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 HOUSE OF REPRESENTATIVES

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

A BILL

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2023, and for other purposes.
Be it enacted by the Senate and House of Representa-
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 equip-
ment 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 nec-
essary for the purposes of this appropriation, and for con-
struction and operation of facilities in support of the func-
tions of the Commander in Chief, $997,425,000, to re-
main available until September 30, 2027: Provided, That,
of the amount made available under this heading, not to
exceed $240,011,000 shall be available for study, plan-
ning, design, architect and engineer services, and host na-
tion 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 de-
termination and the reasons therefor: Provided further,
That of the amount made available under this heading, $101,860,000 shall be for the projects and activities, and in the amounts, specified in the table under the heading “Military Construction, Army” in the report accompanying this Act, in addition to amounts otherwise available for such purposes.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, 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, $3,808,340,000, to remain available until September 30, 2027: Provided, That, of the amount made available under this heading, not to exceed $428,073,000 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: Provided further, That of the amount made available
under this heading, $5,949,000 shall be for the project and activity, and in the amount, specified in the table under the heading “Military Construction, Navy and Marine Corps” in the report accompanying 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, $2,291,156,000, to remain available until September 30, 2027: Provided, That, of the amount made available under this heading, not to exceed $171,094,000 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, $185,700,000 shall be for the projects and activities, and in the amounts, specified in the table under the heading “Military Construction, Air Force” in the report 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, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $2,675,128,000, 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 made available under this heading, not to exceed $506,107,000 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, $58,730,000 shall be for the projects and activi-
ties, and in the amounts, specified in the table under the
heading “Military Construction, Defense-Wide” in the re-
port accompanying this Act, in addition to amounts other-
wise available for such purposes.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilita-
tion, and conversion of facilities for the training and ad-
ministration of the Army National Guard, and contribu-
tions therefor, as authorized by chapter 1803 of title 10,
United States Code, and Military Construction Authoriza-
tion Acts, $325,658,000, to remain available until Sep-
tember 30, 2027: Provided, That, of the amount made
available under this heading, not to exceed $43,625,000
shall be available for study, planning, design, and architect
and engineer services, as authorized by law, unless the Di-
rector of the Army National Guard determines that addi-
tional obligations are necessary for such purposes and no-
tifies 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, $3,380,000 shall be for the projects
and activities, and in the amounts, specified in the table
under the heading “Military Construction, Army National
Guard” in the report 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, $193,983,000, to remain available until September 30, 2027: Provided, That, of the amount made available under this heading, not to exceed $41,712,000 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, $20,100,000 shall be for the projects and activities, and in the amounts, specified in the table under the heading “Military Construction, Air National Guard” in the report 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
803 of title 10, United States Code, and Military Construction Authorization Acts, $119,878,000, to remain available until September 30, 2027: Provided, That, of the amount made available under this heading, not to exceed $19,829,000 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.

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 803 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 made available under this heading, 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, $82,123,000, to remain available until September 30, 2027: Provided, That, of the amount made available under this heading, not to exceed $21,773,000 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, $5,500,000 shall be for the projects and activities, and in the amounts, specified in the table under the heading “Military Construction, Air Force Reserve” in the report accompanying this Act, in addition to amounts otherwise available for such purposes.

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 fa-
ilities 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, $220,139,000, 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), $574,687,000, to remain available until expended.

**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.

**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, $446,411,000.
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.

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, $378,224,000.

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

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,
$365,222,000.

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

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.

**DEPARTMENT OF DEFENSE**

**FAMILY HOUSING IMPROVEMENT FUND**

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 family housing and supporting facilities.
ing 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 there-
for.

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

SEC. 103. Funds made available in this title for con-
struction may be used for advances to the Federal High-
way 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 Engineering Command, except: (1) where there is a determination 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 construction.

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 another, 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 pro-
ducers, 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 territories 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 responsive 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 responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including 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 department 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 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 trans-
ferred.

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 gen-
eral or flag officer quarters without 30 days prior notifica-
tion, 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 remedi-
ation 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 an-
ually to the Committees on Appropriations of both
Houses of Congress all operation and maintenance ex-
penditures 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 appropriated and shall be available until expended for the purposes 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 appropriations 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 obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation “Foreign Currency 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 transferred.

SEC. 122. 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. 123. All amounts appropriated to the “Department of Defense—Military Construction, Army”, “De-

SEC. 124. 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 years 2017 and 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. 125. 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. 126. 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”, $40,000,000;

“Military Construction, Navy and Marine Corps”, $40,000,000;

“Military Construction, Air Force”, $40,000,000; and

“Military Construction, Defense-Wide”, $15,000,000:

Provided, That not later than 60 days after the date of enactment of this Act, the Secretary of the military department concerned, or their 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. 127. For an additional amount for the accounts and in the amounts specified for planning and design, for child development centers, to remain available until September 30, 2027:

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

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

“Military Construction, Air Force”, $15,000,000:

Provided, That not later than 60 days after the date of enactment of this Act, the Secretary of the military department concerned, or their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 128. For an additional amount for “Military Construction, Air Force”, $360,000,000, 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 their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.
SEC. 129. 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”, $40,000,000;

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

“Military Construction, Air Force”, $30,000,000:

Provided, That not later than 30 days after the date of enactment of this Act, the Secretary of the military department concerned, or their 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 Reserve”, $8,000,000, to remain available until September 30, 2027: Provided, That such funds may only be obligated to carry out construction
projects identified in the Department of the Air Force’s unfunded priority list for fiscal year 2023 submitted to Congress: Provided further, That not later than 60 days after the date of enactment of this Act, the Secretary of the Air Force, or a duly authorized 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”, $253,500,000;

“Military Construction, Navy and Marine Corps”, $200,000,000;

“Military Construction, Air Force”, $30,000,000;

“Military Construction, Defense-Wide”, $37,897,000;

“Military Construction, Army National Guard”, $89,000,000;

“Military Construction, Air National Guard”, $11,000,000;
“Military Construction, Army Reserve”, $66,000,000; and

“Military Construction, Navy Reserve”, $2,660,000:

Provided, That not later than 30 days after the date of enactment of this Act, the Secretary of the military department concerned, or their 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. 132. For an additional amount for “Military Construction, Defense-Wide”, $8,000,000, to remain available until September 30, 2027, to address cost increases for authorized major construction projects funded by this Act: Provided, That not later than 30 days after the date of enactment of this Act, the Secretary of Defense, or their 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 Defense 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. 133. For an additional amount for “Military Construction, Navy and Marine Corps”, $100,000,000, to remain available until September 30, 2027, for planning and design of water treatment and distribution facilities construction, including relating to improvements of infrastructure and defueling at the Red Hill Bulk Fuel Storage Facility: Provided, That not later than 180 days after the date of enactment of this Act, the Secretary of the Navy, or their 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 Navy 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. 134. For an additional amount for the accounts and in the amounts specified for barracks and unaccompanied personnel housing, to remain available until September 30, 2027:

“Military Construction, Army National Guard”, $15,243,000; and

“Military Construction, Army Reserve”, $68,400,000:
Provided, That such funds may only be obligated to carry out construction projects identified in the Department’s unfunded priority list for fiscal year 2023 submitted to Congress: Provided further, That not later than 30 days after the date of enactment of this Act, the Secretary of the Army, or their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 135. For an additional amount for “Family Housing Construction, Army”, $138,783,000, to remain available until September 30, 2027: Provided, That such funds may only be obligated to carry out construction, improvement, and replacement projects identified in the Department of the Army’s cost to complete projects list of previously appropriated projects submitted to Congress: Provided further, That, of the amount made available under this section, $28,900,000 shall be available for projects within the continental United States: 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 30 days after the date of enactment of this Act, the Secretary of the Army, or their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.
SEC. 136. For an additional amount for the accounts and in the amounts specified for child development centers, to remain available until September 30, 2027:

“Military Construction, Army”, $9,000,000;

and

“Military Construction, Navy and Marine Corps”, $47,940,000; and

“Military Construction, Air Force”, $22,393,000:

Provided, That such funds may only be obligated to carry out construction projects identified in the respective military department’s Future Years Defense Program list for fiscal year 2023 submitted to Congress, or the respective military department’s cost to complete project list of previously appropriated projects submitted to Congress: Provided further, That not later than 30 days after the date of enactment of this Act, the Secretary of the military department concerned, or their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.
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 Systems” for necessary expenses in implementing the provisions 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: Provided 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 provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 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 rehabilitation 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 subsection, 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 de-
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 spe-
cially 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 Congres-
sional 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 Expenses, 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, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense 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 necessary to enable entitled veterans: (1) to the maximum extent 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-
tail: 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; $327,000,000, 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, $1,500,000,000 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, $200,000,000 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, 
$350,000,000 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, 
$926,000,000, 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 CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Ad-
ministration for operations and maintenance, not other-
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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,
$435,000,000, 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”. 
BOARD OF VETERANS APPEALS

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 Secretary of Veterans Affairs 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 amounts made available for the “Information Technology Systems” account for development may be transferred among projects or to newly defined projects: Provided further, That no project may be increased or decreased by more than $3,000,000 of cost prior to submitting a request to the Committees on Appropriations 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 technology systems development shall be for the projects, and in the amounts, specified in the table entitled “Information Technology Development Projects” under this heading in the report accompanying this Act.

VETERANS ELECTRONIC HEALTH RECORD

For activities related to implementation, preparation, development, interface, management, rollout, and maintenance of a Veterans Electronic Health Record system, including contractual costs associated with operations au-
Authorized 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, 2025: 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 providing a certification of any changes to the deployment schedules contained in the plan submitted pursuant to the last proviso under this heading in division J of Public Law 117-103, an updated plan with benchmarks and measurable metrics for deployment, and an updated plan for addressing all required infrastructure upgrades, no later than 30 days prior to that date to the Committees on Appropriations, and upon approval of the Committees on Appropriations prior to that date.
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, $1,371,890,000, of which $731,722,000 shall remain available until September 30, 2027, and of which $640,168,000 shall remain available until expended, of
which $1,500,000 shall be available for seismic improve-
ment 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 manage-
ment activities, and planning, cost estimating, and design
for major medical facility projects and major medical facil-
ity leases and investment strategy studies funded through
the advance planning fund and the planning and design
activities funded through the design fund, staffing ex-
penses, and funds provided for the purchase, security, and
maintenance of land for the National Cemetery Adminis-
tration 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 pre-
scribed 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” ac-

count 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 serv-
ices: 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 con-
struction documents contract by September 30, 2023; and
(2) by the awarding of a construction contract by Sep-
tember 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 limita-
tions established above: Provided further, That notwith-
standing the requirements of section 8104(a) of title 38,
United States Code, amounts made available under this
heading for seismic improvement projects and seismic pro-
gram management activities shall be available for the com-
pletion 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 re-model, 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.

ASSET AND INFRASTRUCTURE REVIEW

For carrying out the VA Asset and Infrastructure Review Act of 2018 (subtitle A of title II of Public Law 115–182), $5,000,000, to remain available until September 30, 2024.

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 trans-
ferred 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 authorized 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 examination under the laws providing such benefits to veterans, 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 reimbursement of the cost of such hospitalization or examination 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 available for payment of prior year accrued obligations required 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 program.

Sec. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred 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 Manage-
ment, 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 Ad-
ministration: 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 “Informa-
tion 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” accounts 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 provide healthcare, including behavioral health and dental care, to veterans in rural Alaska. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Sec-
retary. The term “rural Alaska” shall mean those lands
which are not within the boundaries of the municipality
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 “Quar-
terly reporting”, under the heading “General Administra-
tion” in the joint explanatory statement accompanying
Public Law 114–223.

(INCLUDING TRANSFER OF FUNDS)

SEC. 218. Amounts made available under the “Med-
ical Services”, “Medical Community Care”, “Medical Sup-
port and Compliance”, “Medical Facilities”, “General Op-
erating 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.

(INCLUDING TRANSFER OF FUNDS)

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.

(INCLUDING TRANSFER OF FUNDS)

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
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.

(INCLUDING TRANSFER OF FUNDS)

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 at 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) shall also be available: (1) for transfer 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 (2) for operations 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, notwithstanding section 1704(b)(3) of the
National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2573), amounts transferred 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 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. 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. 224. 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 Veterans Affairs receives approval from the Committees on Appropriations of both Houses of Congress.

SEC. 225. 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. 226. The Secretary of Veterans Affairs shall provide written notification to the Committees on Appropriations of both Houses of Congress 15 days prior to or-
ganizational 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. 227. The Secretary of Veterans Affairs shall
provide on a quarterly basis to the Committees on Appro-
priations 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. 228. 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-

dvance 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. 229. 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.
priations of both Houses of Congress the authority to
make the transfer and receive approval of that request.

SEC. 230. 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 Con-
gress.

SEC. 231. (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 hot-
line immediate assistance from a trained profes-
sional; 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 Execu-
tive 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 sub-
section (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. 232. 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. 233. Subchapter II of chapter 17 of title 38, United States Code, is amended by adding at the end the following new section (and conforming the table of sections at the beginning of such chapter accordingly):

“§ 1720K. Infertility counseling and treatment; reimbursement of adoption expenses

“(a) INFERTILITY COUNSELING AND TREATMENT.—

(1) Pursuant to regulations the Secretary shall prescribe to carry out this subsection, the Secretary may provide infertility counseling and treatment, using assisted reproductive technology, including in vitro fertilization, intrauterine insemination, and other advanced reproductive technologies, to the following:
“(A) A veteran—

“(i) who is enrolled in the system of annual patient enrollment established and operated under section 1705 of this title; and

“(ii) who, in the judgment of a health care professional of the Department—

“(I) has a service-connected disability or condition causing or aggravating infertility; or

“(II) is infertile as a result of having received medically necessary treatment pursuant to this chapter.

“(B) The spouse of a veteran described in subparagraph (A), or the partner of a veteran described in subparagraph (A) whom the veteran designates for purposes of this subsection.

“(2)(A) The Secretary may contract with a provider of in vitro fertilization services to obtain donor gametes or embryos from third-party donors.

“(B) The Secretary may only obtain third-party donation of gametes or embryos through a contract.

“(C) The Secretary may not provide assisted reproductive technology services or medical services to third-party donors.
“(3)(A) The Secretary may contract with a facility to furnish the cryopreservation, storage, and transportation of gametes and embryos.

“(B) The Secretary may not impose any limitation on the period in which an embryo or gamete is cryopreserved and stored pursuant to this subsection.

“(4) The legal status, custody, future use, donation, disposition, or destruction, of gametes or embryos relating to infertility or treatment furnished under this subsection shall be determined in accordance with the law of the State in which the gametes or embryos are located.

“(5)(A) In prescribing regulations to carry out this subsection, the Secretary shall ensure that any in vitro fertilization (including with respect to the number of retrieval attempts and completed embryo transfer cycles) will be—

“(i) determined using the best medical evidence available; and

“(ii) provided in accordance with applicable standards of care.

“(B) In furnishing in vitro fertilization to a covered individual pursuant to this subsection, the Secretary is responsible only for payment of the costs of the in vitro fertilization services.
“(C) The Secretary may not furnish an in vitro fertilization cycle to a covered individual under this subsection unless the Secretary receives consent for such cycle from each of the following:

“(i) The covered individual.

“(ii) If the covered individual is a spouse or partner of a veteran as described in subparagraph (1)(B), the veteran.

“(iii) If applicable, the third-party donor.

“(6) In this subsection:

“(A) The term ‘covered individual’ means a veteran, spouse, or partner who receives infertility counseling and treatment under paragraph (1).

“(B) The term ‘gamete’ means a mature sperm or an oocyte or egg germ cell, as applicable.

“(C) The term ‘infertility’ means the inability to procreate without the use of infertility treatment.

“(D) The term ‘in vitro fertilization’ means the procedure in which an oocyte is removed from a mature ovarian follicle and fertilized by a sperm cell outside the human body and, at the appropriate time, transferred into the uterus.

“(E) The term ‘third-party donor’ means an individual who consents to donate the gametes or em-
bryo of the individual for use in treatment furnished pursuant to this subsection.

“(b) ADOPTION REIMBURSEMENT.—(1) Pursuant to regulations the Secretary shall prescribe to carry out this subsection, the Secretary may reimburse an eligible veteran for qualifying adoption expenses incurred by the veteran in the adoption of a child.

“(2) For purposes of this subsection, an eligible veteran is a veteran who meets the following criteria:

“(A) The veteran is enrolled in the system of annual patient enrollment established and operated under section 1705 of this title.

“(B) The veteran, in the judgment of the health care professional of the Department—

“(i) has a service-connected disability or condition causing or aggravating infertility; or

“(ii) is infertile as a result of having received medically necessary treatment pursuant to this chapter.

“(3) An adoption for which expenses may be reimbursed under this subsection includes an adoption by a single person, an infant adoption, an intercountry adoption, or an adoption of a child with special needs (as defined in section 473(e) of the Social Security Act (42 U.S.C. 673(e))).
“(4) The Secretary may reimburse an eligible veteran for qualifying adoption expenses under this subsection only after the adoption is final.

“(5) The Secretary may not reimburse an eligible veteran for qualifying adoption expenses under this subsection for any expense paid to or for the veteran under any other adoption benefits program administered by the Federal Government or under any such program administered by a State or local government.

“(6)(A)(i) The Secretary may not reimburse an eligible veteran, or two eligible veterans who are partners, for qualifying adoption expenses under this subsection for more than one adoption.

“(ii) The Secretary may not reimburse more than one eligible veteran for the qualifying adoption expenses under this subsection for the adoption of the same child.

“(B) In prescribing regulations to carry out this subsection, the Secretary shall establish minimum and maximum amounts for the reimbursement of qualifying adoption expenses.

“(7) In this subsection:

“(A) Notwithstanding section 101 of this title, the term ‘child’ means an individual who is under the age of eighteen years.
“(B) The term ‘qualified adoption agency’ means—

“(i) a State or local government agency that has responsibility under State or local law for child placement through adoption;

“(ii) a nonprofit, voluntary adoption agency that is authorized by State or local law to place children for adoption;

“(iii) any other source authorized by a State to provide adoption placement if the adoption is supervised by a court under State or local law; or

“(iv) a foreign government or an agency authorized by a foreign government to place children for adoption, in any case in which—

“(I) the adopted child is entitled to automatic citizenship under section 320 of the Immigration and Nationality Act (8 U.S.C. 1431); or

“(II) a certificate of citizenship has been issued for such child under section 322 of that Act (8 U.S.C. 1433).

“(C) The term ‘qualifying adoption expenses’ means reasonable and necessary expenses that are directly related to the legal adoption of a child, but
only if such adoption is arranged by a qualified adoption agency. Such term does not include any expense incurred—

“(i) by an adopting parent for travel; or

“(ii) in connection with an adoption arranged in violation of Federal, State, or local law.

“(D) The term ‘reasonable and necessary expenses’ includes—

“(i) public and private agency fees, including adoption fees charged by an agency in a foreign country;

“(ii) placement fees, including fees charged adoptive parents for counseling;

“(iii) legal fees (including court costs) or notary expenses; and

“(iv) medical expenses, including hospital expenses of the biological mother of the child to be adopted and of a newborn infant to be adopted.”.

Sec. 234. 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
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.

Section 236. (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 information system that is not under the jurisdiction of the Secretary.

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

SEC. 237. 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. 238. 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. 239. 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. 240. 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 speaking 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. 241. 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. 242. (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 information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

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. 243. 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. 244. None of the funds appropriated or otherwise 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 fiscal year 2022 to a general purpose funded program unless the Secretary of Veterans Affairs submits written notification of any such proposal to the Committees on Appropriations.
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. 245. (a) Except as provided by subsection (b), none of the funds made available by this Act may be used by the Secretary of Veterans Affairs to purchase, breed, transport, house, feed, maintain, dispose of, or experiment on, dogs or cats as part of the conduct of any study including an assignment of pain category D or E, as defined by the Pain and Distress Categories of the Department of Agriculture (or such successor categories developed pursuant to section 13 of the Animal Welfare Act (7 U.S.C. 2143)).

(b) Subsection (a) shall not apply to training programs or studies of service dogs described in section 1714 of title 38, United States Code, or section 17.148 of title 38, Code of Federal Regulations.

SEC. 246. 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).
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.

Of the amounts made available for the Department of Veterans Affairs for fiscal year 2023, in this Act 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” accounts, $911,119,000 shall be made available for gender-specific care and programmatic efforts to deliver care for women veterans.

Amounts made available for the Department of Veterans Affairs for “Medical Facilities” and “General Administration” in this Act or prior Acts that remain available for obligation in fiscal year 2023 may be transferred as necessary to the “Asset and Infrastructure Review” account for the purposes of carrying out the VA Asset and Infrastructure Review Act of 2018 (subtitle A of title II of Public Law 115–182): Provided, That the
total amounts transferred may not increase the account by more than $2,000,000: Provided further, That in advance of any such transfer, 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.

(RESCISSION OF FUNDS)

SEC. 250. Of the unobligated balances in the “Recurring Expenses Transformational Fund” established in section 243 of division J of Public Law 114–113, $48,132,853 is hereby rescinded.

SEC. 251. 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. 252. By no later than September 30, 2023, the Secretary shall commence construction of the Community-Based Outpatient Clinic in Bakersfield, California in accordance with Lease No. 36C10F20L0008.

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, $87,500,000, 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, $45,159,000: 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 at Arlington National Cemetery; and $60,000,000 shall be for planning and design and construction associated with the Southern Expansion project at Arlington National Cemetery.

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, District of Columbia, $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 con-
duct of their business practices and public service activi-
ties.

Sec. 404. Unless stated otherwise, all reports and no-
tifications required by this Act shall be submitted to the
Subcommittee on Military Construction and Veterans Af-
fairs, and Related Agencies of the Committee on Appropri-
ations of the House of Representatives and the Sub-
committee 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. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Member, Delegate, or Resident Commissioner of the United States House of Representatives.

SEC. 407. (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. 408. (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 criminal investigations, prosecution, or adjudication activities.

Sec. 409. 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 301–10.124 of title 41, Code of Federal Regulations.

Sec. 410. None of the funds made available in this Act may be used to execute a contract for goods or services, including construction services, where the contractor has not complied with Executive Order No. 12989.

Sec. 411. 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”.
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.

H.R. 2023

117TH CONGRESS

2D SESSION

[Report No. 117-117]

Committee on the Budget of the United States House of Representatives

Union Calendar No.

[Full Committee Print]