of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in a major construction project that total at least $5,000,000, or 5 percent of the programmed amount of the project, whichever is less: Provided, That such notification shall occur within 14 days of a contract identifying the programmed amount: Provided further, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

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

SEC. 226. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report containing performance measures and data from each Veterans Benefits Administration Regional Office: Provided, That, at a minimum, the report shall include the direction contained in the section entitled “Disability claims backlog”, under the heading “General Operating Expenses, Veterans Benefits Administration” in the joint explanatory statement accompanying Public Law 114–223: Provided further, That the report shall also include information on the number of appeals pending at the Veterans Benefits Administration as well as the Board of Veterans Appeals on a quarterly basis.

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

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 229. The Secretary of Veterans Affairs, upon
determination that such action is necessary to address
needs of the Veterans Health Administration, may trans-
fer to the “Medical Services” account any discretionary
appropriations made available for fiscal year 2023 in this
title (except appropriations made to the “General Oper-
ating Expenses, Veterans Benefits Administration” ac-
count) or any discretionary unobligated balances within
the Department of Veterans Affairs, including those ap-
propriated for fiscal year 2023, that were provided in ad-
vance by appropriations Acts: Provided, That transfers
shall be made only with the approval of the Office of Man-
agement and Budget: Provided further, That the transfer
authority provided in this section is in addition to any
other transfer authority provided by law: Provided further,
That no amounts may be transferred from amounts that
were designated by Congress as an emergency requirement
pursuant to a concurrent resolution on the budget or the
Balanced Budget and Emergency Deficit Control Act of
1985: Provided further, That such authority to transfer
may not be used unless for higher priority items, based
on emergent healthcare requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: Provided further, That, upon determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation and shall be available for the same purposes as originally appropriated: Provided further, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request. (INCLUDING TRANSFER OF FUNDS)

Sec. 230. Amounts made available for the Department of Veterans Affairs for fiscal year 2023, under the “Board of Veterans Appeals” and the “General Operating Expenses, Veterans Benefits Administration” accounts may be transferred between such accounts: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

Sec. 231. The Secretary of Veterans Affairs may not reprogram funds among major construction projects or programs if such instance of reprogramming will exceed
$7,000,000, unless such reprogramming is approved by the Committees on Appropriations of both Houses of Congress.

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

(1) provides to individuals who contact the hotline immediate assistance from a trained professional; and

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

(b)(1) None of the funds made available by this Act may be used to enforce or otherwise carry out any Executive action that prohibits the Secretary of Veterans Affairs from appointing an individual to occupy a vacant civil service position, or establishing a new civil service position, at the Department of Veterans Affairs with respect to such a position relating to the hotline specified in subsection (a).

(2) In this subsection—

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

(B) the term “Executive action” includes—
(i) any Executive order, Presidential memorandum, or other action by the President; and

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

(c)(1) The Secretary of Veterans Affairs shall conduct a study on the effectiveness of the hotline specified in subsection (a) during the 5-year period beginning on January 1, 2016, based on an analysis of national suicide data and data collected from such hotline.

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

(A) determine the number of veterans who contact the hotline specified in subsection (a) and who receive follow up services from the hotline or mental health services from the Department of Veterans Affairs thereafter;

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

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

SEC. 233. Effective during the period beginning on October 1, 2018, and ending on January 1, 2024, none
of the funds made available to the Secretary of Veterans Affairs by this or any other Act may be obligated or expended in contravention of the “Veterans Health Administration Clinical Preventive Services Guidance Statement on the Veterans Health Administration’s Screening for Breast Cancer Guidance” published on May 10, 2017, as issued by the Veterans Health Administration National Center for Health Promotion and Disease Prevention.

SEC. 234. (a) Notwithstanding any other provision of law, the amounts appropriated or otherwise made available to the Department of Veterans Affairs for the “Medical Services” account may be used to provide—

(1) fertility counseling and treatment using assisted reproductive technology to a covered veteran or the spouse of a covered veteran; or

(2) adoption reimbursement to a covered veteran.

(b) In this section:

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

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

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

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

(B) such term includes embryo
cryopreservation and storage without limitation
on the duration of such cryopreservation and
storage.
(4) The term “adoption reimbursement” means reimbursement for the adoption-related expenses for an adoption that is finalized after the date of the enactment of this Act under the same terms as apply under the adoption reimbursement program of the Department of Defense, as authorized in Department of Defense Instruction 1341.09, including the reimbursement limits and requirements set forth in such instruction.

(c) Amounts made available for the purposes specified in subsection (a) of this section are subject to the requirements for funds contained in section 508 of division H of the Consolidated Appropriations Act, 2018 (Public Law 115–141).

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

SEC. 236. Section 842 of Public Law 109–115 shall not apply to conversion of an activity or function of the
Veterans Health Administration, Veterans Benefits Administration, or National Cemetery Administration to contractor performance by a business concern that is at least 51 percent owned by one or more Indian Tribes as defined in section 5304(e) of title 25, United States Code, or one or more Native Hawaiian Organizations as defined in section 637(a)(15) of title 15, United States Code.

SEC. 237. (a) Except as provided in subsection (b), the Secretary of Veterans Affairs, in consultation with the Secretary of Defense and the Secretary of Labor, shall discontinue using Social Security account numbers to identify individuals in all information systems of the Department of Veterans Affairs as follows:

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

(2) For all individuals not described in paragraph (1), not later than March 23, 2026.

(b) The Secretary of Veterans Affairs may use a Social Security account number to identify an individual in an information system of the Department of Veterans Affairs if and only if the use of such number is required to obtain information the Secretary requires from an in-
formation system that is not under the jurisdiction of the Secretary.

(c) The matter in subsections (a) and (b) shall supersede section 238 of Public Law 116–94.

Sec. 238. For funds provided to the Department of Veterans Affairs for each of fiscal year 2023 and 2024 for “Medical Services”, section 239 of division A of Public Law 114–223 shall apply.

Sec. 239. None of the funds appropriated in this or prior appropriations Acts or otherwise made available to the Department of Veterans Affairs may be used to transfer any amounts from the Filipino Veterans Equity Compensation Fund to any other account within the Department of Veterans Affairs.

Sec. 240. Of the funds provided to the Department of Veterans Affairs for each of fiscal year 2023 and fiscal year 2024 for “Medical Services”, funds may be used in each year to carry out and expand the child care program authorized by section 205 of Public Law 111–163, notwithstanding subsection (e) of such section.

Sec. 241. None of the funds appropriated or otherwise made available in this title may be used by the Secretary of Veterans Affairs to enter into an agreement related to resolving a dispute or claim with an individual that would restrict in any way the individual from speak-
ing to members of Congress or their staff on any topic not otherwise prohibited from disclosure by Federal law or required by Executive order to be kept secret in the interest of national defense or the conduct of foreign affairs.

SEC. 242. For funds provided to the Department of Veterans Affairs for each of fiscal year 2023 and 2024, section 258 of division A of Public Law 114–223 shall apply.

SEC. 243. (a) None of the funds appropriated or otherwise made available by this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede the access of the Inspector General to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to such Inspector General and expressly limits the right of access.

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

(c) Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the in-
formation provided by the establishment over which that
Inspector General has responsibilities under the Inspector

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

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

SEC. 245. None of the funds appropriated or other-
wise made available by this Act to the Veterans Health
Administration may be used in fiscal year 2023 to convert
any program which received specific purpose funds in fis-
cal year 2022 to a general purpose funded program unless
the Secretary of Veterans Affairs submits written notifica-
tion of any such proposal to the Committees on Appropria-
tions of both Houses of Congress at least 30 days prior
to any such action and an approval is issued by the Com-
mittees.

SEC. 246. For funds provided to the Department of
Veterans Affairs for each of fiscal year 2023 and 2024,
section 248 of division A of Public Law 114–223 shall apply.

SEC. 247. (a) None of the funds appropriated or otherwise made available by this Act may be used to conduct research commencing on or after October 1, 2019, that uses any canine, feline, or non-human primate unless the Secretary of Veterans Affairs approves such research specifically and in writing pursuant to subsection (b).

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

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

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

(C) the research is consistent with the revised Department of Veterans Affairs canine research policy document dated December 15, 2017, including any subsequent revisions to such document.

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

(c) If the Secretary approves any new research pursuant to subsection (b), not later than 30 days before the
commencement of such research, the Secretary shall submit to the Committees on Appropriations of the Senate and House of Representatives a report describing—

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

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

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

(4) the frequency and duration of such research; and

(5) the protocols in place to ensure the necessity, safety, and efficacy of the research.

(d) Not later than 180 days after the date of the enactment of this Act, and biannually thereafter, the Secretary shall submit to such Committees a report describing—

(1) any research being conducted by the Department of Veterans Affairs using canines, felines, or non-human primates as of the date of the submittal of the report;
(2) the circumstances under which such research was conducted using canines, felines, or non-human primates;
(3) the justification for using canines, felines, or non-human primates to conduct such research; and
(4) the protocols in place to ensure the necessity, safety, and efficacy of such research.

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

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

(b) Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the programs of rehabilitation conducted under chapter 31 of title 38, United States Code, including—
(1) an assessment of the veteran-to-staff ratio for each such program; and

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

SEC. 249. Amounts made available for the “Veterans Health Administration, Medical Community Care” account in this or any other Act for fiscal years 2023 and 2024 may be used for expenses that would otherwise be payable from the Veterans Choice Fund established by section 802 of the Veterans Access, Choice, and Accountability Act, as amended (38 U.S.C. 1701 note).

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

SEC. 251. Of the amounts made available for the Department of Veterans Affairs for fiscal year 2023, in this or any other Act, under the “Veterans Health Administration—Medical Services”, “Veterans Health Administration—Medical Community Care”, “Veterans Health Administration—Medical Support and Compliance”, and “Veterans Health Administration—Medical Facilities” ac-
counts, $911,119,000 shall be made available for gender-specific care and programmatic efforts to deliver care for women veterans.

(RESCISSION OF FUNDS)

SEC. 252. (a) Any remaining unobligated balances in the “Recurring Expenses Transformational Fund” established in section 243 of division J of Public Law 114–113, are hereby rescinded immediately upon enactment of this Act.

(b) An amount of additional new budget authority equivalent to the amount rescinded pursuant to subsection (a) is hereby appropriated, to remain available until expended, for facilities infrastructure improvements, including non-recurring maintenance, at existing hospitals and clinics of the Veterans Health Administration, and information technology systems improvements and sustainment, in addition to such other funds as may be available for such purposes, as follows:

(1) 85 percent of the additional new budget authority shall be made available for an additional amount for “Departmental Administration—Construction, Major Projects”; and

(2) 15 percent of the additional new budget authority shall be made available for an additional
amount for “Departmental Administration—Construction, Minor Projects”:

Provided, That prior to obligation of any of the funds provided in this subsection, the Secretary of Veterans Affairs must provide a plan for the execution of the funds appropriated in this subsection to the Committees on Appropriations of both Houses of Congress and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

Sec. 253. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the status of the “Veterans Medical Care and Health Fund”, established to execute section 8002 of the American Rescue Plan Act of 2021 (Public Law 117–2): Provided, That, at a minimum, the report shall include an update on obligations by program, project or activity and a plan for expending the remaining funds: Provided further, That the Secretary of Veterans Affairs must submit notification of any plans to reallocate funds from the current apportionment categories of “Medical Services”, “Medical Support and Compliance”, “Medical Facilities”, “Medical Community Care”, or “Medical and Prosthetic Research”, including the amount and purpose of each reallocation to the
Committees on Appropriations of both Houses of Congress and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

SEC. 254. Any amounts transferred to the Secretary and administered by a corporation referred to in section 7364(b) of title 38, United States Code, between October 1, 2017 and September 30, 2018 for purposes of carrying out an order placed with the Department of Veterans Affairs pursuant to section 1535 of title 31, United States Code, that are available for obligation pursuant to section 7364(b)(1) of title 38, United States Code, are to remain available for the liquidation of valid obligations incurred by such corporation during the period of performance of such order, provided that the Secretary of Veterans Affairs determines that such amounts need to remain available for such liquidation.

(RESCISSIONS OF FUNDS)

SEC. 255. Of the unobligated balances available to the Department of Veterans Affairs from prior appropriations Acts, the following funds are hereby rescinded from the following accounts in the amounts specified:

“Asset and Infrastructure Review”, $5,000,000; and

“Departmental Administration—Veterans Electronic Health Record”, $82,174,000;
Provided, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

Sec. 256. None of the funds in this or any other Act may be used to close Department of Veterans Affairs hospitals, domiciliaries, or clinics, conduct an environmental assessment, or to diminish healthcare services at existing Veterans Health Administration medical facilities as part of a planned realignment of services until the Secretary provides to the Committees on Appropriations of both Houses of Congress a report including an analysis of how any such planned realignment of services will impact access to care for veterans living in rural or highly rural areas, including travel distances and transportation costs to access a Department medical facility and availability of local specialty and primary care.
TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed $15,000 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $86,800,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.
UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, $46,900,000: Provided, That $3,385,000 shall be available for the purpose of providing financial assistance as described and in accordance with the process and reporting procedures set forth under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers’ and Airmen’s Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed $2,000 for official reception and representation expenses, $93,400,000, of which not to exceed $15,000,000 shall remain available until September 30, 2025. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the “Lease
of Department of Defense Real Property for Defense Agencies’ account.

CONSTRUCTION

For necessary expenses for planning and design and construction at Arlington National Cemetery and Soldiers’ and Airmen’s Home National Cemetery, $62,500,000, to remain available until expended, of which $2,500,000 shall be for study, planning and design and architect and engineering services for Memorial Avenue improvements project at Arlington National Cemetery; and $60,000,000 shall be for planning and design and construction associated with the Southern Expansion project.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $75,360,000, to remain available until September 30, 2024, of which $7,300,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—
Gulfport, Mississippi: Provided, That of the amounts made available under this heading from funds available in the Armed Forces Retirement Home Trust Fund, $25,000,000 shall be paid from the general fund of the Treasury to the Trust Fund.

MAJOR CONSTRUCTION

For an additional amount for necessary expenses related to design, planning, and construction for renovation of the Sheridan Building at the Armed Forces Retirement Home—Washington, $77,000,000, to remain available until expended, shall be paid from the general fund of the Treasury to the Armed Forces Retirement Home Trust Fund.

ADMINISTRATIVE PROVISION

Sec. 301. Amounts deposited into the special account established under 10 U.S.C. 7727 are appropriated and shall be available until expended to support activities at the Army National Military Cemeteries.
TITLE IV

GENERAL PROVISIONS

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

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

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

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

Sec. 405. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

Sec. 406. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

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

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

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

Sec. 407. (a) None of the funds made available in this Act may be used to maintain or establish a computer
network unless such network blocks the viewing,
downloading, and exchanging of pornography.

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

SEC. 408. None of the funds made available in this
Act may be used by an agency of the executive branch
to pay for first-class travel by an employee of the agency
in contravention of sections 301–10.122 through 301–

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

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

This Act may be cited as the “Military Construction,
Veterans Affairs, and Related Agencies Appropriations
Act, 2023”.