

## Union Calendar No. 299

117TH CONGRESS  
2D SESSION

# H. R. 8238

[Report No. 117-391]

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.

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### IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2022

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

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## A BILL

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

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

1 and related agencies for the fiscal year ending September  
2 30, 2023, and for other purposes, namely:

3 TITLE I

4 DEPARTMENT OF DEFENSE

5 MILITARY CONSTRUCTION, ARMY

6 For acquisition, construction, installation, and equip-  
7 ment of temporary or permanent public works, military  
8 installations, facilities, and real property for the Army as  
9 currently authorized by law, including personnel in the  
10 Army Corps of Engineers and other personal services nec-  
11 essary for the purposes of this appropriation, and for con-  
12 struction and operation of facilities in support of the func-  
13 tions of the Commander in Chief, \$997,425,000, to re-  
14 main available until September 30, 2027: *Provided*, That,  
15 of the amount made available under this heading, not to  
16 exceed \$240,011,000 shall be available for study, plan-  
17 ning, design, architect and engineer services, and host na-  
18 tion support, as authorized by law, unless the Secretary  
19 of the Army determines that additional obligations are  
20 necessary for such purposes and notifies the Committees  
21 on Appropriations of both Houses of Congress of the de-  
22 termination and the reasons therefor: *Provided further*,  
23 That of the amount made available under this heading,  
24 \$101,860,000 shall be for the projects and activities, and  
25 in the amounts, specified in the table under the heading

1 “Military Construction, Army” in the report accom-  
2 panying this Act, in addition to amounts otherwise avail-  
3 able for such purposes.

4 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

5 For acquisition, construction, installation, and equip-  
6 ment of temporary or permanent public works, naval in-  
7 stallations, facilities, and real property for the Navy and  
8 Marine Corps as currently authorized by law, including  
9 personnel in the Naval Facilities Engineering Command  
10 and other personal services necessary for the purposes of  
11 this appropriation, \$3,808,340,000, to remain available  
12 until September 30, 2027: *Provided*, That, of the amount  
13 made available under this heading, not to exceed  
14 \$428,073,000 shall be available for study, planning, de-  
15 sign, and architect and engineer services, as authorized  
16 by law, unless the Secretary of the Navy determines that  
17 additional obligations are necessary for such purposes and  
18 notifies the Committees on Appropriations of both Houses  
19 of Congress of the determination and the reasons therefor:  
20 *Provided further*, That of the amount made available  
21 under this heading, \$5,949,000 shall be for the project  
22 and activity, and in the amount, specified in the table  
23 under the heading “Military Construction, Navy and Ma-  
24 rine Corps” in the report accompanying this Act, in addi-  
25 tion to amounts otherwise available for such purposes.

## 1           MILITARY CONSTRUCTION, AIR FORCE

2           For acquisition, construction, installation, and equip-  
3 ment of temporary or permanent public works, military  
4 installations, facilities, and real property for the Air Force  
5 as currently authorized by law, \$2,291,156,000, to remain  
6 available until September 30, 2027: *Provided*, That, of the  
7 amount made available under this heading, not to exceed  
8 \$171,094,000 shall be available for study, planning, de-  
9 sign, and architect and engineer services, as authorized  
10 by law, unless the Secretary of the Air Force determines  
11 that additional obligations are necessary for such purposes  
12 and notifies the Committees on Appropriations of both  
13 Houses of Congress of the determination and the reasons  
14 therefor: *Provided further*, That of the amount made avail-  
15 able under this heading, \$185,700,000 shall be for the  
16 projects and activities, and in the amounts, specified in  
17 the table under the heading “Military Construction, Air  
18 Force” in the report accompanying this Act, in addition  
19 to amounts otherwise available for such purposes.

## 20           MILITARY CONSTRUCTION, DEFENSE-WIDE

21                   (INCLUDING TRANSFER OF FUNDS)

22           For acquisition, construction, installation, and equip-  
23 ment of temporary or permanent public works, installa-  
24 tions, facilities, and real property for activities and agen-  
25 cies of the Department of Defense (other than the military

1 departments), as currently authorized by law,  
2 \$2,675,128,000, to remain available until September 30,  
3 2027: *Provided*, That such amounts of this appropriation  
4 as may be determined by the Secretary of Defense may  
5 be transferred to such appropriations of the Department  
6 of Defense available for military construction or family  
7 housing as the Secretary may designate, to be merged with  
8 and to be available for the same purposes, and for the  
9 same time period, as the appropriation or fund to which  
10 transferred: *Provided further*, That, of the amount made  
11 available under this heading, not to exceed \$506,107,000  
12 shall be available for study, planning, design, and architect  
13 and engineer services, as authorized by law, unless the  
14 Secretary of Defense determines that additional obliga-  
15 tions are necessary for such purposes and notifies the  
16 Committees on Appropriations of both Houses of Congress  
17 of the determination and the reasons therefor: *Provided*  
18 *further*, That of the amount made available under this  
19 heading, \$58,730,000 shall be for the projects and activi-  
20 ties, and in the amounts, specified in the table under the  
21 heading “Military Construction, Defense-Wide” in the re-  
22 port accompanying this Act, in addition to amounts other-  
23 wise available for such purposes.

## 1       MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

2           For construction, acquisition, expansion, rehabilita-  
3 tion, and conversion of facilities for the training and ad-  
4 ministration of the Army National Guard, and contribu-  
5 tions therefor, as authorized by chapter 1803 of title 10,  
6 United States Code, and Military Construction Authoriza-  
7 tion Acts, \$325,658,000, to remain available until Sep-  
8 tember 30, 2027: *Provided*, That, of the amount made  
9 available under this heading, not to exceed \$43,625,000  
10 shall be available for study, planning, design, and architect  
11 and engineer services, as authorized by law, unless the Di-  
12 rector of the Army National Guard determines that addi-  
13 tional obligations are necessary for such purposes and no-  
14 tifies the Committees on Appropriations of both Houses  
15 of Congress of the determination and the reasons therefor:  
16 *Provided further*, That of the amount made available  
17 under this heading, \$3,380,000 shall be for the projects  
18 and activities, and in the amounts, specified in the table  
19 under the heading “Military Construction, Army National  
20 Guard” in the report accompanying this Act, in addition  
21 to amounts otherwise available for such purposes.

## 22       MILITARY CONSTRUCTION, AIR NATIONAL GUARD

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

1 therefor, as authorized by chapter 1803 of title 10, United  
2 States Code, and Military Construction Authorization  
3 Acts, \$193,983,000, to remain available until September  
4 30, 2027: *Provided*, That, of the amount made available  
5 under this heading, not to exceed \$41,712,000 shall be  
6 available for study, planning, design, and architect and en-  
7 gineer services, as authorized by law, unless the Director  
8 of the Air National Guard determines that additional obli-  
9 gations are necessary for such purposes and notifies the  
10 Committees on Appropriations of both Houses of Congress  
11 of the determination and the reasons therefor: *Provided*  
12 *further*, That of the amount made available under this  
13 heading, \$20,100,000 shall be for the projects and activi-  
14 ties, and in the amounts, specified in the table under the  
15 heading “Military Construction, Air National Guard” in  
16 the report accompanying this Act, in addition to amounts  
17 otherwise available for such purposes.

18           MILITARY CONSTRUCTION, ARMY RESERVE

19           For construction, acquisition, expansion, rehabilita-  
20 tion, and conversion of facilities for the training and ad-  
21 ministration of the Army Reserve as authorized by chapter  
22 1803 of title 10, United States Code, and Military Con-  
23 struction Authorization Acts, \$119,878,000, to remain  
24 available until September 30, 2027: *Provided*, That, of the  
25 amount made available under this heading, not to exceed

1 \$19,829,000 shall be available for study, planning, design,  
2 and architect and engineer services, as authorized by law,  
3 unless the Chief of the Army Reserve determines that ad-  
4 ditional obligations are necessary for such purposes and  
5 notifies the Committees on Appropriations of both Houses  
6 of Congress of the determination and the reasons therefor.

7           MILITARY CONSTRUCTION, NAVY RESERVE

8           For construction, acquisition, expansion, rehabilita-  
9 tion, and conversion of facilities for the training and ad-  
10 ministration of the reserve components of the Navy and  
11 Marine Corps as authorized by chapter 1803 of title 10,  
12 United States Code, and Military Construction Authoriza-  
13 tion Acts, \$30,337,000, to remain available until Sep-  
14 tember 30, 2027: *Provided*, That, of the amount made  
15 available under this heading, not to exceed \$2,590,000  
16 shall be available for study, planning, design, and architect  
17 and engineer services, as authorized by law, unless the  
18 Secretary of the Navy determines that additional obliga-  
19 tions are necessary for such purposes and notifies the  
20 Committees on Appropriations of both Houses of Congress  
21 of the determination and the reasons therefor.

22           MILITARY CONSTRUCTION, AIR FORCE RESERVE

23           For construction, acquisition, expansion, rehabilita-  
24 tion, and conversion of facilities for the training and ad-  
25 ministration of the Air Force Reserve as authorized by



1 chapter 1803 of title 10, United States Code, and Military  
2 Construction Authorization Acts, \$82,123,000, to remain  
3 available until September 30, 2027: *Provided*, That, of the  
4 amount made available under this heading, not to exceed  
5 \$21,773,000 shall be available for study, planning, design,  
6 and architect and engineer services, as authorized by law,  
7 unless the Chief of the Air Force Reserve determines that  
8 additional obligations are necessary for such purposes and  
9 notifies the Committees on Appropriations of both Houses  
10 of Congress of the determination and the reasons therefor:  
11 *Provided further*, That of the amount made available  
12 under this heading, \$5,500,000 shall be for the projects  
13 and activities, and in the amounts, specified in the table  
14 under the heading “Military Construction, Air Force Re-  
15 serve” in the report accompanying this Act, in addition  
16 to amounts otherwise available for such purposes.

17 NORTH ATLANTIC TREATY ORGANIZATION

18 SECURITY INVESTMENT PROGRAM

19 For the United States share of the cost of the North  
20 Atlantic Treaty Organization Security Investment Pro-  
21 gram for the acquisition and construction of military fa-  
22 cilities and installations (including international military  
23 headquarters) and for related expenses for the collective  
24 defense of the North Atlantic Treaty Area as authorized  
25 by section 2806 of title 10, United States Code, and Mili-

1 tary Construction Authorization Acts, \$220,139,000, to  
2 remain available until expended.

3 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

4 For deposit into the Department of Defense Base  
5 Closure Account, established by section 2906(a) of the De-  
6 fense Base Closure and Realignment Act of 1990 (10  
7 U.S.C. 2687 note), \$574,687,000, to remain available  
8 until expended.

9 FAMILY HOUSING CONSTRUCTION, ARMY

10 For expenses of family housing for the Army for con-  
11 struction, including acquisition, replacement, addition, ex-  
12 pansion, extension, and alteration, as authorized by law,  
13 \$169,339,000, to remain available until September 30,  
14 2027.

15 FAMILY HOUSING OPERATION AND MAINTENANCE,

16 ARMY

17 For expenses of family housing for the Army for op-  
18 eration and maintenance, including debt payment, leasing,  
19 minor construction, principal and interest charges, and in-  
20 surance premiums, as authorized by law, \$446,411,000.

21 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE

22 CORPS

23 For expenses of family housing for the Navy and Ma-  
24 rine Corps for construction, including acquisition, replace-  
25 ment, addition, expansion, extension, and alteration, as

1 authorized by law, \$337,297,000, to remain available until  
2 September 30, 2027.

3 FAMILY HOUSING OPERATION AND MAINTENANCE,  
4 NAVY AND MARINE CORPS

5 For expenses of family housing for the Navy and Ma-  
6 rine Corps for operation and maintenance, including debt  
7 payment, leasing, minor construction, principal and inter-  
8 est charges, and insurance premiums, as authorized by  
9 law, \$378,224,000.

10 FAMILY HOUSING CONSTRUCTION, AIR FORCE

11 For expenses of family housing for the Air Force for  
12 construction, including acquisition, replacement, addition,  
13 expansion, extension, and alteration, as authorized by law,  
14 \$232,788,000, to remain available until September 30,  
15 2027.

16 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR  
17 FORCE

18 For expenses of family housing for the Air Force for  
19 operation and maintenance, including debt payment, leas-  
20 ing, minor construction, principal and interest charges,  
21 and insurance premiums, as authorized by law,  
22 \$365,222,000.

1 FAMILY HOUSING OPERATION AND MAINTENANCE,  
2 DEFENSE-WIDE

3 For expenses of family housing for the activities and  
4 agencies of the Department of Defense (other than the  
5 military departments) for operation and maintenance,  
6 leasing, and minor construction, as authorized by law,  
7 \$50,113,000.

8 DEPARTMENT OF DEFENSE

9 FAMILY HOUSING IMPROVEMENT FUND

10 For the Department of Defense Family Housing Im-  
11 provement Fund, \$6,442,000, to remain available until ex-  
12 pended, for family housing initiatives undertaken pursu-  
13 ant to section 2883 of title 10, United States Code, pro-  
14 viding alternative means of acquiring and improving mili-  
15 tary family housing and supporting facilities.

16 DEPARTMENT OF DEFENSE

17 MILITARY UNACCOMPANIED HOUSING IMPROVEMENT  
18 FUND

19 For the Department of Defense Military Unaccom-  
20 panied Housing Improvement Fund, \$494,000, to remain  
21 available until expended, for unaccompanied housing ini-  
22 tiatives undertaken pursuant to section 2883 of title 10,  
23 United States Code, providing alternative means of acquir-  
24 ing and improving military unaccompanied housing and  
25 supporting facilities.

## 1 ADMINISTRATIVE PROVISIONS

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

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

12 SEC. 103. Funds made available in this title for con-  
13 struction may be used for advances to the Federal High-  
14 way Administration, Department of Transportation, for  
15 the construction of access roads as authorized by section  
16 210 of title 23, United States Code, when projects author-  
17 ized therein are certified as important to the national de-  
18 fense by the Secretary of Defense.

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

23 SEC. 105. None of the funds made available in this  
24 title shall be used for purchase of land or land easements  
25 in excess of 100 percent of the value as determined by

1 the Army Corps of Engineers or the Naval Facilities Engi-  
2 neering Command, except: (1) where there is a determina-  
3 tion of value by a Federal court; (2) purchases negotiated  
4 by the Attorney General or the designee of the Attorney  
5 General; (3) where the estimated value is less than  
6 \$25,000; or (4) as otherwise determined by the Secretary  
7 of Defense to be in the public interest.

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

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

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

24       SEC. 109. None of the funds available to the Depart-  
25 ment of Defense for military construction or family hous-

1 ing during the current fiscal year may be used to pay real  
2 property taxes in any foreign nation.

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

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

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

1 not apply to contract awards for military construction on  
2 Kwajalein Atoll for which the lowest responsive and re-  
3 sponsible bid is submitted by a Marshallese contractor.

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

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

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

22       SEC. 116. Notwithstanding any other provision of  
23 law, any funds made available to a military department  
24 or defense agency for the construction of military projects  
25 may be obligated for a military construction project or



1 contract, or for any portion of such a project or contract,  
2 at any time before the end of the fourth fiscal year after  
3 the fiscal year for which funds for such project were made  
4 available, if the funds obligated for such project: (1) are  
5 obligated from funds available for military construction  
6 projects; and (2) do not exceed the amount appropriated  
7 for such project, plus any amount by which the cost of  
8 such project is increased pursuant to law.

9 (INCLUDING TRANSFER OF FUNDS)

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

1 purposes and for the same period of time as amounts ap-  
2 propriated directly to the Fund: *Provided*, That appropria-  
3 tions made available to the Funds shall be available to  
4 cover the costs, as defined in section 502 of the Congres-  
5 sional Budget Act of 1974, of direct loans or loan guaran-  
6 tees issued by the Department of Defense pursuant to the  
7 provisions of subchapter IV of chapter 169 of title 10,  
8 United States Code, pertaining to alternative means of ac-  
9 quiring and improving military family housing, military  
10 unaccompanied housing, and supporting facilities.

11 (INCLUDING TRANSFER OF FUNDS)

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

23 SEC. 119. Notwithstanding any other provision of  
24 law, funds made available in this title for operation and  
25 maintenance of family housing shall be the exclusive

1 source of funds for repair and maintenance of all family  
2 housing units, including general or flag officer quarters:  
3 *Provided*, That not more than \$35,000 per unit may be  
4 spent annually for the maintenance and repair of any gen-  
5 eral or flag officer quarters without 30 days prior notifica-  
6 tion, or 14 days for a notification provided in an electronic  
7 medium pursuant to sections 480 and 2883 of title 10,  
8 United States Code, to the Committees on Appropriations  
9 of both Houses of Congress, except that an after-the-fact  
10 notification shall be submitted if the limitation is exceeded  
11 solely due to costs associated with environmental remedi-  
12 ation that could not be reasonably anticipated at the time  
13 of the budget submission: *Provided further*, That the  
14 Under Secretary of Defense (Comptroller) is to report an-  
15 nually to the Committees on Appropriations of both  
16 Houses of Congress all operation and maintenance ex-  
17 penditures for each individual general or flag officer quar-  
18 ters for the prior fiscal year.

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

1 (INCLUDING TRANSFER OF FUNDS)

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

16 SEC. 122. None of the funds made available in this  
17 title may be obligated or expended for planning and design  
18 and construction of projects at Arlington National Ceme-  
19 tery.

20 SEC. 123. All amounts appropriated to the “Depart-  
21 ment of Defense—Military Construction, Army”, “De-  
22 partment of Defense—Military Construction, Navy and  
23 Marine Corps”, “Department of Defense—Military Con-  
24 struction, Air Force”, and “Department of Defense—Mili-  
25 tary Construction, Defense-Wide” accounts pursuant to

1 the authorization of appropriations in a National Defense  
2 Authorization Act specified for fiscal year 2023 in the  
3 funding table in section 4601 of that Act shall be imme-  
4 diately available and allotted to contract for the full scope  
5 of authorized projects.

6       SEC. 124. Notwithstanding section 116 of this Act,  
7 funds made available in this Act or any available unobli-  
8 gated balances from prior appropriations Acts may be obli-  
9 gated before October 1, 2024 for fiscal years 2017 and  
10 2018 military construction projects for which project au-  
11 thorization has not lapsed or for which authorization is  
12 extended for fiscal year 2023 by a National Defense Au-  
13 thorization Act: *Provided*, That no amounts may be obli-  
14 gated pursuant to this section from amounts that were  
15 designated by the Congress as an emergency requirement  
16 pursuant to a concurrent resolution on the budget or the  
17 Balanced Budget and Emergency Deficit Control Act of  
18 1985.

19       SEC. 125. For the purposes of this Act, the term  
20 “congressional defense committees” means the Commit-  
21 tees on Armed Services of the House of Representatives  
22 and the Senate, the Subcommittee on Military Construc-  
23 tion and Veterans Affairs of the Committee on Appropria-  
24 tions of the Senate, and the Subcommittee on Military

1 Construction and Veterans Affairs of the Committee on  
2 Appropriations of the House of Representatives.

3 SEC. 126. For an additional amount for the accounts  
4 and in the amounts specified for planning and design and  
5 unspecified minor construction, for improving military in-  
6 stallation resilience, to remain available until September  
7 30, 2027:

8 “Military Construction, Army”, \$40,000,000;

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

11 “Military Construction, Air Force”,  
12 \$40,000,000; and

13 “Military Construction, Defense-Wide”,  
14 \$15,000,000:

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

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

1       SEC. 127. For an additional amount for the accounts  
2 and in the amounts specified for planning and design, for  
3 child development centers, to remain available until Sep-  
4 tember 30, 2027:

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

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

8             “Military Construction, Air Force”,  
9 \$15,000,000:

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

15       SEC. 128. For an additional amount for “Military  
16 Construction, Air Force”, \$360,000,000, to remain avail-  
17 able until September 30, 2027, for expenses incurred as  
18 a result of natural disasters: *Provided*, That not later than  
19 60 days after the date of enactment of this Act, the Sec-  
20 retary of the Air Force, or their designee, shall submit  
21 to the Committees on Appropriations of both Houses of  
22 Congress an expenditure plan for funds provided under  
23 this section.

24       SEC. 129. For an additional amount for the accounts  
25 and in the amounts specified for planning and design, un-

1 specified minor construction, and authorized major con-  
2 struction projects, for construction improvements to De-  
3 partment of Defense laboratory facilities, to remain avail-  
4 able until September 30, 2027:

5 “Military Construction, Army”, \$40,000,000;

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

8 “Military Construction, Air Force”,  
9 \$30,000,000:

10 *Provided*, That not later than 30 days after the date of  
11 enactment of this Act, the Secretary of the military de-  
12 partment concerned, or their designee, shall submit to the  
13 Committees on Appropriations of both Houses of Congress  
14 an expenditure plan for funds provided under this section:

15 *Provided further*, That the Secretary of the military de-  
16 partment concerned may not obligate or expend any funds  
17 prior to approval by the Committees on Appropriations of  
18 both Houses of Congress of the expenditure plan required  
19 by this section.

20 SEC. 130. For an additional amount for “Military  
21 Construction, Air Force Reserve”, \$8,000,000, to remain  
22 available until September 30, 2027: *Provided*, That such  
23 funds may only be obligated to carry out construction  
24 projects identified in the Department of the Air Force’s  
25 unfunded priority list for fiscal year 2023 submitted to



1 Congress: *Provided further*, That not later than 60 days  
2 after the date of enactment of this Act, the Secretary of  
3 the Air Force, or a duly authorized designee, shall submit  
4 to the Committees on Appropriations of both Houses of  
5 Congress an expenditure plan for funds provided under  
6 this section.

7       SEC. 131. For an additional amount for the accounts  
8 and in the amounts specified to address cost increases  
9 identified subsequent to the fiscal year 2023 budget re-  
10 quest for authorized major construction projects included  
11 in that request, to remain available until September 30,  
12 2027:

13               “Military Construction, Army”, \$253,500,000;

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

16               “Military Construction, Air Force”,  
17 \$30,000,000;

18               “Military Construction, Defense-Wide”,  
19 \$37,897,000;

20               “Military Construction, Army National Guard”,  
21 \$89,000,000;

22               “Military Construction, Air National Guard”,  
23 \$11,000,000;

24               “Military Construction, Army Reserve”,  
25 \$66,000,000; and

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

3 *Provided*, That not later than 30 days after the date of  
4 enactment of this Act, the Secretary of the military de-  
5 partment concerned, or their designee, shall submit to the  
6 Committees on Appropriations of both Houses of Congress  
7 an expenditure plan for funds provided under this section:  
8 *Provided further*, That the Secretary of the military de-  
9 partment concerned may not obligate or expend any funds  
10 prior to approval by the Committees on Appropriations of  
11 both Houses of Congress of the expenditure plan required  
12 by this section.

13       SEC. 132. For an additional amount for “Military  
14 Construction, Defense-Wide” , \$8,000,000, to remain  
15 available until September 30, 2027, to address cost in-  
16 creases for authorized major construction projects funded  
17 by this Act: *Provided*, That not later than 30 days after  
18 the date of enactment of this Act, the Secretary of De-  
19 fense, or their designee, shall submit to the Committees  
20 on Appropriations of both Houses of Congress an expendi-  
21 ture plan for funds provided under this section: *Provided*  
22 *further*, That the Secretary of Defense may not obligate  
23 or expend any funds prior to approval by the Committees  
24 on Appropriations of both Houses of Congress of the ex-  
25 penditure plan required by this section.

1       SEC. 133. For an additional amount for “Military  
2 Construction, Navy and Marine Corps”, \$100,000,000, to  
3 remain available until September 30, 2027, for planning  
4 and design of water treatment and distribution facilities  
5 construction, including relating to improvements of infra-  
6 structure and defueling at the Red Hill Bulk Fuel Storage  
7 Facility: *Provided*, That not later than 180 days after the  
8 date of enactment of this Act, the Secretary of the Navy,  
9 or their designee, shall submit to the Committees on Ap-  
10 propriations of both Houses of Congress an expenditure  
11 plan for funds provided under this section: *Provided fur-*  
12 *ther*, That the Secretary of the Navy may not obligate or  
13 expend any funds prior to approval by the Committees on  
14 Appropriations of both Houses of Congress of the expendi-  
15 ture plan required by this section.

16       SEC. 134. For an additional amount for the accounts  
17 and in the amounts specified for barracks and unaccom-  
18 panied personnel housing, to remain available until Sep-  
19 tember 30, 2027:

20               “Military Construction, Army National Guard”,  
21       \$15,243,000; and

22               “Military Construction, Army Reserve”,  
23       \$68,400,000:

24 *Provided*, That such funds may only be obligated to carry  
25 out construction projects identified in the Department’s

1 unfunded priority list for fiscal year 2023 submitted to  
2 Congress: *Provided further*, That not later than 30 days  
3 after the date of enactment of this Act, the Secretary of  
4 the Army, or their designee, shall submit to the Commit-  
5 tees on Appropriations of both Houses of Congress an ex-  
6 penditure plan for funds provided under this section.

7       SEC. 135. For an additional amount for “Family  
8 Housing Construction, Army” , \$138,783,000, to remain  
9 available until September 30, 2027: *Provided*, That such  
10 funds may only be obligated to carry out construction, im-  
11 provement, and replacement projects identified in the De-  
12 partment of the Army’s cost to complete projects list of  
13 previously appropriated projects submitted to Congress:  
14 *Provided further*, That, of the amount made available  
15 under this section, \$28,900,000 shall be available for  
16 projects within the continental United States: *Provided*  
17 *further*, That such projects are subject to authorization  
18 prior to obligation and expenditure of funds to carry out  
19 construction: *Provided further*, That not later than 30  
20 days after the date of enactment of this Act, the Secretary  
21 of the Army, or their designee, shall submit to the Com-  
22 mittees on Appropriations of both Houses of Congress an  
23 expenditure plan for funds provided under this section.

1       SEC. 136. For an additional amount for the accounts  
2 and in the amounts specified for child development cen-  
3 ters, to remain available until September 30, 2027:

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

5       and

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

8           “Military Construction, Air Force”,  
9       \$22,393,000:

10 *Provided*, That such funds may only be obligated to carry  
11 out construction projects identified in the respective mili-  
12 tary department’s Future Years Defense Program list for  
13 fiscal year 2023 submitted to Congress, or the respective  
14 military department’s cost to complete project list of pre-  
15 viously appropriated projects submitted to Congress: *Pro-*  
16 *vided further*, That not later than 30 days after the date  
17 of enactment of this Act, the Secretary of the military de-  
18 partment concerned, or their designee, shall submit to the  
19 Committees on Appropriations of both Houses of Congress  
20 an expenditure plan for funds provided under this section.

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

6 For the payment of compensation benefits to or on  
7 behalf of veterans and a pilot program for disability ex-  
8 aminations as authorized by section 107 and chapters 11,  
9 13, 18, 51, 53, 55, and 61 of title 38, United States Code;  
10 pension benefits to or on behalf of veterans as authorized  
11 by chapters 15, 51, 53, 55, and 61 of title 38, United  
12 States Code; and burial benefits, the Reinstated Entitle-  
13 ment Program for Survivors, emergency and other offi-  
14 cers' retirement pay, adjusted-service credits and certifi-  
15 cates, payment of premiums due on commercial life insur-  
16 ance policies guaranteed under the provisions of title IV  
17 of the Servicemembers Civil Relief Act (50 U.S.C. App.  
18 541 et seq.) and for other benefits as authorized by sec-  
19 tions 107, 1312, 1977, and 2106, and chapters 23, 51,  
20 53, 55, and 61 of title 38, United States Code,  
21 \$146,778,136,000, which shall become available on Octo-  
22 ber 1, 2023, to remain available until expended: *Provided*,  
23 That not to exceed \$21,423,000 of the amount made avail-  
24 able for fiscal year 2024 under this heading shall be reim-  
25 bursed to "General Operating Expenses, Veterans Bene-

1 fits Administration”, and “Information Technology Sys-  
2 tems” for necessary expenses in implementing the provi-  
3 sions of chapters 51, 53, and 55 of title 38, United States  
4 Code, the funding source for which is specifically provided  
5 as the “Compensation and Pensions” appropriation: *Pro-*  
6 *vided further*, That such sums as may be earned on an  
7 actual qualifying patient basis, shall be reimbursed to  
8 “Medical Care Collections Fund” to augment the funding  
9 of individual medical facilities for nursing home care pro-  
10 vided to pensioners as authorized.

11 READJUSTMENT BENEFITS

12 For the payment of readjustment and rehabilitation  
13 benefits to or on behalf of veterans as authorized by chap-  
14 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and  
15 61 of title 38, United States Code, \$8,452,500,000, which  
16 shall become available on October 1, 2023, to remain  
17 available until expended: *Provided*, That expenses for re-  
18 habilitation program services and assistance which the  
19 Secretary is authorized to provide under subsection (a) of  
20 section 3104 of title 38, United States Code, other than  
21 under paragraphs (1), (2), (5), and (11) of that sub-  
22 section, shall be charged to this account.

23 VETERANS INSURANCE AND INDEMNITIES

24 For military and naval insurance, national service life  
25 insurance, servicemen’s indemnities, service-disabled vet-

1 erans insurance, and veterans mortgage life insurance as  
2 authorized by chapters 19 and 21 of title 38, United  
3 States Code, \$121,126,000, which shall become available  
4 on October 1, 2023, to remain available until expended.

5 VETERANS HOUSING BENEFIT PROGRAM FUND

6 For the cost of direct and guaranteed loans, such  
7 sums as may be necessary to carry out the program, as  
8 authorized by subchapters I through III of chapter 37 of  
9 title 38, United States Code: *Provided*, That such costs,  
10 including the cost of modifying such loans, shall be as de-  
11 fined in section 502 of the Congressional Budget Act of  
12 1974: *Provided further*, That, during fiscal year 2023,  
13 within the resources available, not to exceed \$500,000 in  
14 gross obligations for direct loans are authorized for spe-  
15 cially adapted housing loans.

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

18 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

19 For the cost of direct loans, \$7,171, as authorized  
20 by chapter 31 of title 38, United States Code: *Provided*,  
21 That such costs, including the cost of modifying such  
22 loans, shall be as defined in section 502 of the Congres-  
23 sional Budget Act of 1974: *Provided further*, That funds  
24 made available under this heading are available to sub-



1 sidize gross obligations for the principal amount of direct  
2 loans not to exceed \$942,330.

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

7 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM  
8 ACCOUNT

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

12 GENERAL OPERATING EXPENSES, VETERANS BENEFITS  
13 ADMINISTRATION

14 For necessary operating expenses of the Veterans  
15 Benefits Administration, not otherwise provided for, in-  
16 cluding hire of passenger motor vehicles, reimbursement  
17 of the General Services Administration for security guard  
18 services, and reimbursement of the Department of De-  
19 fense for the cost of overseas employee mail,  
20 \$3,863,000,000: *Provided*, That expenses for services and  
21 assistance authorized under paragraphs (1), (2), (5), and  
22 (11) of section 3104(a) of title 38, United States Code,  
23 that the Secretary of Veterans Affairs determines are nec-  
24 essary to enable entitled veterans: (1) to the maximum ex-  
25 tent feasible, to become employable and to obtain and

1 maintain suitable employment; or (2) to achieve maximum  
2 independence in daily living, shall be charged to this ac-  
3 count: *Provided further*, That, of the funds made available  
4 under this heading, not to exceed 10 percent shall remain  
5 available until September 30, 2024.

6 VETERANS HEALTH ADMINISTRATION

7 MEDICAL SERVICES

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

1 322(d) and 521A of title 38, United States Code, and hos-  
2 pital care and medical services authorized by section 1787  
3 of title 38, United States Code; \$327,000,000, which shall  
4 be in addition to funds previously appropriated under this  
5 heading that become available on October 1, 2022; and,  
6 in addition, \$74,004,000,000, plus reimbursements, shall  
7 become available on October 1, 2023, and shall remain  
8 available until September 30, 2024: *Provided*, That, of the  
9 amount made available on October 1, 2023, under this  
10 heading, \$1,500,000,000 shall remain available until Sep-  
11 tember 30, 2025: *Provided further*, That, notwithstanding  
12 any other provision of law, the Secretary of Veterans Af-  
13 fairs shall establish a priority for the provision of medical  
14 treatment for veterans who have service-connected disabil-  
15 ities, lower income, or have special needs: *Provided further*,  
16 That, notwithstanding any other provision of law, the Sec-  
17 retary of Veterans Affairs shall give priority funding for  
18 the provision of basic medical benefits to veterans in en-  
19 rollment priority groups 1 through 6: *Provided further*,  
20 That, notwithstanding any other provision of law, the Sec-  
21 retary of Veterans Affairs may authorize the dispensing  
22 of prescription drugs from Veterans Health Administra-  
23 tion facilities to enrolled veterans with privately written  
24 prescriptions based on requirements established by the  
25 Secretary: *Provided further*, That the implementation of

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

8 MEDICAL COMMUNITY CARE

9 For necessary expenses for furnishing health care to  
10 individuals pursuant to chapter 17 of title 38, United  
11 States Code, at non-Department facilities,  
12 \$4,300,000,000, which shall be in addition to funds pre-  
13 viously appropriated under this heading that become avail-  
14 able on October 1, 2022; and, in addition,  
15 \$33,000,000,000, plus reimbursements, shall become  
16 available on October 1, 2023, and shall remain available  
17 until September 30, 2024: *Provided*, That, of the amount  
18 made available on October 1, 2023, under this heading,  
19 \$2,000,000,000 shall remain available until September 30,  
20 2025.

21 MEDICAL SUPPORT AND COMPLIANCE

22 For necessary expenses in the administration of the  
23 medical, hospital, nursing home, domiciliary, construction,  
24 supply, and research activities, as authorized by law; ad-  
25 ministrative expenses in support of capital policy activi-

1 ties; and administrative and legal expenses of the Depart-  
2 ment for collecting and recovering amounts owed the De-  
3 partment as authorized under chapter 17 of title 38,  
4 United States Code, and the Federal Medical Care Recov-  
5 ery Act (42 U.S.C. 2651 et seq.), \$1,400,000,000, which  
6 shall be in addition to funds previously appropriated under  
7 this heading that become available on October 1, 2022;  
8 and, in addition, \$12,300,000,000, plus reimbursements,  
9 shall become available on October 1, 2023, and shall re-  
10 main available until September 30, 2024: *Provided*, That,  
11 of the amount made available on October 1, 2023, under  
12 this heading, \$200,000,000 shall remain available until  
13 September 30, 2025.

14 MEDICAL FACILITIES

15 For necessary expenses for the maintenance and op-  
16 eration of hospitals, nursing homes, domiciliary facilities,  
17 and other necessary facilities of the Veterans Health Ad-  
18 ministration; for administrative expenses in support of  
19 planning, design, project management, real property ac-  
20 quisition and disposition, construction, and renovation of  
21 any facility under the jurisdiction or for the use of the  
22 Department; for oversight, engineering, and architectural  
23 activities not charged to project costs; for repairing, alter-  
24 ing, improving, or providing facilities in the several hos-  
25 pitals and homes under the jurisdiction of the Depart-

1 ment, not otherwise provided for, either by contract or by  
2 the hire of temporary employees and purchase of mate-  
3 rials; for leases of facilities; and for laundry services;  
4 \$1,500,000,000, which shall be in addition to funds pre-  
5 viously appropriated under this heading that become avail-  
6 able on October 1, 2022; and, in addition,  
7 \$8,800,000,000, plus reimbursements, shall become avail-  
8 able on October 1, 2023, and shall remain available until  
9 September 30, 2024: *Provided*, That, of the amount made  
10 available on October 1, 2023, under this heading,  
11 \$350,000,000 shall remain available until September 30,  
12 2025.

13 MEDICAL AND PROSTHETIC RESEARCH

14 For necessary expenses in carrying out programs of  
15 medical and prosthetic research and development as au-  
16 thorized by chapter 73 of title 38, United States Code,  
17 \$926,000,000, plus reimbursements, shall remain avail-  
18 able until September 30, 2024: *Provided*, That the Sec-  
19 retary of Veterans Affairs shall ensure that sufficient  
20 amounts appropriated under this heading are available for  
21 prosthetic research specifically for female veterans, and  
22 for toxic exposure research.

23 NATIONAL CEMETERY ADMINISTRATION

24 For necessary expenses of the National Cemetery Ad-  
25 ministration for operations and maintenance, not other-

1 wise provided for, including uniforms or allowances there-  
2 for; cemeterial expenses as authorized by law; purchase  
3 of one passenger motor vehicle for use in cemeterial oper-  
4 ations; hire of passenger motor vehicles; and repair, alter-  
5 ation or improvement of facilities under the jurisdiction  
6 of the National Cemetery Administration, \$430,000,000,  
7 of which not to exceed 10 percent shall remain available  
8 until September 30, 2024.

9 DEPARTMENTAL ADMINISTRATION

10 GENERAL ADMINISTRATION

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary operating expenses of the Department  
13 of Veterans Affairs, not otherwise provided for, including  
14 administrative expenses in support of Department-wide  
15 capital planning, management and policy activities, uni-  
16 forms, or allowances therefor; not to exceed \$25,000 for  
17 official reception and representation expenses; hire of pas-  
18 senger motor vehicles; and reimbursement of the General  
19 Services Administration for security guard services,  
20 \$435,000,000, of which not to exceed 10 percent shall re-  
21 main available until September 30, 2024: *Provided*, That  
22 funds provided under this heading may be transferred to  
23 “General Operating Expenses, Veterans Benefits Adminis-  
24 tration”.

## 1 BOARD OF VETERANS APPEALS

2 For necessary operating expenses of the Board of  
3 Veterans Appeals, \$285,000,000, of which not to exceed  
4 10 percent shall remain available until September 30,  
5 2024.

## 6 INFORMATION TECHNOLOGY SYSTEMS

## 7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses for information technology  
9 systems and telecommunications support, including devel-  
10 opmental information systems and operational information  
11 systems; for pay and associated costs; and for the capital  
12 asset acquisition of information technology systems, in-  
13 cluding management and related contractual costs of said  
14 acquisitions, including contractual costs associated with  
15 operations authorized by section 3109 of title 5, United  
16 States Code, \$5,782,000,000, plus reimbursements: *Pro-*  
17 *vided*, That \$1,494,230,000 shall be for pay and associ-  
18 ated costs, of which not to exceed 3 percent shall remain  
19 available until September 30, 2024: *Provided further*, That  
20 \$4,145,678,000 shall be for operations and maintenance,  
21 of which not to exceed 5 percent shall remain available  
22 until September 30, 2024: *Provided further*, That  
23 \$142,092,000 shall be for information technology systems  
24 development, and shall remain available until September  
25 30, 2024: *Provided further*, That amounts made available



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

21 VETERANS ELECTRONIC HEALTH RECORD

22 For activities related to implementation, preparation,  
23 development, interface, management, rollout, and mainte-  
24 nance of a Veterans Electronic Health Record system, in-  
25 cluding contractual costs associated with operations au-

1 thorized by section 3109 of title 5, United States Code,  
2 and salaries and expenses of employees hired under titles  
3 5 and 38, United States Code, \$1,759,000,000, to remain  
4 available until September 30, 2025: *Provided*, That the  
5 Secretary of Veterans Affairs shall submit to the Commit-  
6 tees on Appropriations of both Houses of Congress quar-  
7 terly reports detailing obligations, expenditures, and de-  
8 ployment implementation by facility, including any  
9 changes from the deployment plan or schedule: *Provided*  
10 *further*, That the funds provided in this account shall only  
11 be available to the Office of the Deputy Secretary, to be  
12 administered by that Office: *Provided further*, That 25  
13 percent of the funds made available under this heading  
14 shall not be available until July 1, 2023, and are contin-  
15 gent upon the Secretary of Veterans Affairs providing a  
16 certification of any changes to the deployment schedules  
17 contained in the plan submitted pursuant to the last pro-  
18 viso under this heading in division J of Public Law 117-  
19 103, an updated plan with benchmarks and measurable  
20 metrics for deployment, and an updated plan for address-  
21 ing all required infrastructure upgrades, no later than 30  
22 days prior to that date to the Committees on Appropria-  
23 tions, and upon approval of the Committees on Appropria-  
24 tions prior to that date.

## 1 OFFICE OF INSPECTOR GENERAL

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

## 7 CONSTRUCTION, MAJOR PROJECTS

8 For constructing, altering, extending, and improving  
9 any of the facilities, including parking projects, under the  
10 jurisdiction or for the use of the Department of Veterans  
11 Affairs, or for any of the purposes set forth in sections  
12 316, 2404, 2406 and chapter 81 of title 38, United States  
13 Code, not otherwise provided for, including planning, ar-  
14 chitectural and engineering services, construction manage-  
15 ment services, maintenance or guarantee period services  
16 costs associated with equipment guarantees provided  
17 under the project, services of claims analysts, offsite utility  
18 and storm drainage system construction costs, and site ac-  
19 quisition, where the estimated cost of a project is more  
20 than the amount set forth in section 8104(a)(3)(A) of title  
21 38, United States Code, or where funds for a project were  
22 made available in a previous major project appropriation,  
23 \$1,371,890,000, of which \$731,722,000 shall remain  
24 available until September 30, 2027, and of which  
25 \$640,168,000 shall remain available until expended, of

1 which \$1,500,000 shall be available for seismic improve-  
2 ment projects and seismic program management activities,  
3 including for projects that would otherwise be funded by  
4 the Construction, Minor Projects, Medical Facilities or  
5 National Cemetery Administration accounts: *Provided*,  
6 That except for advance planning activities, including  
7 needs assessments which may or may not lead to capital  
8 investments, and other capital asset management related  
9 activities, including portfolio development and manage-  
10 ment activities, and planning, cost estimating, and design  
11 for major medical facility projects and major medical facil-  
12 ity leases and investment strategy studies funded through  
13 the advance planning fund and the planning and design  
14 activities funded through the design fund, staffing ex-  
15 penses, and funds provided for the purchase, security, and  
16 maintenance of land for the National Cemetery Adminis-  
17 tration through the land acquisition line item, none of the  
18 funds made available under this heading shall be used for  
19 any project that has not been notified to Congress through  
20 the budgetary process or that has not been approved by  
21 the Congress through statute, joint resolution, or in the  
22 explanatory statement accompanying such Act and pre-  
23 sented to the President at the time of enrollment: *Provided*  
24 *further*, That such sums as may be necessary shall be  
25 available to reimburse the “General Administration” ac-

1 count for payment of salaries and expenses of all Office  
2 of Construction and Facilities Management employees to  
3 support the full range of capital infrastructure services  
4 provided, including minor construction and leasing serv-  
5 ices: *Provided further*, That funds made available under  
6 this heading for fiscal year 2023, for each approved  
7 project shall be obligated: (1) by the awarding of a con-  
8 struction documents contract by September 30, 2023; and  
9 (2) by the awarding of a construction contract by Sep-  
10 tember 30, 2024: *Provided further*, That the Secretary of  
11 Veterans Affairs shall promptly submit to the Committees  
12 on Appropriations of both Houses of Congress a written  
13 report on any approved major construction project for  
14 which obligations are not incurred within the time limita-  
15 tions established above: *Provided further*, That notwith-  
16 standing the requirements of section 8104(a) of title 38,  
17 United States Code, amounts made available under this  
18 heading for seismic improvement projects and seismic pro-  
19 gram management activities shall be available for the com-  
20 pletion of both new and existing seismic projects of the  
21 Department.

22 CONSTRUCTION, MINOR PROJECTS

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

1 Affairs, including planning and assessments of needs  
2 which may lead to capital investments, architectural and  
3 engineering services, maintenance or guarantee period  
4 services costs associated with equipment guarantees pro-  
5 vided under the project, services of claims analysts, offsite  
6 utility and storm drainage system construction costs, and  
7 site acquisition, or for any of the purposes set forth in  
8 sections 316, 2404, 2406 and chapter 81 of title 38,  
9 United States Code, not otherwise provided for, where the  
10 estimated cost of a project is equal to or less than the  
11 amount set forth in section 8104(a)(3)(A) of title 38,  
12 United States Code, \$626,110,000, of which  
13 \$563,499,000 shall remain available until September 30,  
14 2027, and of which \$62,611,000 shall remain available  
15 until expended, along with unobligated balances of pre-  
16 vious “Construction, Minor Projects” appropriations  
17 which are hereby made available for any project where the  
18 estimated cost is equal to or less than the amount set forth  
19 in such section: *Provided*, That funds made available  
20 under this heading shall be for: (1) repairs to any of the  
21 nonmedical facilities under the jurisdiction or for the use  
22 of the Department which are necessary because of loss or  
23 damage caused by any natural disaster or catastrophe;  
24 and (2) temporary measures necessary to prevent or to  
25 minimize further loss by such causes.

1 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE  
2 FACILITIES

3 For grants to assist States to acquire or construct  
4 State nursing home and domiciliary facilities and to re-  
5 model, modify, or alter existing hospital, nursing home,  
6 and domiciliary facilities in State homes, for furnishing  
7 care to veterans as authorized by sections 8131 through  
8 8137 of title 38, United States Code, \$150,000,000, to  
9 remain available until expended.

10 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

11 For grants to assist States and tribal organizations  
12 in establishing, expanding, or improving veterans ceme-  
13 teries as authorized by section 2408 of title 38, United  
14 States Code, \$50,000,000, to remain available until ex-  
15 pended.

16 ASSET AND INFRASTRUCTURE REVIEW

17 For carrying out the VA Asset and Infrastructure  
18 Review Act of 2018 (subtitle A of title II of Public Law  
19 115–182), \$5,000,000, to remain available until Sep-  
20 tember 30, 2024.

21 ADMINISTRATIVE PROVISIONS

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 201. Any appropriation for fiscal year 2023 for  
24 “Compensation and Pensions”, “Readjustment Benefits”,  
25 and “Veterans Insurance and Indemnities” may be trans-

1 ferred as necessary to any other of the mentioned appro-  
2 priations: *Provided*, That, before a transfer may take  
3 place, the Secretary of Veterans Affairs shall request from  
4 the Committees on Appropriations of both Houses of Con-  
5 gress the authority to make the transfer and such Com-  
6 mittees issue an approval, or absent a response, a period  
7 of 30 days has elapsed.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 202. Amounts made available for the Depart-  
10 ment of Veterans Affairs for fiscal year 2023, in this or  
11 any other Act, under the “Medical Services”, “Medical  
12 Community Care”, “Medical Support and Compliance”,  
13 and “Medical Facilities” accounts may be transferred  
14 among the accounts: *Provided*, That any transfers among  
15 the “Medical Services”, “Medical Community Care”, and  
16 “Medical Support and Compliance” accounts of 1 percent  
17 or less of the total amount appropriated to the account  
18 in this or any other Act may take place subject to notifica-  
19 tion from the Secretary of Veterans Affairs to the Com-  
20 mittees on Appropriations of both Houses of Congress of  
21 the amount and purpose of the transfer: *Provided further*,  
22 That any transfers among the “Medical Services”, “Med-  
23 ical Community Care”, and “Medical Support and Compli-  
24 ance” accounts in excess of 1 percent, or exceeding the  
25 cumulative 1 percent for the fiscal year, may take place



1 only after the Secretary requests from the Committees on  
2 Appropriations of both Houses of Congress the authority  
3 to make the transfer and an approval is issued: *Provided*  
4 *further*, That any transfers to or from the “Medical Facili-  
5 ties” account may take place only after the Secretary re-  
6 quests from the Committees on Appropriations of both  
7 Houses of Congress the authority to make the transfer  
8 and an approval is issued.

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

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

21       SEC. 205. No appropriations in this title shall be  
22 available for hospitalization or examination of any persons  
23 (except beneficiaries entitled to such hospitalization or ex-  
24 amination under the laws providing such benefits to vet-  
25 erans, and persons receiving such treatment under sec-

1 tions 7901 through 7904 of title 5, United States Code,  
2 or the Robert T. Stafford Disaster Relief and Emergency  
3 Assistance Act (42 U.S.C. 5121 et seq.), unless reim-  
4 bursement of the cost of such hospitalization or examina-  
5 tion is made to the “Medical Services” account at such  
6 rates as may be fixed by the Secretary of Veterans Affairs.

7       SEC. 206. Appropriations available in this title for  
8 “Compensation and Pensions”, “Readjustment Benefits”,  
9 and “Veterans Insurance and Indemnities” shall be avail-  
10 able for payment of prior year accrued obligations re-  
11 quired to be recorded by law against the corresponding  
12 prior year accounts within the last quarter of fiscal year  
13 2022.

14       SEC. 207. Appropriations available in this title shall  
15 be available to pay prior year obligations of corresponding  
16 prior year appropriations accounts resulting from sections  
17 3328(a), 3334, and 3712(a) of title 31, United States  
18 Code, except that if such obligations are from trust fund  
19 accounts they shall be payable only from “Compensation  
20 and Pensions”.

21                               (INCLUDING TRANSFER OF FUNDS)

22       SEC. 208. Notwithstanding any other provision of  
23 law, during fiscal year 2023, the Secretary of Veterans  
24 Affairs shall, from the National Service Life Insurance  
25 Fund under section 1920 of title 38, United States Code,

1 the Veterans' Special Life Insurance Fund under section  
2 1923 of title 38, United States Code, and the United  
3 States Government Life Insurance Fund under section  
4 1955 of title 38, United States Code, reimburse the "Gen-  
5 eral Operating Expenses, Veterans Benefits Administra-  
6 tion" and "Information Technology Systems" accounts for  
7 the cost of administration of the insurance programs fi-  
8 nanced through those accounts: *Provided*, That reimburse-  
9 ment shall be made only from the surplus earnings accu-  
10 mulated in such an insurance program during fiscal year  
11 2023 that are available for dividends in that program after  
12 claims have been paid and actuarially determined reserves  
13 have been set aside: *Provided further*, That if the cost of  
14 administration of such an insurance program exceeds the  
15 amount of surplus earnings accumulated in that program,  
16 reimbursement shall be made only to the extent of such  
17 surplus earnings: *Provided further*, That the Secretary  
18 shall determine the cost of administration for fiscal year  
19 2023 which is properly allocable to the provision of each  
20 such insurance program and to the provision of any total  
21 disability income insurance included in that insurance pro-  
22 gram.

23       SEC. 209. Amounts deducted from enhanced-use  
24 lease proceeds to reimburse an account for expenses in-  
25 curred by that account during a prior fiscal year for pro-

1 viding enhanced-use lease services shall be available until  
2 expended.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 210. Funds available in this title or funds for  
5 salaries and other administrative expenses shall also be  
6 available to reimburse the Office of Resolution Manage-  
7 ment, Diversity and Inclusion, the Office of Employment  
8 Discrimination Complaint Adjudication, and the Alter-  
9 native Dispute Resolution function within the Office of  
10 Human Resources and Administration for all services pro-  
11 vided at rates which will recover actual costs but not to  
12 exceed \$86,481,000 for the Office of Resolution Manage-  
13 ment, Diversity and Inclusion, \$6,812,000 for the Office  
14 of Employment Discrimination Complaint Adjudication,  
15 and \$4,576,000 for the Alternative Dispute Resolution  
16 function within the Office of Human Resources and Ad-  
17 ministration: *Provided*, That payments may be made in  
18 advance for services to be furnished based on estimated  
19 costs: *Provided further*, That amounts received shall be  
20 credited to the “General Administration” and “Informa-  
21 tion Technology Systems” accounts for use by the office  
22 that provided the service.

23 SEC. 211. No funds of the Department of Veterans  
24 Affairs shall be available for hospital care, nursing home  
25 care, or medical services provided to any person under

1 chapter 17 of title 38, United States Code, for a non-serv-  
2 ice-connected disability described in section 1729(a)(2) of  
3 such title, unless that person has disclosed to the Sec-  
4 retary of Veterans Affairs, in such form as the Secretary  
5 may require, current, accurate third-party reimbursement  
6 information for purposes of section 1729 of such title: *Pro-*  
7 *vided*, That the Secretary may recover, in the same man-  
8 ner as any other debt due the United States, the reason-  
9 able charges for such care or services from any person who  
10 does not make such disclosure as required: *Provided fur-*  
11 *ther*, That any amounts so recovered for care or services  
12 provided in a prior fiscal year may be obligated by the  
13 Secretary during the fiscal year in which amounts are re-  
14 ceived.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 212. Notwithstanding any other provision of  
17 law, proceeds or revenues derived from enhanced-use leas-  
18 ing activities (including disposal) may be deposited into  
19 the “Construction, Major Projects” and “Construction,  
20 Minor Projects” accounts and be used for construction  
21 (including site acquisition and disposition), alterations,  
22 and improvements of any medical facility under the juris-  
23 diction or for the use of the Department of Veterans Af-  
24 fairs. Such sums as realized are in addition to the amount

1 provided for in “Construction, Major Projects” and “Con-  
2 struction, Minor Projects”.

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

5 (1) for furnishing recreational facilities, sup-  
6 plies, and equipment; and

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

10 (INCLUDING TRANSFER OF FUNDS)

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

17 SEC. 215. The Secretary of Veterans Affairs may  
18 enter into agreements with Federally Qualified Health  
19 Centers in the State of Alaska and Indian tribes and tribal  
20 organizations which are party to the Alaska Native Health  
21 Compact with the Indian Health Service, to provide  
22 healthcare, including behavioral health and dental care, to  
23 veterans in rural Alaska. The Secretary shall require par-  
24 ticipating veterans and facilities to comply with all appro-  
25 priate rules and regulations, as established by the Sec-

1 retary. The term “rural Alaska” shall mean those lands  
2 which are not within the boundaries of the municipality  
3 of Anchorage or the Fairbanks North Star Borough.

4 (INCLUDING TRANSFER OF FUNDS)

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

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

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 218. Amounts made available under the “Med-  
23 ical Services”, “Medical Community Care”, “Medical Sup-  
24 port and Compliance”, “Medical Facilities”, “General Op-  
25 erating Expenses, Veterans Benefits Administration”,

1 “Board of Veterans Appeals”, “General Administration”,  
2 and “National Cemetery Administration” accounts for fis-  
3 cal year 2023 may be transferred to or from the “Informa-  
4 tion Technology Systems” account: *Provided*, That such  
5 transfers may not result in a more than 10 percent aggre-  
6 gate increase in the total amount made available by this  
7 Act for the “Information Technology Systems” account:  
8 *Provided further*, That, before a transfer may take place,  
9 the Secretary of Veterans Affairs shall request from the  
10 Committees on Appropriations of both Houses of Congress  
11 the authority to make the transfer and an approval is  
12 issued.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 219. Of the amounts appropriated to the De-  
15 partment of Veterans Affairs for fiscal year 2023 for  
16 “Medical Services”, “Medical Community Care”, “Medical  
17 Support and Compliance”, “Medical Facilities”, “Con-  
18 struction, Minor Projects”, and “Information Technology  
19 Systems”, up to \$330,140,000, plus reimbursements, may  
20 be transferred to the Joint Department of Defense—De-  
21 partment of Veterans Affairs Medical Facility Demonstra-  
22 tion Fund, established by section 1704 of the National De-  
23 fense Authorization Act for Fiscal Year 2010 (Public Law  
24 111–84; 123 Stat. 2571) and may be used for operation  
25 of the facilities designated as combined Federal medical



1 facilities as described by section 706 of the Duncan Hun-  
2 ter National Defense Authorization Act for Fiscal Year  
3 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*,  
4 That additional funds may be transferred from accounts  
5 designated in this section to the Joint Department of De-  
6 fense—Department of Veterans Affairs Medical Facility  
7 Demonstration Fund upon written notification by the Sec-  
8 retary of Veterans Affairs to the Committees on Appro-  
9 priations of both Houses of Congress: *Provided further*,  
10 That section 220 of title II of division J of Public Law  
11 117–103 is repealed.

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 220. Of the amounts appropriated to the De-  
14 partment of Veterans Affairs which become available on  
15 October 1, 2023, for “Medical Services”, “Medical Com-  
16 munity Care”, “Medical Support and Compliance”, and  
17 “Medical Facilities”, up to \$314,825,000, plus reimburse-  
18 ments, may be transferred to the Joint Department of De-  
19 fense—Department of Veterans Affairs Medical Facility  
20 Demonstration Fund, established by section 1704 of the  
21 National Defense Authorization Act for Fiscal Year 2010  
22 (Public Law 111–84; 123 Stat. 2571) and may be used  
23 for operation of the facilities designated as combined Fed-  
24 eral medical facilities as described by section 706 of the  
25 Duncan Hunter National Defense Authorization Act for

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

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 221. Such sums as may be deposited into the  
10 Medical Care Collections Fund pursuant to section 1729A  
11 of title 38, United States Code, for healthcare provided  
12 at facilities designated as combined Federal medical facili-  
13 ties as described by section 706 of the Duncan Hunter  
14 National Defense Authorization Act for Fiscal Year 2009  
15 (Public Law 110–417; 122 Stat. 4500) shall also be avail-  
16 able: (1) for transfer to the Joint Department of De-  
17 fense—Department of Veterans Affairs Medical Facility  
18 Demonstration Fund, established by section 1704 of the  
19 National Defense Authorization Act for Fiscal Year 2010  
20 (Public Law 111–84; 123 Stat. 2571); and (2) for oper-  
21 ations of the facilities designated as combined Federal  
22 medical facilities as described by section 706 of the Dun-  
23 can Hunter National Defense Authorization Act for Fiscal  
24 Year 2009 (Public Law 110–417; 122 Stat. 4500): *Pro-*  
25 *vided*, That, notwithstanding section 1704(b)(3) of the

1 National Defense Authorization Act for Fiscal Year 2010  
2 (Public Law 111–84; 123 Stat. 2573), amounts trans-  
3 ferred to the Joint Department of Defense—Department  
4 of Veterans Affairs Medical Facility Demonstration Fund  
5 shall remain available until expended.

6 (INCLUDING TRANSFER OF FUNDS)

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

15 SEC. 223. The Secretary of Veterans Affairs shall no-  
16 tify the Committees on Appropriations of both Houses of  
17 Congress of all bid savings in a major construction project  
18 that total at least \$5,000,000, or 5 percent of the pro-  
19 grammed amount of the project, whichever is less: *Pro-*  
20 *vided*, That such notification shall occur within 14 days  
21 of a contract identifying the programmed amount: *Pro-*  
22 *vided further*, That the Secretary shall notify the Commit-  
23 tees on Appropriations of both Houses of Congress 14  
24 days prior to the obligation of such bid savings and shall  
25 describe the anticipated use of such savings.

1       SEC. 224. None of the funds made available for  
2 “Construction, Major Projects” may be used for a project  
3 in excess of the scope specified for that project in the origi-  
4 nal justification data provided to the Congress as part of  
5 the request for appropriations unless the Secretary of Vet-  
6 erans Affairs receives approval from the Committees on  
7 Appropriations of both Houses of Congress.

8       SEC. 225. Not later than 30 days after the end of  
9 each fiscal quarter, the Secretary of Veterans Affairs shall  
10 submit to the Committees on Appropriations of both  
11 Houses of Congress a quarterly report containing perform-  
12 ance measures and data from each Veterans Benefits Ad-  
13 ministration Regional Office: *Provided*, That, at a min-  
14 imum, the report shall include the direction contained in  
15 the section entitled “Disability claims backlog”, under the  
16 heading “General Operating Expenses, Veterans Benefits  
17 Administration” in the joint explanatory statement accom-  
18 panying Public Law 114–223: *Provided further*, That the  
19 report shall also include information on the number of ap-  
20 peals pending at the Veterans Benefits Administration as  
21 well as the Board of Veterans Appeals on a quarterly  
22 basis.

23       SEC. 226. The Secretary of Veterans Affairs shall  
24 provide written notification to the Committees on Appro-  
25 priations of both Houses of Congress 15 days prior to or-

1 ganizational changes which result in the transfer of 25 or  
2 more full-time equivalents from one organizational unit of  
3 the Department of Veterans Affairs to another.

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

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 228. The Secretary of Veterans Affairs, upon  
11 determination that such action is necessary to address  
12 needs of the Veterans Health Administration, may trans-  
13 fer to the “Medical Services” account any discretionary  
14 appropriations made available for fiscal year 2023 in this  
15 title (except appropriations made to the “General Oper-  
16 ating Expenses, Veterans Benefits Administration” ac-  
17 count) or any discretionary unobligated balances within  
18 the Department of Veterans Affairs, including those ap-  
19 propriated for fiscal year 2023, that were provided in ad-  
20 vance by appropriations Acts: *Provided*, That transfers  
21 shall be made only with the approval of the Office of Man-  
22 agement and Budget: *Provided further*, That the transfer  
23 authority provided in this section is in addition to any  
24 other transfer authority provided by law: *Provided further*,  
25 That no amounts may be transferred from amounts that

1 were designated by Congress as an emergency requirement  
2 pursuant to a concurrent resolution on the budget or the  
3 Balanced Budget and Emergency Deficit Control Act of  
4 1985: *Provided further*, That such authority to transfer  
5 may not be used unless for higher priority items, based  
6 on emergent healthcare requirements, than those for  
7 which originally appropriated and in no case where the  
8 item for which funds are requested has been denied by  
9 Congress: *Provided further*, That, upon determination that  
10 all or part of the funds transferred from an appropriation  
11 are not necessary, such amounts may be transferred back  
12 to that appropriation and shall be available for the same  
13 purposes as originally appropriated: *Provided further*,  
14 That before a transfer may take place, the Secretary of  
15 Veterans Affairs shall request from the Committees on  
16 Appropriations of both Houses of Congress the authority  
17 to make the transfer and receive approval of that request.

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 229. Amounts made available for the Depart-  
20 ment of Veterans Affairs for fiscal year 2023, under the  
21 “Board of Veterans Appeals” and the “General Operating  
22 Expenses, Veterans Benefits Administration” accounts  
23 may be transferred between such accounts: *Provided*, That  
24 before a transfer may take place, the Secretary of Vet-  
25 erans Affairs shall request from the Committees on Appro-

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

3       SEC. 230. The Secretary of Veterans Affairs may not  
4 reprogram funds among major construction projects or  
5 programs if such instance of reprogramming will exceed  
6 \$7,000,000, unless such reprogramming is approved by  
7 the Committees on Appropriations of both Houses of Con-  
8 gress.

9       SEC. 231. (a) The Secretary of Veterans Affairs shall  
10 ensure that the toll-free suicide hotline under section  
11 1720F(h) of title 38, United States Code—

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

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

17       (b)(1) None of the funds made available by this Act  
18 may be used to enforce or otherwise carry out any Execu-  
19 tive action that prohibits the Secretary of Veterans Affairs  
20 from appointing an individual to occupy a vacant civil  
21 service position, or establishing a new civil service position,  
22 at the Department of Veterans Affairs with respect to  
23 such a position relating to the hotline specified in sub-  
24 section (a).

25               (2) In this subsection—

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

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

5                 (i) any Executive order, Presidential  
6                 memorandum, or other action by the President;  
7                 and

8                 (ii) any agency policy, order, or other di-  
9                 rective.

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

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

17                 (A) determine the number of veterans who con-  
18                 tact the hotline specified in subsection (a) and who  
19                 receive follow up services from the hotline or mental  
20                 health services from the Department of Veterans Af-  
21                 fairs thereafter;

22                 (B) determine the number of veterans who con-  
23                 tact the hotline who are not referred to, or do not  
24                 continue receiving, mental health care who commit  
25                 suicide; and



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

3 SEC. 232. Effective during the period beginning on  
4 October 1, 2018, and ending on January 1, 2024, none  
5 of the funds made available to the Secretary of Veterans  
6 Affairs by this or any other Act may be obligated or ex-  
7 pended in contravention of the “Veterans Health Adminis-  
8 tration Clinical Preventive Services Guidance Statement  
9 on the Veterans Health Administration’s Screening for  
10 Breast Cancer Guidance” published on May 10, 2017, as  
11 issued by the Veterans Health Administration National  
12 Center for Health Promotion and Disease Prevention.

13 SEC. 233. Subchapter II of chapter 17 of title 38,  
14 United States Code, is amended by adding at the end the  
15 following new section (and conforming the table of sections  
16 at the beginning of such chapter accordingly):

17 **“§ 1720K. Infertility counseling and treatment; reim-**  
18 **bursement of adoption expenses**

19 “(a) INFERTILITY COUNSELING AND TREATMENT.—  
20 (1) Pursuant to regulations the Secretary shall prescribe  
21 to carry out this subsection, the Secretary may provide  
22 infertility counseling and treatment, using assisted repro-  
23 ductive technology, including in vitro fertilization, intra-  
24 uterine insemination, and other advanced reproductive  
25 technologies, to the following:

1           “(A) A veteran—

2                   “(i) who is enrolled in the system of an-  
3           nual patient enrollment established and oper-  
4           ated under section 1705 of this title; and

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

7                           “(I) has a service-connected disability  
8                           or condition causing or aggravating infer-  
9                           tility; or

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

13           “(B) The spouse of a veteran described in sub-  
14           paragraph (A), or the partner of a veteran described  
15           in subparagraph (A) whom the veteran designates  
16           for purposes of this subsection.

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

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

22           “(C) The Secretary may not provide assisted repro-  
23           ductive technology services or medical services to third-  
24           party donors.

1       “(3)(A) The Secretary may contract with a facility  
2 to furnish the cryopreservation, storage, and transpor-  
3 tation of gametes and embryos.

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

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

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

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

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

21       “(B) In furnishing in vitro fertilization to a covered  
22 individual pursuant to this subsection, the Secretary is re-  
23 sponsible only for payment of the costs of the in vitro fer-  
24 tilization services.

1       “(C) The Secretary may not furnish an in vitro fer-  
2 tilization cycle to a covered individual under this sub-  
3 section unless the Secretary receives consent for such cycle  
4 from each of the following:

5           “(i) The covered individual.

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

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

10       “(6) In this subsection:

11           “(A) The term ‘covered individual’ means a vet-  
12 eran, spouse, or partner who receives infertility  
13 counseling and treatment under paragraph (1).

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

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

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

23           “(E) The term ‘third-party donor’ means an in-  
24 dividual who consents to donate the gametes or em-

1 bryo of the individual for use in treatment furnished  
2 pursuant to this subsection.

3 “(b) ADOPTION REIMBURSEMENT.—(1) Pursuant to  
4 regulations the Secretary shall prescribe to carry out this  
5 subsection, the Secretary may reimburse an eligible vet-  
6 eran for qualifying adoption expenses incurred by the vet-  
7 eran in the adoption of a child.

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

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

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

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

17 “(ii) is infertile as a result of having re-  
18 ceived medically necessary treatment pursuant  
19 to this chapter.

20 “(3) An adoption for which expenses may be reim-  
21 bursed under this subsection includes an adoption by a  
22 single person, an infant adoption, an intercountry adop-  
23 tion, or an adoption of a child with special needs (as de-  
24 fined in section 473(c) of the Social Security Act (42  
25 U.S.C. 673(c))).

1       “(4) The Secretary may reimburse an eligible veteran  
2 for qualifying adoption expenses under this subsection  
3 only after the adoption is final.

4       “(5) The Secretary may not reimburse an eligible vet-  
5 eran for qualifying adoption expenses under this sub-  
6 section for any expense paid to or for the veteran under  
7 any other adoption benefits program administered by the  
8 Federal Government or under any such program adminis-  
9 tered by a State or local government.

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

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

17       “(B) In prescribing regulations to carry out this sub-  
18 section, the Secretary shall establish minimum and max-  
19 imum amounts for the reimbursement of qualifying adop-  
20 tion expenses.

21       “(7) In this subsection:

22               “(A) Notwithstanding section 101 of this title,  
23 the term ‘child’ means an individual who is under  
24 the age of eighteen years.

1           “(B) The term ‘qualified adoption agency’  
2 means—

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

6           “(ii) a nonprofit, voluntary adoption agen-  
7 cy that is authorized by State or local law to  
8 place children for adoption;

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

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

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

20           “(II) a certificate of citizenship has  
21 been issued for such child under section  
22 322 of that Act (8 U.S.C. 1433).

23           “(C) The term ‘qualifying adoption expenses’  
24 means reasonable and necessary expenses that are  
25 directly related to the legal adoption of a child, but

1       only if such adoption is arranged by a qualified  
2       adoption agency. Such term does not include any ex-  
3       pense incurred—

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

5               “(ii) in connection with an adoption ar-  
6       ranged in violation of Federal, State, or local  
7       law.

8       “(D) The term ‘reasonable and necessary ex-  
9       penses’ includes—

10              “(i) public and private agency fees, includ-  
11       ing adoption fees charged by an agency in a  
12       foreign country;

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

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

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

21       SEC. 234. None of the funds appropriated or other-  
22       wise made available by this Act or any other Act for the  
23       Department of Veterans Affairs may be used in a manner  
24       that is inconsistent with: (1) section 842 of the Transpor-  
25       tation, Treasury, Housing and Urban Development, the



1 Judiciary, the District of Columbia, and Independent  
2 Agencies Appropriations Act, 2006 (Public Law 109–115;  
3 119 Stat. 2506); or (2) section 8110(a)(5) of title 38,  
4 United States Code.

5       SEC. 235. Section 842 of Public Law 109–115 shall  
6 not apply to conversion of an activity or function of the  
7 Veterans Health Administration, Veterans Benefits Ad-  
8 ministration, or National Cemetery Administration to con-  
9 tractor performance by a business concern that is at least  
10 51 percent owned by one or more Indian tribes as defined  
11 in section 5304(e) of title 25, United States Code, or one  
12 or more Native Hawaiian Organizations as defined in sec-  
13 tion 637(a)(15) of title 15, United States Code.

14       SEC. 236. (a) Except as provided in subsection (b),  
15 the Secretary of Veterans Affairs, in consultation with the  
16 Secretary of Defense and the Secretary of Labor, shall dis-  
17 continue using Social Security account numbers to identify  
18 individuals in all information systems of the Department  
19 of Veterans Affairs as follows:

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

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

1           (b) The Secretary of Veterans Affairs may use a So-  
2 cial Security account number to identify an individual in  
3 an information system of the Department of Veterans Af-  
4 fairs if and only if the use of such number is required  
5 to obtain information the Secretary requires from an in-  
6 formation system that is not under the jurisdiction of the  
7 Secretary.

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

10          SEC. 237. For funds provided to the Department of  
11 Veterans Affairs for each of fiscal year 2023 and 2024  
12 for “Medical Services”, section 239 of division A of Public  
13 Law 114–223 shall apply.

14          SEC. 238. None of the funds appropriated in this or  
15 prior appropriations Acts or otherwise made available to  
16 the Department of Veterans Affairs may be used to trans-  
17 fer any amounts from the Filipino Veterans Equity Com-  
18 pensation Fund to any other account within the Depart-  
19 ment of Veterans Affairs.

20          SEC. 239. Of the funds provided to the Department  
21 of Veterans Affairs for each of fiscal year 2023 and fiscal  
22 year 2024 for “Medical Services”, funds may be used in  
23 each year to carry out and expand the child care program  
24 authorized by section 205 of Public Law 111–163, not-  
25 withstanding subsection (e) of such section.

1        SEC. 240. None of the funds appropriated or other-  
2 wise made available in this title may be used by the Sec-  
3 retary of Veterans Affairs to enter into an agreement re-  
4 lated to resolving a dispute or claim with an individual  
5 that would restrict in any way the individual from speak-  
6 ing to members of Congress or their staff on any topic  
7 not otherwise prohibited from disclosure by Federal law  
8 or required by Executive order to be kept secret in the  
9 interest of national defense or the conduct of foreign af-  
10 fairs.

11        SEC. 241. For funds provided to the Department of  
12 Veterans Affairs for each of fiscal year 2023 and 2024,  
13 section 258 of division A of Public Law 114–223 shall  
14 apply.

15        SEC. 242. (a) None of the funds appropriated or oth-  
16 erwise made available by this Act may be used to deny  
17 an Inspector General funded under this Act timely access  
18 to any records, documents, or other materials available to  
19 the department or agency over which that Inspector Gen-  
20 eral has responsibilities under the Inspector General Act  
21 of 1978 (5 U.S.C. App.), or to prevent or impede the ac-  
22 cess of the Inspector General to such records, documents,  
23 or other materials, under any provision of law, except a  
24 provision of law that expressly refers to such Inspector  
25 General and expressly limits the right of access.

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

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

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

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

19 SEC. 244. None of the funds appropriated or other-  
20 wise made available by this Act to the Veterans Health  
21 Administration may be used in fiscal year 2023 to convert  
22 any program which received specific purpose funds in fis-  
23 cal year 2022 to a general purpose funded program unless  
24 the Secretary of Veterans Affairs submits written notifica-  
25 tion of any such proposal to the Committees on Appropria-

1 tions of both Houses of Congress at least 30 days prior  
2 to any such action and an approval is issued by the Com-  
3 mittees.

4       SEC. 245. (a) Except as provided by subsection (b),  
5 none of the funds made available by this Act may be used  
6 by the Secretary of Veterans Affairs to purchase, breed,  
7 transport, house, feed, maintain, dispose of, or experiment  
8 on, dogs or cats as part of the conduct of any study includ-  
9 ing an assignment of pain category D or E, as defined  
10 by the Pain and Distress Categories of the Department  
11 of Agriculture (or such successor categories developed pur-  
12 suant to section 13 of the Animal Welfare Act (7 U.S.C.  
13 2143)).

14       (b) Subsection (a) shall not apply to training pro-  
15 grams or studies of service dogs described in section 1714  
16 of title 38, United States Code, or section 17.148 of title  
17 38, Code of Federal Regulations.

18       SEC. 246. Amounts made available for the “Veterans  
19 Health Administration, Medical Community Care” ac-  
20 count in this or any other Act for fiscal years 2023 and  
21 2024 may be used for expenses that would otherwise be  
22 payable from the Veterans Choice Fund established by  
23 section 802 of the Veterans Access, Choice, and Account-  
24 ability Act, as amended (38 U.S.C. 1701 note).

1       SEC. 247. Obligations and expenditures applicable to  
2 the “Medical Services” account in fiscal years 2017  
3 through 2019 for aid to state homes (as authorized by  
4 section 1741 of title 38, United States Code) shall remain  
5 in the “Medical Community Care” account for such fiscal  
6 years.

7       SEC. 248. Of the amounts made available for the De-  
8 partment of Veterans Affairs for fiscal year 2023, in this  
9 or any other Act, under the “Veterans Health Administra-  
10 tion—Medical Services”, “Veterans Health Administra-  
11 tion—Medical Community Care”, “Veterans Health Ad-  
12 ministration—Medical Support and Compliance”, and  
13 “Veterans Health Administration—Medical Facilities” ac-  
14 counts, \$911,119,000 shall be made available for gender-  
15 specific care and programmatic efforts to deliver care for  
16 women veterans.

17                                   (INCLUDING TRANSFER OF FUNDS)

18       SEC. 249. Amounts made available for the Depart-  
19 ment of Veterans Affairs for “Medical Facilities” and  
20 “General Administration” in this Act or prior Acts that  
21 remain available for obligation in fiscal year 2023 may be  
22 transferred as necessary to the “Asset and Infrastructure  
23 Review” account for the purposes of carrying out the VA  
24 Asset and Infrastructure Review Act of 2018 (subtitle A  
25 of title II of Public Law 115–182): *Provided*, That the

1 total amounts transferred may not increase the account  
2 by more than \$2,000,000: *Provided further*, That in ad-  
3 vance of any such transfer, the Secretary of Veterans Af-  
4 fairs shall request from the Committees on Appropriations  
5 of both Houses of Congress the authority to make the  
6 transfer and such Committees issue an approval, or absent  
7 a response, a period of 30 days has elapsed.

8 (RESCISSION OF FUNDS)

9 SEC. 250. Of the unobligated balances in the “Recur-  
10 ring Expenses Transformational Fund” established in sec-  
11 tion 243 of division J of Public Law 114–113,  
12 \$48,132,853 is hereby rescinded.

13 SEC. 251. Not later than 30 days after the end of  
14 each fiscal quarter, the Secretary of Veterans Affairs shall  
15 submit to the Committees on Appropriations of both  
16 Houses of Congress a quarterly report on the status of  
17 the “Veterans Medical Care and Health Fund”, estab-  
18 lished to execute section 8002 of the American Rescue  
19 Plan Act of 2021 (Public Law 117–2): *Provided*, That,  
20 at a minimum, the report shall include an update on obli-  
21 gations by program, project or activity and a plan for ex-  
22 pending the remaining funds: *Provided further*, That the  
23 Secretary of Veterans Affairs must submit notification of  
24 any plans to reallocate funds from the current apporportion-  
25 ment categories of “Medical Services”, “Medical Support

1 and Compliance”, “Medical Facilities”, “Medical Commu-  
2 nity Care”, or “Medical and Prosthetic Research”, includ-  
3 ing the amount and purpose of each reallocation to the  
4 Committees on Appropriations of both Houses of Congress  
5 and such Committees issue an approval, or absent a re-  
6 sponse, a period of 30 days has elapsed.

7       SEC. 252. By no later than September 30, 2023, the  
8 Secretary shall commence construction of the Community-  
9 Based Outpatient Clinic in Bakersfield, California in ac-  
10 cordance with Lease No. 36C10F20L0008.

### 11                                   TITLE III

#### 12                                   RELATED AGENCIES

##### 13                   AMERICAN BATTLE MONUMENTS COMMISSION

##### 14                                   SALARIES AND EXPENSES

15       For necessary expenses, not otherwise provided for,  
16 of the American Battle Monuments Commission, including  
17 the acquisition of land or interest in land in foreign coun-  
18 tries; purchases and repair of uniforms for caretakers of  
19 national cemeteries and monuments outside of the United  
20 States and its territories and possessions; rent of office  
21 and garage space in foreign countries; purchase (one-for-  
22 one replacement basis only) and hire of passenger motor  
23 vehicles; not to exceed \$15,000 for official reception and  
24 representation expenses; and insurance of official motor  
25 vehicles in foreign countries, when required by law of such



1 countries, \$87,500,000, to remain available until ex-  
2 pended.

3 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

4 For necessary expenses, not otherwise provided for,  
5 of the American Battle Monuments Commission, such  
6 sums as may be necessary, to remain available until ex-  
7 pended, for purposes authorized by section 2109 of title  
8 36, United States Code.

9 UNITED STATES COURT OF APPEALS FOR VETERANS

10 CLAIMS

11 SALARIES AND EXPENSES

12 For necessary expenses for the operation of the  
13 United States Court of Appeals for Veterans Claims as  
14 authorized by sections 7251 through 7298 of title 38,  
15 United States Code, \$45,159,000: *Provided*, That  
16 \$3,385,000 shall be available for the purpose of providing  
17 financial assistance as described and in accordance with  
18 the process and reporting procedures set forth under this  
19 heading in Public Law 102–229.

20 DEPARTMENT OF DEFENSE—CIVIL

21 CEMETERIAL EXPENSES, ARMY

22 SALARIES AND EXPENSES

23 For necessary expenses for maintenance, operation,  
24 and improvement of Arlington National Cemetery and Sol-  
25 diers' and Airmen's Home National Cemetery, including

1 the purchase or lease of passenger motor vehicles for re-  
2 placement on a one-for-one basis only, and not to exceed  
3 \$2,000 for official reception and representation expenses,  
4 \$93,400,000, of which not to exceed \$15,000,000 shall re-  
5 main available until September 30, 2025. In addition,  
6 such sums as may be necessary for parking maintenance,  
7 repairs and replacement, to be derived from the “Lease  
8 of Department of Defense Real Property for Defense  
9 Agencies” account.

10 CONSTRUCTION

11 For necessary expenses for planning and design and  
12 construction at Arlington National Cemetery and Soldiers’  
13 and Airmen’s Home National Cemetery, \$62,500,000, to  
14 remain available until expended, of which \$2,500,000 shall  
15 be for study, planning and design, and architect and engi-  
16 neering services for Memorial Avenue improvements at Ar-  
17 lington National Cemetery; and \$60,000,000 shall be for  
18 planning and design and construction associated with the  
19 Southern Expansion project at Arlington National Ceme-  
20 tery.

21 ARMED FORCES RETIREMENT HOME

22 TRUST FUND

23 For expenses necessary for the Armed Forces Retire-  
24 ment Home to operate and maintain the Armed Forces  
25 Retirement Home—Washington, District of Columbia,

1 and the Armed Forces Retirement Home—Gulfport, Mis-  
2 sissippi, to be paid from funds available in the Armed  
3 Forces Retirement Home Trust Fund, \$75,360,000, to re-  
4 main available until September 30, 2024, of which  
5 \$7,300,000 shall remain available until expended for con-  
6 struction and renovation of the physical plants at the  
7 Armed Forces Retirement Home—Washington, District of  
8 Columbia, and the Armed Forces Retirement Home—  
9 Gulfport, Mississippi: *Provided*, That of the amounts made  
10 available under this heading from funds available in the  
11 Armed Forces Retirement Home Trust Fund,  
12 \$25,000,000 shall be paid from the general fund of the  
13 Treasury to the Trust Fund.

14 MAJOR CONSTRUCTION

15 For an additional amount for necessary expenses re-  
16 lated to design, planning, and construction for renovation  
17 of the Sheridan Building at the Armed Forces Retirement  
18 Home—Washington, District of Columbia, \$77,000,000,  
19 to remain available until expended, shall be paid from the  
20 general fund of the Treasury to the Armed Forces Retire-  
21 ment Home Trust Fund.

22 ADMINISTRATIVE PROVISION

23 SEC. 301. Amounts deposited into the special account  
24 established under 10 U.S.C. 7727 are appropriated and

1 shall be available until expended to support activities at  
2 the Army National Military Cemeteries.

3 TITLE IV

4 GENERAL PROVISIONS

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

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

15 SEC. 403. All departments and agencies funded under  
16 this Act are encouraged, within the limits of the existing  
17 statutory authorities and funding, to expand their use of  
18 “E-Commerce” technologies and procedures in the con-  
19 duct of their business practices and public service activi-  
20 ties.

21 SEC. 404. Unless stated otherwise, all reports and no-  
22 tifications required by this Act shall be submitted to the  
23 Subcommittee on Military Construction and Veterans Af-  
24 fairs, and Related Agencies of the Committee on Appro-  
25 priations of the House of Representatives and the Sub-

1 committee on Military Construction and Veterans Affairs,  
2 and Related Agencies of the Committee on Appropriations  
3 of the Senate.

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

9 SEC. 406. None of the funds made available in this  
10 Act may be used for a project or program named for an  
11 individual serving as a Member, Delegate, or Resident  
12 Commissioner of the United States House of Representa-  
13 tives.

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

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

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

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

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

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

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

13           SEC. 409. None of the funds made available in this  
14 Act may be used by an agency of the executive branch  
15 to pay for first-class travel by an employee of the agency  
16 in contravention of sections 301–10.122 through 301–  
17 10.124 of title 41, Code of Federal Regulations.

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

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

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

Union Calendar No. 299

117<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 8238**

[Report No. 117-391]

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## **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.

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JUNE 27, 2022

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