

**Calendar No. 114**117TH CONGRESS  
1ST SESSION**S. 2604****[Report No. 117-35]**

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2022, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

AUGUST 4, 2021

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

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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, 2022, 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, 2022, 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, \$991,762,000, to re-  
14 main available until September 30, 2026: *Provided*, That,  
15 of this amount, not to exceed \$165,619,000 shall be avail-  
16 able for study, planning, design, architect and engineer  
17 services, and host nation support, as authorized by law,  
18 unless the Secretary of the Army determines that addi-  
19 tional obligations are necessary for such purposes and no-  
20 tifies the Committees on Appropriations of both Houses  
21 of Congress of the determination and the reasons therefor:  
22 *Provided further*, That of the amount made available  
23 under this heading, \$147,070,000 shall be for the projects  
24 and activities, and in the amounts, specified under the  
25 heading “Military Construction, Army” in the report to

1 accompany this Act, in addition to amounts otherwise  
2 available for such purposes.

3 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

4 For acquisition, construction, installation, and equip-  
5 ment of temporary or permanent public works, naval in-  
6 stallations, facilities, and real property for the Navy and  
7 Marine Corps as currently authorized by law, including  
8 personnel in the Naval Facilities Engineering Command  
9 and other personal services necessary for the purposes of  
10 this appropriation, \$2,452,247,000, to remain available  
11 until September 30, 2026: *Provided*, That, of this amount,  
12 not to exceed \$396,652,000 shall be available for study,  
13 planning, design, and architect and engineer services, as  
14 authorized by law, unless the Secretary of the Navy deter-  
15 mines that additional obligations are necessary for such  
16 purposes and notifies the Committees on Appropriations  
17 of both Houses of Congress of the determination and the  
18 reasons therefor: *Provided further*, That of the amount  
19 made available under this heading, \$469,145,000 shall be  
20 for the projects and activities, and in the amounts, speci-  
21 fied under the heading “Military Construction, Navy and  
22 Marine Corps” in the report to accompany this Act, in  
23 addition 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, \$2,106,750,000, to remain  
6 available until September 30, 2026: *Provided*, That, of  
7 this amount, not to exceed \$262,175,000 shall be available  
8 for study, planning, design, and architect and engineer  
9 services, as authorized by law, unless the Secretary of the  
10 Air Force determines that additional obligations are nec-  
11 essary for such purposes and notifies the Committees on  
12 Appropriations of both Houses of Congress of the deter-  
13 mination and the reasons therefor: *Provided further*, That  
14 of the amount made available under this heading,  
15 \$269,060,000 shall be for the projects and activities, and  
16 in the amounts, specified under the heading “Military  
17 Construction, Air Force” in the report to accompany this  
18 Act, in addition to amounts otherwise available for such  
19 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 \$2,082,663,000, to remain available until September 30,  
3 2026: *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, not to  
11 exceed \$320,887,000 shall be available for study, plan-  
12 ning, design, and architect and engineer services, as au-  
13 thorized by law, unless the Secretary of Defense deter-  
14 mines that additional obligations are necessary for such  
15 purposes and notifies the Committees on Appropriations  
16 of both Houses of Congress of the determination and the  
17 reasons therefor: *Provided further*, That of the amount  
18 made available under this heading, \$89,955,000 shall be  
19 for the projects and activities, and in the amounts, speci-  
20 fied under the heading “Military Construction, Defense-  
21 Wide” in the report to accompany this Act, in addition  
22 to amounts otherwise available for such purposes.

23 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

24 For construction, acquisition, expansion, rehabilita-  
25 tion, and conversion of facilities for the training and ad-

1 ministration of the Army National Guard, and contribu-  
2 tions therefor, as authorized by chapter 1803 of title 10,  
3 United States Code, and Military Construction Authoriza-  
4 tion Acts, \$315,893,000, to remain available until Sep-  
5 tember 30, 2026: *Provided*, That, of the amount, not to  
6 exceed \$37,725,000 shall be available for study, planning,  
7 design, and architect and engineer services, as authorized  
8 by law, unless the Director of the Army National Guard  
9 determines that additional obligations are necessary for  
10 such purposes and notifies the Committees on Appropria-  
11 tions of both Houses of Congress of the determination and  
12 the reasons therefor: *Provided further*, That of the amount  
13 made available under this heading, \$49,790,000 shall be  
14 for the projects and activities, and in the amounts, speci-  
15 fied under the heading “Military Construction, Army Na-  
16 tional Guard” in the report to accompany this Act, in ad-  
17 dition to amounts otherwise available for such purposes.

18       MILITARY CONSTRUCTION, AIR NATIONAL GUARD

19       For construction, acquisition, expansion, rehabilita-  
20 tion, and conversion of facilities for the training and ad-  
21 ministration of the Air National Guard, and contributions  
22 therefor, as authorized by chapter 1803 of title 10, United  
23 States Code, and Military Construction Authorization  
24 Acts, \$298,550,000, to remain available until September  
25 30, 2026: *Provided*, That, of the amount, not to exceed

1 \$23,682,000 shall be available for study, planning, design,  
2 and architect and engineer services, as authorized by law,  
3 unless the Director of the Air National Guard determines  
4 that additional obligations are necessary for such purposes  
5 and notifies the Committees on Appropriations of both  
6 Houses of Congress of the determination and the reasons  
7 therefor: *Provided further*, That of the amount made avail-  
8 able under this heading, \$97,780,000 shall be for the  
9 projects and activities, and in the amounts, specified  
10 under the heading “Military Construction, Air National  
11 Guard” in the report to accompany this Act, in addition  
12 to amounts otherwise available for such purposes.

13           MILITARY CONSTRUCTION, ARMY RESERVE

14           For construction, acquisition, expansion, rehabilita-  
15 tion, and conversion of facilities for the training and ad-  
16 ministration of the Army Reserve as authorized by chapter  
17 1803 of title 10, United States Code, and Military Con-  
18 struction Authorization Acts, \$94,111,000, to remain  
19 available until September 30, 2026: *Provided*, That, of the  
20 amount, not to exceed \$7,167,000 shall be available for  
21 study, planning, design, and architect and engineer serv-  
22 ices, as authorized by law, unless the Chief of the Army  
23 Reserve determines that additional obligations are nec-  
24 essary for such purposes and notifies the Committees on  
25 Appropriations of both Houses of Congress of the deter-

1 mination and the reasons therefor: *Provided further*, That  
2 of the amount made available under this heading,  
3 \$29,200,000 shall be for the projects and activities, and  
4 in the amounts, specified under the heading “Military  
5 Construction, Army Reserve” in the report to accompany  
6 this Act, in addition to amounts otherwise available for  
7 such purposes.

8           MILITARY CONSTRUCTION, NAVY RESERVE

9           For construction, acquisition, expansion, rehabilita-  
10 tion, and conversion of facilities for the training and ad-  
11 ministration of the reserve components of the Navy and  
12 Marine Corps as authorized by chapter 1803 of title 10,  
13 United States Code, and Military Construction Authoriza-  
14 tion Acts, \$71,804,000, to remain available until Sep-  
15 tember 30, 2026: *Provided*, That, of the amount, not to  
16 exceed \$6,005,000 shall be available for study, planning,  
17 design, and architect and engineer services, as authorized  
18 by law, unless the Secretary of the Navy determines that  
19 additional obligations are necessary for such purposes and  
20 notifies the Committees on Appropriations of both Houses  
21 of Congress 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, \$111,374,000, to remain  
3 available until September 30, 2026: *Provided*, That, of the  
4 amount, not to exceed \$5,830,000 shall be available for  
5 study, planning, design, and architect and engineer serv-  
6 ices, as authorized by law, unless the Chief of the Air  
7 Force Reserve determines that additional obligations are  
8 necessary for such purposes and notifies the Committees  
9 on Appropriations of both Houses of Congress of the de-  
10 termination and the reasons therefor: *Provided further*,  
11 That of the amount made available under this heading,  
12 \$33,000,000 shall be for the projects and activities, and  
13 in the amounts, specified under the heading “Military  
14 Construction, Air Force Reserve” in the report to accom-  
15 pany this Act, in addition to amounts otherwise available  
16 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, \$205,853,000, 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), \$334,639,000, 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 \$99,849,000, to remain available until September 30,  
14 2026.

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, \$391,227,000.

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, \$77,616,000, to remain available until  
2 September 30, 2026.

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, \$357,341,000.

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 \$115,716,000, to remain available until September 30,  
15 2026.

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 \$325,445,000.

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 \$49,785,000.

8 DEPARTMENT OF DEFENSE  
9 FAMILY HOUSING IMPROVEMENT FUND

10 For the Department of Defense Family Housing Im-  
11 provement Fund, \$6,081,000, 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(5) of the Con-  
5 gressional Budget Act of 1974, of direct loans or loan  
6 guarantees issued by the Department of Defense pursuant  
7 to the provisions of subchapter IV of chapter 169 of title  
8 10, United States Code, pertaining to alternative means  
9 of acquiring and improving military family housing, mili-  
10 tary 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 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 122. Amounts appropriated or otherwise made  
18 available in an account funded under the headings in this  
19 title may be transferred among projects and activities  
20 within the account in accordance with the reprogramming  
21 guidelines for military construction and family housing  
22 construction contained in Department of Defense Finan-  
23 cial Management Regulation 7000.14–R, Volume 3, Chap-  
24 ter 7, of March 2011, as in effect on the date of enactment  
25 of this Act.

1       SEC. 123. None of the funds made available in this  
2 title may be obligated or expended for planning and design  
3 and construction of projects at Arlington National Ceme-  
4 tery.

5       SEC. 124. For an additional amount for the accounts  
6 and in the amounts specified, to remain available until  
7 September 30, 2026:

8       “Military Construction, Army”, \$27,000,000;

9       “Military Construction, Navy and Marine Corps”,  
10 \$28,000,000;

11       “Military           Construction,           Defense-Wide”,  
12 \$36,100,000;

13       “Military Construction, Army National Guard”,  
14 \$11,000,000; and

15       “Military Construction, Air National Guard”,  
16 \$19,200,000:

17 *Provided*, That such funds may only be obligated to carry  
18 out construction projects identified in the respective mili-  
19 tary department’s unfunded priority list for fiscal year  
20 2022 submitted to Congress: *Provided further*, That such  
21 projects are subject to authorization prior to obligation  
22 and expenditure of funds to carry out construction: *Pro-*  
23 *vided further*, That not later than 30 days after enactment  
24 of this Act, the Secretary of the military department con-  
25 cerned, or his or her designee, shall submit to the Commit-

1 tees on Appropriations of both Houses of Congress an ex-  
2 penditure plan for funds provided under this section.

3       SEC. 125. All amounts appropriated to the “Depart-  
4 ment of Defense—Military Construction, Army”, “De-  
5 partment of Defense—Military Construction, Navy and  
6 Marine Corps”, “Department of Defense—Military Con-  
7 struction, Air Force”, and “Department of Defense—Mili-  
8 tary Construction, Defense-Wide” accounts pursuant to  
9 the authorization of appropriations in a National Defense  
10 Authorization Act specified for fiscal year 2022 in the  
11 funding table in section 4601 of that Act shall be imme-  
12 diately available and allotted to contract for the full scope  
13 of authorized projects.

14       SEC. 126. Notwithstanding section 116 of this Act  
15 and similar provisions in previous Military Construction,  
16 Veterans Affairs, and Related Agencies appropriations  
17 Acts, funds made available in this Act or any available  
18 unobligated balances from prior appropriations Acts may  
19 be obligated before October 1, 2023 for fiscal year 2017  
20 military construction projects for which project authoriza-  
21 tion has not lapsed or for which authorization is extended  
22 for fiscal year 2022 by a National Defense Authorization  
23 Act: *Provided*, That no amounts may be obligated pursu-  
24 ant to this section from amounts that were designated by  
25 the Congress as an emergency requirement pursuant to

1 a concurrent resolution on the budget or the Balanced  
2 Budget and Emergency Deficit Control Act of 1985.

3 (RESCISSION OF FUNDS)

4 SEC. 127. Of the unobligated balances available to  
5 the Department of Defense from prior appropriations Acts  
6 under the heading “Military Construction, Defense-Wide”,  
7 \$131,000,000 is hereby rescinded: *Provided*, That no  
8 amounts may be rescinded from amounts that were des-  
9 ignated by the Congress for Overseas Contingency Oper-  
10 ations/Global War on Terrorism or as an emergency re-  
11 quirement pursuant to a concurrent resolution on the  
12 budget or the Balanced Budget and Emergency Deficit  
13 Control Act of 1985.

14 SEC. 128. For the purposes of this Act, the term  
15 “congressional defense committees” means the Commit-  
16 tees on Armed Services of the House of Representatives  
17 and the Senate, the Subcommittee on Military Construc-  
18 tion and Veterans Affairs of the Committee on Appropria-  
19 tions of the Senate, and the Subcommittee on Military  
20 Construction and Veterans Affairs of the Committee on  
21 Appropriations of the House of Representatives.

22 SEC. 129. For an additional amount for “Family  
23 Housing Construction, Army”, \$17,500,000 to remain  
24 available until September 30, 2024: *Provided*, That such  
25 funds may only be obligated to carry out construction

1 projects identified in the Army’s cost to complete projects  
2 list of previously appropriated projects submitted to Con-  
3 gress: *Provided further*, That such projects are subject to  
4 authorization prior to obligation and expenditure of funds  
5 to carry out construction: *Provided further*, That not later  
6 than 30 days after enactment of this Act, the Secretary  
7 of the Army, or his or her designee, shall submit to the  
8 Committees on Appropriations of both Houses of Congress  
9 an expenditure plan for funds provided under this section.

10 SEC. 130. For an additional amount for the accounts  
11 and in the amounts specified for planning and design, un-  
12 specified minor construction, and authorized major con-  
13 struction projects, for construction improvements to De-  
14 partment of Defense laboratory facilities, to remain avail-  
15 able until September 30, 2026:

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

17 “Military Construction, Navy and Marine Corps”,  
18 \$15,000,000; and

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

20 *Provided*, That not later than 30 days after enactment of  
21 this Act, the Secretary of the military department con-  
22 cerned, or his or her designee, shall submit to the Commit-  
23 tees on Appropriations of both Houses of Congress an ex-  
24 penditure plan for funds provided under this section: *Pro-*  
25 *vided further*, That the Secretary of the military depart-



1 ment concerned may not obligate or expend any funds  
2 prior to approval by the Committees on Appropriations of  
3 both Houses of Congress of the expenditure plan required  
4 by this section.

5       SEC. 131. For an additional amount for “Military  
6 Construction, Navy and Marine Corps”, \$225,000,000, to  
7 remain available until September 30, 2026, for Shipyard  
8 Infrastructure Optimization Plan unspecified worldwide  
9 construction: *Provided*, That such funds may only be obli-  
10 gated to carry out construction projects identified in the  
11 respective military department’s unfunded priority list for  
12 fiscal year 2022 submitted to Congress: *Provided further*,  
13 That not later than 60 days after enactment of this Act,  
14 the Secretary of the Navy, or her or her designee, shall  
15 submit to the Committees on Appropriations of both  
16 Houses of Congress an expenditure plan for funds pro-  
17 vided under this section.

18       SEC. 132. For an additional amount for “Military  
19 Construction, Defense-Wide”, \$153,000,000, to remain  
20 available until September 30, 2026: *Provided*, That such  
21 funds may only be obligated to carry out construction  
22 projects specified in a National Defense Authorization Act  
23 for fiscal year 2022 in the funding table in section 4601  
24 of that Act: *Provided further*, That not later than 30 days  
25 after enactment of this Act, the Secretary of Defense, or

1 his or her designee, shall submit to the Committees on  
2 Appropriations of both Houses of Congress an expenditure  
3 plan for funds provided under this section.

4       SEC. 133. For an additional amount for the accounts  
5 and in the amounts specified for planning and design and  
6 unspecified minor construction, for improving military in-  
7 stallation resilience, to remain available until September  
8 30, 2026:

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

10       “Military Construction, Navy and Marine Corps”,  
11 \$25,000,000; and

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

13 *Provided*, That not later than 60 days after enactment of  
14 this Act, the Secretary of the military department con-  
15 cerned, or his or her designee, shall submit to the Commit-  
16 tees on Appropriations of both Houses of Congress an ex-  
17 penditure plan for funds provided under this section: *Pro-*  
18 *vided further*, That the Secretary of the military depart-  
19 ment concerned may not obligate or expend any funds  
20 prior to approval by the Committees on Appropriations of  
21 both Houses of Congress of the expenditure plan required  
22 by 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 \$7,347,837,000, which shall be in addition to funds pre-  
22 viously appropriated under this heading that become avail-  
23 able on October 1, 2021, to remain available until ex-  
24 pended; and, in addition, \$147,569,474,000, which shall  
25 become available on October 1, 2022, to remain available

1 until expended: *Provided*, That not to exceed \$20,115,000  
2 of the amount made available for fiscal year 2023 under  
3 this heading shall be reimbursed to “General Operating  
4 Expenses, Veterans Benefits Administration”, and “Infor-  
5 mation Technology Systems” for necessary expenses in  
6 implementing the provisions of chapters 51, 53, and 55  
7 of title 38, United States Code, the funding source for  
8 which is specifically provided as the “Compensation and  
9 Pensions” appropriation: *Provided further*, That such  
10 sums as may be earned on an actual qualifying patient  
11 basis, shall be reimbursed to “Medical Care Collections  
12 Fund” to augment the funding of individual medical facili-  
13 ties for nursing home care provided to pensioners as au-  
14 thorized.

15 READJUSTMENT BENEFITS

16 For the payment of readjustment and rehabilitation  
17 benefits to or on behalf of veterans as authorized by chap-  
18 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and  
19 61 of title 38, United States Code, \$8,906,851,000, which  
20 shall become available on October 1, 2022, to remain  
21 available until expended: *Provided*, That expenses for re-  
22 habilitation program services and assistance which the  
23 Secretary is authorized to provide under subsection (a) of  
24 section 3104 of title 38, United States Code, other than

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

3 VETERANS INSURANCE AND INDEMNITIES

4 For military and naval insurance, national service life  
 5 insurance, servicemen's indemnities, service-disabled vet-  
 6 erans insurance, and veterans mortgage life insurance as  
 7 authorized by chapters 19 and 21 of title 38, United  
 8 States Code, \$109,865,000, which shall become available  
 9 on October 1, 2022, to remain available until expended.

10 VETERANS HOUSING BENEFIT PROGRAM FUND

11 For the cost of direct and guaranteed loans, such  
 12 sums as may be necessary to carry out the program, as  
 13 authorized by subchapters I through III of chapter 37 of  
 14 title 38, United States Code: *Provided*, That such costs,  
 15 including the cost of modifying such loans, shall be as de-  
 16 fined in section 502 of the Congressional Budget Act of  
 17 1974: *Provided further*, That, during fiscal year 2022,  
 18 within the resources available, not to exceed \$500,000 in  
 19 gross obligations for direct loans are authorized for spe-  
 20 cially adapted housing loans.

21 In addition, for administrative expenses to carry out  
 22 the direct and guaranteed loan programs, \$229,500,000.

23 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

24 For the cost of direct loans, \$2,838, as authorized  
 25 by chapter 31 of title 38, United States Code: *Provided*,

1 That such costs, including the cost of modifying such  
 2 loans, shall be as defined in section 502 of the Congres-  
 3 sional Budget Act of 1974: *Provided further*, That funds  
 4 made available under this heading are available to sub-  
 5 sidize gross obligations for the principal amount of direct  
 6 loans not to exceed \$1,662,758.

7 In addition, for administrative expenses necessary to  
 8 carry out the direct loan program, \$429,467, which may  
 9 be paid to the appropriation for “General Operating Ex-  
 10 penses, Veterans Benefits Administration”.

11 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM

12 ACCOUNT

13 For administrative expenses to carry out the direct  
 14 loan program authorized by subchapter V of chapter 37  
 15 of title 38, United States Code, \$1,300,000.

16 GENERAL OPERATING EXPENSES, VETERANS BENEFITS

17 ADMINISTRATION

18 For necessary operating expenses of the Veterans  
 19 Benefits Administration, not otherwise provided for, in-  
 20 cluding hire of passenger motor vehicles, reimbursement  
 21 of the General Services Administration for security guard  
 22 services, and reimbursement of the Department of De-  
 23 fense for the cost of overseas employee mail,  
 24 \$3,486,000,000: *Provided*, That expenses for services and  
 25 assistance authorized under paragraphs (1), (2), (5), and

1 (11) of section 3104(a) of title 38, United States Code,  
2 that the Secretary of Veterans Affairs determines are nec-  
3 essary to enable entitled veterans: (1) to the maximum ex-  
4 tent feasible, to become employable and to obtain and  
5 maintain suitable employment; or (2) to achieve maximum  
6 independence in daily living, shall be charged to this ac-  
7 count: *Provided further*, That, of the funds made available  
8 under this heading, not to exceed 10 percent shall remain  
9 available until September 30, 2023.

10 VETERANS HEALTH ADMINISTRATION

11 MEDICAL SERVICES

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

1 monthly assistance allowances authorized by section  
2 322(d) of title 38, United States Code, grants authorized  
3 by section 521A of title 38, United States Code, and ad-  
4 ministrative expenses necessary to carry out sections  
5 322(d) and 521A of title 38, United States Code, and hos-  
6 pital care and medical services authorized by section 1787  
7 of title 38, United States Code; \$70,323,116,000, plus re-  
8 imbursements, shall become available on October 1, 2022,  
9 and shall remain available until September 30, 2023: *Pro-*  
10 *vided*, That, of the amount made available on October 1,  
11 2022, under this heading, \$1,500,000,000 shall remain  
12 available until September 30, 2024: *Provided further*,  
13 That, notwithstanding any other provision of law, the Sec-  
14 retary of Veterans Affairs shall establish a priority for the  
15 provision of medical treatment for veterans who have serv-  
16 ice-connected disabilities, lower income, or have special  
17 needs: *Provided further*, That, notwithstanding any other  
18 provision of law, the Secretary of Veterans Affairs shall  
19 give priority funding for the provision of basic medical  
20 benefits to veterans in enrollment priority groups 1  
21 through 6: *Provided further*, That, notwithstanding any  
22 other provision of law, the Secretary of Veterans Affairs  
23 may authorize the dispensing of prescription drugs from  
24 Veterans Health Administration facilities to enrolled vet-  
25 erans with privately written prescriptions based on re-



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

9 MEDICAL COMMUNITY CARE

10 For necessary expenses for furnishing health care to  
11 individuals pursuant to chapter 17 of title 38, United  
12 States Code, at non-Department facilities,  
13 \$3,269,000,000, which shall be in addition to funds pre-  
14 viously appropriated under this heading that become avail-  
15 able on October 1, 2021; and, in addition,  
16 \$24,156,659,000, plus reimbursements, shall become  
17 available on October 1, 2022, and shall remain available  
18 until September 30, 2023: *Provided*, That, of the amount  
19 made available on October 1, 2022, under this heading,  
20 \$2,000,000,000 shall remain available until September 30,  
21 2024.

22 MEDICAL SUPPORT AND COMPLIANCE

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

1 ministrative expenses in support of capital policy activi-  
2 ties; and administrative and legal expenses of the Depart-  
3 ment for collecting and recovering amounts owed the De-  
4 partment as authorized under chapter 17 of title 38,  
5 United States Code, and the Federal Medical Care Recov-  
6 ery Act (42 U.S.C. 2651 et seq.), \$9,673,409,000, plus  
7 reimbursements, shall become available on October 1,  
8 2022, and shall remain available until September 30,  
9 2023: *Provided*, That, of the amount made available on  
10 October 1, 2022, under this heading, \$200,000,000 shall  
11 remain available until September 30, 2024.

12 MEDICAL FACILITIES

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

1 rials; for leases of facilities; and for laundry services;  
2 \$7,133,816,000, plus reimbursements, shall become avail-  
3 able on October 1, 2022, and shall remain available until  
4 September 30, 2023: *Provided*, That, of the amount made  
5 available on October 1, 2022, under this heading,  
6 \$350,000,000 shall remain available until September 30,  
7 2024.

8 MEDICAL AND PROSTHETIC RESEARCH

9 For necessary expenses in carrying out programs of  
10 medical and prosthetic research and development as au-  
11 thorized by chapter 73 of title 38, United States Code,  
12 \$882,000,000, plus reimbursements, shall remain avail-  
13 able until September 30, 2023: *Provided*, That the Sec-  
14 retary of Veterans Affairs shall ensure that sufficient  
15 amounts appropriated under this heading are available for  
16 prosthetic research specifically for female veterans, and  
17 for toxic exposure research.

18 NATIONAL CEMETERY ADMINISTRATION

19 For necessary expenses of the National Cemetery Ad-  
20 ministration for operations and maintenance, not other-  
21 wise provided for, including uniforms or allowances there-  
22 for; cemeterial expenses as authorized by law; purchase  
23 of one passenger motor vehicle for use in cemeterial oper-  
24 ations; hire of passenger motor vehicles; and repair, alter-  
25 ation or improvement of facilities under the jurisdiction

1 of the National Cemetery Administration, \$394,000,000,  
2 of which not to exceed 10 percent shall remain available  
3 until September 30, 2023.

4 DEPARTMENTAL ADMINISTRATION

5 GENERAL ADMINISTRATION

6 (INCLUDING TRANSFER OF FUNDS)

7 For necessary operating expenses of the Department  
8 of Veterans Affairs, not otherwise provided for, including  
9 administrative expenses in support of Department-wide  
10 capital planning, management and policy activities, uni-  
11 forms, or allowances therefor; not to exceed \$25,000 for  
12 official reception and representation expenses; hire of pas-  
13 senger motor vehicles; and reimbursement of the General  
14 Services Administration for security guard services,  
15 \$401,200,000, of which not to exceed 10 percent shall re-  
16 main available until September 30, 2023: *Provided*, That  
17 funds provided under this heading may be transferred to  
18 “General Operating Expenses, Veterans Benefits Adminis-  
19 tration”.

20 BOARD OF VETERANS APPEALS

21 For necessary operating expenses of the Board of  
22 Veterans Appeals, \$228,000,000, of which not to exceed  
23 10 percent shall remain available until September 30,  
24 2023.

1                    INFORMATION TECHNOLOGY SYSTEMS  
2                    (INCLUDING TRANSFER OF FUNDS)

3            For necessary expenses for information technology  
4 systems and telecommunications support, including devel-  
5 opmental information systems and operational information  
6 systems; for pay and associated costs; and for the capital  
7 asset acquisition of information technology systems, in-  
8 cluding management and related contractual costs of said  
9 acquisitions, including contractual costs associated with  
10 operations authorized by section 3109 of title 5, United  
11 States Code, \$4,842,800,000, plus reimbursements: *Pro-*  
12 *vided*, That \$1,414,215,000 shall be for pay and associ-  
13 ated costs, of which not to exceed 3 percent shall remain  
14 available until September 30, 2023: *Provided further*, That  
15 \$3,131,585,000 shall be for operations and maintenance,  
16 of which not to exceed 5 percent shall remain available  
17 until September 30, 2023: *Provided further*, That  
18 \$297,000,000 shall be for information technology systems  
19 development, and shall remain available until September  
20 30, 2023: *Provided further*, That amounts made available  
21 for salaries and expenses, operations and maintenance,  
22 and information technology systems development may be  
23 transferred among the three subaccounts after the Sec-  
24 retary of Veterans Affairs requests from the Committees  
25 on Appropriations of both Houses of Congress the author-

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

15 VETERANS ELECTRONIC HEALTH RECORD

16 For activities related to implementation, preparation,  
17 development, interface, management, rollout, and mainte-  
18 nance of a Veterans Electronic Health Record system, in-  
19 cluding contractual costs associated with operations au-  
20 thorized by section 3109 of title 5, United States Code,  
21 and salaries and expenses of employees hired under titles  
22 5 and 38, United States Code, \$2,500,000,000, to remain  
23 available until September 30, 2024: *Provided*, That the  
24 Secretary of Veterans Affairs shall submit to the Commit-  
25 tees on Appropriations of both Houses of Congress quar-

1 terly reports detailing obligations, expenditures, and de-  
 2 ployment implementation by facility, including any  
 3 changes from the deployment plan or schedule: *Provided*  
 4 *further*, That the funds provided in this account shall only  
 5 be available to the Office of the Deputy Secretary, to be  
 6 administered by that Office: *Provided further*, That 25  
 7 percent of the funds made available under this heading  
 8 shall not be available until July 1, 2022, and are contin-  
 9 gent upon the Secretary of Veterans Affairs providing a  
 10 plan with benchmarks and measureable metrics for deploy-  
 11 ment, and a plan for addressing all required infrastructure  
 12 upgrades, no later than 30 days prior to that date to the  
 13 Committees on Appropriations.

14 OFFICE OF INSPECTOR GENERAL

15 For necessary expenses of the Office of Inspector  
 16 General, to include information technology, in carrying out  
 17 the provisions of the Inspector General Act of 1978 (5  
 18 U.S.C. App.), \$239,000,000, of which not to exceed 10  
 19 percent shall remain available until September 30, 2023.

20 CONSTRUCTION, MAJOR PROJECTS

21 For constructing, altering, extending, and improving  
 22 any of the facilities, including parking projects, under the  
 23 jurisdiction or for the use of the Department of Veterans  
 24 Affairs, or for any of the purposes set forth in sections  
 25 316, 2404, 2406 and chapter 81 of title 38, United States

1 Code, not otherwise provided for, including planning, ar-  
2 chitectural and engineering services, construction manage-  
3 ment services, maintenance or guarantee period services  
4 costs associated with equipment guarantees provided  
5 under the project, services of claims analysts, offsite utility  
6 and storm drainage system construction costs, and site ac-  
7 quisition, where the estimated cost of a project is more  
8 than the amount set forth in section 8104(a)(3)(A) of title  
9 38, United States Code, or where funds for a project were  
10 made available in a previous major project appropriation,  
11 \$1,611,000,000, of which \$911,000,000 shall remain  
12 available until September 30, 2026, and of which  
13 \$700,000,000 shall remain available until expended, of  
14 which \$100,000,000 shall be available for seismic improve-  
15 ment projects and seismic program management activities,  
16 including for projects that would otherwise be funded by  
17 the Construction, Minor Projects, Medical Facilities or  
18 National Cemetery Administration accounts: *Provided*,  
19 That except for advance planning activities, including  
20 needs assessments which may or may not lead to capital  
21 investments, and other capital asset management related  
22 activities, including portfolio development and manage-  
23 ment activities, and planning, cost estimating, and design  
24 for major medical facility projects and major medical facil-  
25 ity leases and investment strategy studies funded through



1 the advance planning fund and the planning and design  
2 activities funded through the design fund, staffing ex-  
3 penses, and funds provided for the purchase, security, and  
4 maintenance of land for the National Cemetery Adminis-  
5 tration through the land acquisition line item, none of the  
6 funds made available under this heading shall be used for  
7 any project that has not been notified to Congress through  
8 the budgetary process or that has not been approved by  
9 the Congress through statute, joint resolution, or in the  
10 explanatory statement accompanying such Act and pre-  
11 sented to the President at the time of enrollment: *Provided*  
12 *further*, That such sums as may be necessary shall be  
13 available to reimburse the “General Administration” ac-  
14 count for payment of salaries and expenses of all Office  
15 of Construction and Facilities Management employees to  
16 support the full range of capital infrastructure services  
17 provided, including minor construction and leasing serv-  
18 ices: *Provided further*, That funds made available under  
19 this heading for fiscal year 2022, for each approved  
20 project shall be obligated: (1) by the awarding of a con-  
21 struction documents contract by September 30, 2022; and  
22 (2) by the awarding of a construction contract by Sep-  
23 tember 30, 2023: *Provided further*, That the Secretary of  
24 Veterans Affairs shall promptly submit to the Committees  
25 on Appropriations of both Houses of Congress a written

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

10 CONSTRUCTION, MINOR PROJECTS

11 For constructing, altering, extending, and improving  
12 any of the facilities, including parking projects, under the  
13 jurisdiction or for the use of the Department of Veterans  
14 Affairs, including planning and assessments of needs  
15 which may lead to capital investments, architectural and  
16 engineering services, maintenance or guarantee period  
17 services costs associated with equipment guarantees pro-  
18 vided under the project, services of claims analysts, offsite  
19 utility and storm drainage system construction costs, and  
20 site acquisition, or for any of the purposes set forth in  
21 sections 316, 2404, 2406 and chapter 81 of title 38,  
22 United States Code, not otherwise provided for, where the  
23 estimated cost of a project is equal to or less than the  
24 amount set forth in section 8104(a)(3)(A) of title 38,  
25 United States Code, \$553,000,000, of which

1 \$497,700,000 shall remain available until September 30,  
 2 2026, and of which \$55,300,000 shall remain available  
 3 until expended, along with unobligated balances of pre-  
 4 vious “Construction, Minor Projects” appropriations  
 5 which are hereby made available for any project where the  
 6 estimated cost is equal to or less than the amount set forth  
 7 in such section: *Provided*, That funds made available  
 8 under this heading shall be for: (1) repairs to any of the  
 9 nonmedical facilities under the jurisdiction or for the use  
 10 of the Department which are necessary because of loss or  
 11 damage caused by any natural disaster or catastrophe;  
 12 and (2) temporary measures necessary to prevent or to  
 13 minimize further loss by such causes.

14 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE  
 15 FACILITIES

16 For grants to assist States to acquire or construct  
 17 State nursing home and domiciliary facilities and to re-  
 18 model, modify, or alter existing hospital, nursing home,  
 19 and domiciliary facilities in State homes, for furnishing  
 20 care to veterans as authorized by sections 8131 through  
 21 8137 of title 38, United States Code, \$50,000,000, to re-  
 22 main available until expended.

23 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

24 For grants to assist States and tribal organizations  
 25 in establishing, expanding, or improving veterans ceme-

1 teries as authorized by section 2408 of title 38, United  
2 States Code, \$50,000,000, to remain available until ex-  
3 pended.

4 ASSET INFRASTRUCTURE REVIEW COMMISSION

5 For carrying out the VA Asset and Infrastructure  
6 Review Act of 2018 (subtitle A of title II of Public Law  
7 115–182), \$5,000,000, to remain available until Sep-  
8 tember 30, 2023.

9 ADMINISTRATIVE PROVISIONS

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 201. Any appropriation for fiscal year 2022 for  
12 “Compensation and Pensions”, “Readjustment Benefits”,  
13 and “Veterans Insurance and Indemnities” may be trans-  
14 ferred as necessary to any other of the mentioned appro-  
15 priations: *Provided*, That, before a transfer may take  
16 place, the Secretary of Veterans Affairs shall request from  
17 the Committees on Appropriations of both Houses of Con-  
18 gress the authority to make the transfer and such Com-  
19 mittees issue an approval, or absent a response, a period  
20 of 30 days has elapsed.

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 202. Amounts made available for the Depart-  
23 ment of Veterans Affairs for fiscal year 2022, in this or  
24 any other Act, under the “Medical Services”, “Medical  
25 Community Care”, “Medical Support and Compliance”,

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

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

1 or both; and uniforms or allowances therefore, as author-  
2 ized by sections 5901 through 5902 of title 5, United  
3 States Code.

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

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

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

1 prior year accounts within the last quarter of fiscal year  
2 2021.

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

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 208. Notwithstanding any other provision of  
12 law, during fiscal year 2022, the Secretary of Veterans  
13 Affairs shall, from the National Service Life Insurance  
14 Fund under section 1920 of title 38, United States Code,  
15 the Veterans’ Special Life Insurance Fund under section  
16 1923 of title 38, United States Code, and the United  
17 States Government Life Insurance Fund under section  
18 1955 of title 38, United States Code, reimburse the “Gen-  
19 eral Operating Expenses, Veterans Benefits Administra-  
20 tion” and “Information Technology Systems” accounts for  
21 the cost of administration of the insurance programs fi-  
22 nanced through those accounts: *Provided*, That reimburse-  
23 ment shall be made only from the surplus earnings accu-  
24 mulated in such an insurance program during fiscal year  
25 2022 that are available for dividends in that program after

1 claims have been paid and actuarially determined reserves  
2 have been set aside: *Provided further*, That if the cost of  
3 administration of such an insurance program exceeds the  
4 amount of surplus earnings accumulated in that program,  
5 reimbursement shall be made only to the extent of such  
6 surplus earnings: *Provided further*, That the Secretary  
7 shall determine the cost of administration for fiscal year  
8 2022 which is properly allocable to the provision of each  
9 such insurance program and to the provision of any total  
10 disability income insurance included in that insurance pro-  
11 gram.

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

17 (INCLUDING TRANSFER OF FUNDS)

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



1 exceed \$78,417,225 for the Office of Resolution Manage-  
2 ment, Diversity and Inclusion, \$6,609,000 for the Office  
3 of Employment Discrimination Complaint Adjudication,  
4 and \$3,822,000 for the Alternative Dispute Resolution  
5 function within the Office of Human Resources and Ad-  
6 ministration: *Provided*, That payments may be made in  
7 advance for services to be furnished based on estimated  
8 costs: *Provided further*, That amounts received shall be  
9 credited to the “General Administration” and “Informa-  
10 tion Technology Systems” accounts for use by the office  
11 that provided the service.

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

1 provided in a prior fiscal year may be obligated by the  
2 Secretary during the fiscal year in which amounts are re-  
3 ceived.

4 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 214. Such sums as may be deposited into the  
25 Medical Care Collections Fund pursuant to section 1729A

1 of title 38, United States Code, may be transferred to the  
 2 “Medical Services” and “Medical Community Care” ac-  
 3 counts to remain available until expended for the purposes  
 4 of these accounts.

5         SEC. 215. The Secretary of Veterans Affairs may  
 6 enter into agreements with Federally Qualified Health  
 7 Centers in the State of Alaska and Indian tribes and tribal  
 8 organizations which are party to the Alaska Native Health  
 9 Compact with the Indian Health Service, to provide  
 10 healthcare, including behavioral health and dental care, to  
 11 veterans in rural Alaska. The Secretary shall require par-  
 12 ticipating veterans and facilities to comply with all appro-  
 13 priate rules and regulations, as established by the Sec-  
 14 retary. The term “rural Alaska” shall mean those lands  
 15 which are not within the boundaries of the municipality  
 16 of Anchorage or the Fairbanks North Star Borough.

17                             (INCLUDING TRANSFER OF FUNDS)

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

24         SEC. 217. Not later than 30 days after the end of  
 25 each fiscal quarter, the Secretary of Veterans Affairs shall

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

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 218. Amounts made available under the “Med-  
11 ical Services”, “Medical Community Care”, “Medical Sup-  
12 port and Compliance”, “Medical Facilities”, “General Op-  
13 erating Expenses, Veterans Benefits Administration”,  
14 “Board of Veterans Appeals”, “General Administration”,  
15 and “National Cemetery Administration” accounts for fis-  
16 cal year 2022 may be transferred to or from the “Informa-  
17 tion Technology Systems” account: *Provided*, That such  
18 transfers may not result in a more than 10 percent aggre-  
19 gate increase in the total amount made available by this  
20 Act for the “Information Technology Systems” account:  
21 *Provided further*, That, before a transfer may take place,  
22 the Secretary of Veterans Affairs shall request from the  
23 Committees on Appropriations of both Houses of Congress  
24 the authority to make the transfer and an approval is  
25 issued.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 219. Of the amounts appropriated to the De-  
3 partment of Veterans Affairs for fiscal year 2022 for  
4 “Medical Services”, “Medical Community Care”, “Medical  
5 Support and Compliance”, “Medical Facilities”, “Con-  
6 struction, Minor Projects”, and “Information Technology  
7 Systems”, up to \$379,009,000, plus reimbursements, may  
8 be transferred to the Joint Department of Defense—De-  
9 partment of Veterans Affairs Medical Facility Demonstra-  
10 tion Fund, established by section 1704 of the National De-  
11 fense Authorization Act for Fiscal Year 2010 (Public Law  
12 111–84; 123 Stat. 3571) and may be used for operation  
13 of the facilities designated as combined Federal medical  
14 facilities as described by section 706 of the Duncan Hun-  
15 ter National Defense Authorization Act for Fiscal Year  
16 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*,  
17 That additional funds may be transferred from accounts  
18 designated in this section to the Joint Department of De-  
19 fense—Department of Veterans Affairs Medical Facility  
20 Demonstration Fund upon written notification by the Sec-  
21 retary of Veterans Affairs to the Committees on Appro-  
22 priations of both Houses of Congress: *Provided further*,  
23 That section 220 of title II of division J of Public Law  
24 116–260 is repealed.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 220. Of the amounts appropriated to the De-  
3 partment of Veterans Affairs which become available on  
4 October 1, 2022, for “Medical Services”, “Medical Com-  
5 munity Care”, “Medical Support and Compliance”, and  
6 “Medical Facilities”, up to \$323,242,000, plus reimburse-  
7 ments, may be transferred to the Joint Department of De-  
8 fense—Department of Veterans Affairs Medical Facility  
9 Demonstration Fund, established by section 1704 of the  
10 National Defense Authorization Act for Fiscal Year 2010  
11 (Public Law 111–84; 123 Stat. 3571) and may be used  
12 for operation of the facilities designated as combined Fed-  
13 eral medical facilities as described by section 706 of the  
14 Duncan Hunter National Defense Authorization Act for  
15 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500):  
16 *Provided*, That additional funds may be transferred from  
17 accounts designated in this section to the Joint Depart-  
18 ment of Defense—Department of Veterans Affairs Med-  
19 ical Facility Demonstration Fund upon written notifica-  
20 tion by the Secretary of Veterans Affairs to the Commit-  
21 tees on Appropriations of both Houses of Congress.

22 (INCLUDING TRANSFER OF FUNDS)

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

1 at facilities designated as combined Federal medical facili-  
2 ties as described by section 706 of the Duncan Hunter  
3 National Defense Authorization Act for Fiscal Year 2009  
4 (Public Law 110–417; 122 Stat. 4500) shall also be avail-  
5 able: (1) for transfer to the Joint Department of De-  
6 fense—Department of Veterans Affairs Medical Facility  
7 Demonstration Fund, established by section 1704 of the  
8 National Defense Authorization Act for Fiscal Year 2010  
9 (Public Law 111–84; 123 Stat. 3571); and (2) for oper-  
10 ations of the facilities designated as combined Federal  
11 medical facilities as described by section 706 of the Dun-  
12 can Hunter National Defense Authorization Act for Fiscal  
13 Year 2009 (Public Law 110–417; 122 Stat. 4500): *Pro-*  
14 *vided*, That, notwithstanding section 1704(b)(3) of the  
15 National Defense Authorization Act for Fiscal Year 2010  
16 (Public Law 111–84; 123 Stat. 2573), amounts trans-  
17 ferred to the Joint Department of Defense—Department  
18 of Veterans Affairs Medical Facility Demonstration Fund  
19 shall remain available until expended.

20 (INCLUDING TRANSFER OF FUNDS)

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

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

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

9       SEC. 224. The Secretary of Veterans Affairs shall no-  
10 tify the Committees on Appropriations of both Houses of  
11 Congress of all bid savings in a major construction project  
12 that total at least \$5,000,000, or 5 percent of the pro-  
13 grammed amount of the project, whichever is less: *Pro-*  
14 *vided*, That such notification shall occur within 14 days  
15 of a contract identifying the programmed amount: *Pro-*  
16 *vided further*, That the Secretary shall notify the Commit-  
17 tees on Appropriations of both Houses of Congress 14  
18 days prior to the obligation of such bid savings and shall  
19 describe the anticipated use of such savings.

20       SEC. 225. None of the funds made available for  
21 “Construction, Major Projects” may be used for a project  
22 in excess of the scope specified for that project in the origi-  
23 nal justification data provided to the Congress as part of  
24 the request for appropriations unless the Secretary of Vet-



1 erans Affairs receives approval from the Committees on  
2 Appropriations of both Houses of Congress.

3 SEC. 226. Not later than 30 days after the end of  
4 each fiscal quarter, the Secretary of Veterans Affairs shall  
5 submit to the Committees on Appropriations of both  
6 Houses of Congress a quarterly report containing perform-  
7 ance measures and data from each Veterans Benefits Ad-  
8 ministration Regional Office: *Provided*, That, at a min-  
9 imum, the report shall include the direction contained in  
10 the section entitled “Disability claims backlog”, under the  
11 heading “General Operating Expenses, Veterans Benefits  
12 Administration” in the joint explanatory statement accom-  
13 panying Public Law 114–223: *Provided further*, That the  
14 report shall also include information on the number of ap-  
15 peals pending at the Veterans Benefits Administration as  
16 well as the Board of Veterans Appeals on a quarterly  
17 basis.

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

24 SEC. 228. The Secretary of Veterans Affairs shall  
25 provide on a quarterly basis to the Committees on Appro-

1 priations of both Houses of Congress notification of any  
2 single national outreach and awareness marketing cam-  
3 paign in which obligations exceed \$1,000,000.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 229. The Secretary of Veterans Affairs, upon  
6 determination that such action is necessary to address  
7 needs of the Veterans Health Administration, may trans-  
8 fer to the “Medical Services” account any discretionary  
9 appropriations made available for fiscal year 2022 in this  
10 title (except appropriations made to the “General Oper-  
11 ating Expenses, Veterans Benefits Administration” ac-  
12 count) or any discretionary unobligated balances within  
13 the Department of Veterans Affairs, including those ap-  
14 propriated for fiscal year 2022, that were provided in ad-  
15 vance by appropriations Acts: *Provided*, That transfers  
16 shall be made only with the approval of the Office of Man-  
17 agement and Budget: *Provided further*, That the transfer  
18 authority provided in this section is in addition to any  
19 other transfer authority provided by law: *Provided further*,  
20 That no amounts may be transferred from amounts that  
21 were designated by Congress as an emergency requirement  
22 pursuant to a concurrent resolution on the budget or the  
23 Balanced Budget and Emergency Deficit Control Act of  
24 1985: *Provided further*, That such authority to transfer  
25 may not be used unless for higher priority items, based

1 on emergent healthcare requirements, than those for  
2 which originally appropriated and in no case where the  
3 item for which funds are requested has been denied by  
4 Congress: *Provided further*, That, upon determination that  
5 all or part of the funds transferred from an appropriation  
6 are not necessary, such amounts may be transferred back  
7 to that appropriation and shall be available for the same  
8 purposes as originally appropriated: *Provided further*,  
9 That before a transfer may take place, the Secretary of  
10 Veterans Affairs shall request from the Committees on  
11 Appropriations of both Houses of Congress the authority  
12 to make the transfer and receive approval of that request.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 230. Amounts made available for the Depart-  
15 ment of Veterans Affairs for fiscal year 2022, under the  
16 “Board of Veterans Appeals” and the “General Operating  
17 Expenses, Veterans Benefits Administration” accounts  
18 may be transferred between such accounts: *Provided*, That  
19 before a transfer may take place, the Secretary of Vet-  
20 erans Affairs shall request from the Committees on Appro-  
21 priations of both Houses of Congress the authority to  
22 make the transfer and receive approval of that request.

23 SEC. 231. The Secretary of Veterans Affairs may not  
24 reprogram funds among major construction projects or  
25 programs if such instance of reprogramming will exceed

1 \$7,000,000, unless such reprogramming is approved by  
2 the Committees on Appropriations of both Houses of Con-  
3 gress.

4 SEC. 232. (a) The Secretary of Veterans Affairs shall  
5 ensure that the toll-free suicide hotline under section  
6 1720F(h) of title 38, United States Code—

7 (1) provides to individuals who contact the hot-  
8 line immediate assistance from a trained profes-  
9 sional; and

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

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

20 (2) In this subsection—

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

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

1 (i) any Executive order, presidential memo-  
2 randum, or other action by the President; and

3 (ii) any agency policy, order, or other di-  
4 rective.

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

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

12 (A) determine the number of veterans who con-  
13 tact the hotline specified in subsection (a) and who  
14 receive follow up services from the hotline or mental  
15 health services from the Department of Veterans Af-  
16 fairs thereafter;

17 (B) determine the number of veterans who con-  
18 tact the hotline who are not referred to, or do not  
19 continue receiving, mental health care who commit  
20 suicide; and

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

23 SEC. 233. Effective during the period beginning on  
24 October 1, 2018 and ending on January 1, 2024, none  
25 of the funds made available to the Secretary of Veterans

1 Affairs by this or any other Act may be obligated or ex-  
2 pended in contravention of the “Veterans Health Adminis-  
3 tration Clinical Preventive Services Guidance Statement  
4 on the Veterans Health Administration’s Screening for  
5 Breast Cancer Guidance” published on May 10, 2017, as  
6 issued by the Veterans Health Administration National  
7 Center for Health Promotion and Disease Prevention.

8       SEC. 234. (a) Notwithstanding any other provision  
9 of law, the amounts appropriated or otherwise made avail-  
10 able to the Department of Veterans Affairs for the “Med-  
11 ical Services” account may be used to provide—

12           (1) fertility counseling and treatment using as-  
13 sisted reproductive technology to a covered veteran  
14 or the spouse of a covered veteran; or

15           (2) adoption reimbursement to a covered vet-  
16 eran.

17       (b) In this section:

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

21           (2) The term “covered veteran” means a vet-  
22 eran, as such term is defined in section 101 of title  
23 38, United States Code, who has a service-connected  
24 disability that results in the inability of the veteran  
25 to procreate without the use of fertility treatment.

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

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

19                 (B) such term includes embryo  
20                 cryopreservation and storage without limitation  
21                 on the duration of such cryopreservation and  
22                 storage.

23           (4) The term “adoption reimbursement” means  
24           reimbursement for the adoption-related expenses for  
25           an adoption that is finalized after the date of the en-

1 actment of this Act under the same terms as apply  
2 under the adoption reimbursement program of the  
3 Department of Defense, as authorized in Depart-  
4 ment of Defense Instruction 1341.09, including the  
5 reimbursement limits and requirements set forth in  
6 such instruction.

7 (c) Amounts made available for the purposes speci-  
8 fied in subsection (a) of this section are subject to the  
9 requirements for funds contained in section 508 of division  
10 H of the Consolidated Appropriations Act, 2018 (Public  
11 Law 115–141).

12 SEC. 235. None of the funds appropriated or other-  
13 wise made available by this Act or any other Act for the  
14 Department of Veterans Affairs may be used in a manner  
15 that is inconsistent with: (1) section 842 of the Transpor-  
16 tation, Treasury, Housing and Urban Development, the  
17 Judiciary, the District of Columbia, and Independent  
18 Agencies Appropriations Act, 2006 (Public Law 109–115;  
19 119 Stat. 2506); or (2) section 8110(a)(5) of title 38,  
20 United States Code.

21 SEC. 236. Section 842 of Public Law 109–115 shall  
22 not apply to conversion of an activity or function of the  
23 Veterans Health Administration, Veterans Benefits Ad-  
24 ministration, or National Cemetery Administration to con-  
25 tractor performance by a business concern that is at least



1 51 percent owned by one or more Indian tribes as defined  
2 in section 5304(e) of title 25, United States Code, or one  
3 or more Native Hawaiian Organizations as defined in sec-  
4 tion 637(a)(15) of title 15, United States Code.

5 SEC. 237. (a) Except as provided in subsection (b),  
6 the Secretary of Veterans Affairs, in consultation with the  
7 Secretary of Defense and the Secretary of Labor, shall dis-  
8 continue using Social Security account numbers to identify  
9 individuals in all information systems of the Department  
10 of Veterans Affairs as follows:

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

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

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

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

1       SEC. 238. For funds provided to the Department of  
2 Veterans Affairs for each of fiscal year 2022 and 2023  
3 for “Medical Services”, section 239 of division A of Public  
4 Law 114–223 shall apply.

5       SEC. 239. None of the funds appropriated in this or  
6 prior appropriations Acts or otherwise made available to  
7 the Department of Veterans Affairs may be used to trans-  
8 fer any amounts from the Filipino Veterans Equity Com-  
9 pensation Fund to any other account within the Depart-  
10 ment of Veterans Affairs.

11       SEC. 240. Of the funds provided to the Department  
12 of Veterans Affairs for each of fiscal year 2022 and fiscal  
13 year 2023 for “Medical Services”, funds may be used in  
14 each year to carry out and expand the child care program  
15 authorized by section 205 of Public Law 111–163, not-  
16 withstanding subsection (e) of such section.

17       SEC. 241. None of the funds appropriated or other-  
18 wise made available in this title may be used by the Sec-  
19 retary of Veterans Affairs to enter into an agreement re-  
20 lated to resolving a dispute or claim with an individual  
21 that would restrict in any way the individual from speak-  
22 ing to members of Congress or their staff on any topic  
23 not otherwise prohibited from disclosure by Federal law  
24 or required by Executive order to be kept secret in the

1 interest of national defense or the conduct of foreign af-  
2 fairs.

3 SEC. 242. For funds provided to the Department of  
4 Veterans Affairs for each of fiscal year 2022 and 2023,  
5 section 258 of division A of Public Law 114–223 shall  
6 apply.

7 SEC. 243. (a) None of the funds appropriated or oth-  
8 erwise made available by this Act may be used to deny  
9 an Inspector General funded under this Act timely access  
10 to any records, documents, or other materials available to  
11 the department or agency over which that Inspector Gen-  
12 eral has responsibilities under the Inspector General Act  
13 of 1978 (5 U.S.C. App.), or to prevent or impede the ac-  
14 cess of the Inspector General to such records, documents,  
15 or other materials, under any provision of law, except a  
16 provision of law that expressly refers to such Inspector  
17 General and expressly limits the right of access.

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

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

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

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

11 SEC. 245. None of the funds appropriated or other-  
12 wise made available by this Act to the Veterans Health  
13 Administration may be used in fiscal year 2022 to convert  
14 any program which received specific purpose funds in fis-  
15 cal year 2021 to a general purpose funded program unless  
16 the Secretary of Veterans Affairs submits written notifica-  
17 tion of any such proposal to the Committees on Appropria-  
18 tions of both Houses of Congress at least 30 days prior  
19 to any such action and an approval is issued by the Com-  
20 mittees.

21 SEC. 246. For funds provided to the Department of  
22 Veterans Affairs for each of fiscal year 2022 and 2023,  
23 section 248 of division A of Public Law 114–223 shall  
24 apply.

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

7        (b)(1) The Secretary of Veterans Affairs may approve  
8 the conduct of research commencing on or after October  
9 1, 2019, using canines, felines, or non-human primates if  
10 the Secretary determines that—

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

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

16            (C) the research is consistent with the revised  
17            Department of Veterans Affairs canine research pol-  
18            icy document dated December 15, 2017, including  
19            any subsequent revisions to such document.

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

22        (c) If the Secretary approves any new research pursu-  
23 ant to subsection (b), not later than 30 days before the  
24 commencement of such research, the Secretary shall sub-

1 mit to the Committees on Appropriations of the Senate  
2 and House of Representatives a report describing—

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

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

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

11 (4) the frequency and duration of such re-  
12 search; and

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

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

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

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

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

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

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

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

18          (b) Not later than 180 days after the date of the en-  
19          actment of this Act, the Secretary shall submit to Con-  
20          gress a report on the programs of rehabilitation conducted  
21          under chapter 31 of title 38, United States Code, includ-  
22          ing—

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

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

4           SEC. 249. Amounts made available for the “Veterans  
5           Health Administration, Medical Community Care” ac-  
6           count in this or any other Act for fiscal years 2022 and  
7           2023 may be used for expenses that would otherwise be  
8           payable from the Veterans Choice Fund established by  
9           section 802 of the Veterans Access, Choice, and Account-  
10          ability Act, as amended (38 U.S.C. 1701 note).

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

17          SEC. 251. Of the amounts made available for the De-  
18          partment of Veterans Affairs for fiscal year 2022, in this  
19          or any other Act, under the “Veterans Health Administra-  
20          tion—Medical Services”, “Veterans Health Administra-  
21          tion—Medical Community Care”, “Veterans Health Ad-  
22          ministration—Medical Support and Compliance”, and  
23          “Veterans Health Administration—Medical Facilities” ac-  
24          counts, \$820,446,000 shall be made available for gender-



1 specific care and programmatic efforts to deliver care for  
2 women veterans.

3       SEC. 252. Funds made available in this or any other  
4 Act for any department or agency for fiscal year 2022 that  
5 are received by the Secretary of Veterans Affairs for the  
6 conduct of research or education at a Department medical  
7 center or centers, other than funds appropriated to the  
8 Department of Veterans Affairs, and are transferred to  
9 and administered by a corporation established under sub-  
10 chapter IV of title 38, United States Code, for such pur-  
11 poses pursuant to section 7364(b)(1) of title 38, United  
12 States Code, shall remain available until expended.

13                               (INCLUDING TRANSFER OF FUNDS)

14       SEC. 253. Amounts made available for the Depart-  
15 ment of Veterans Affairs for “Medical Facilities” and  
16 “General Administration” in this Act or prior Acts that  
17 remain available for obligation in fiscal year 2022 may be  
18 transferred as necessary to the “Asset and Infrastructure  
19 Review” account for the purposes of carrying out the VA  
20 Asset and Infrastructure Review Act of 2018 (subtitle A  
21 of title II of Public Law 115–182): *Provided*, That the  
22 total amounts transferred may not increase the account  
23 by more than \$2,000,000: *Provided further*, That in ad-  
24 vance of any such transfer, the Secretary of Veterans Af-  
25 fairs shall request from the Committees on Appropriations

1 of both Houses of Congress the authority to make the  
2 transfer and such Committees issue an approval, or absent  
3 a response, a period of 30 days has elapsed.

4 (RESCISSION OF FUNDS)

5 SEC. 254. (a) Any remaining unobligated balances in  
6 the “Recurring Expenses Transformational Fund” estab-  
7 lished in section 243 of division J of Public Law 114-113  
8 are hereby rescinded immediately upon enactment of this  
9 Act.

10 (b) An amount of additional new budget authority  
11 equivalent to the amount rescinded pursuant to subsection  
12 (a) is hereby appropriated, to remain available until ex-  
13 pended, for facilities infrastructure improvements, includ-  
14 ing non-recurring maintenance, at existing hospitals and  
15 clinics of the Veterans Health Administration, and infor-  
16 mation technology systems improvements and  
17 sustainment, in addition to such other funds as may be  
18 available for such purposes, as follows:

19 (1) 80 percent of the additional new budget au-  
20 thority shall be made available for an additional  
21 amount for “Departmental Administration—Infor-  
22 mation Technology Systems”; and

23 (2) 20 percent of the additional new budget au-  
24 thority shall be made available for an additional

1 amount for “Departmental Administration—Con-  
2 struction, Minor Projects”:

3 *Provided*, That prior to obligation of any of the funds pro-  
4 vided in this subsection, the Secretary of Veterans Affairs  
5 must provide a plan for the execution of the funds appro-  
6 priated in this subsection to the Committees on Appropria-  
7 tions of both Houses of Congress and such Committees  
8 issue an approval, or absent a response, a period of 30  
9 days has elapsed.

10 SEC. 255. Not later than 30 days after the end of  
11 each fiscal quarter, the Secretary of Veterans Affairs shall  
12 submit to the Committees on Appropriations of both  
13 Houses of Congress a quarterly report on the status of  
14 the “Veterans Medical Care and Health Fund”, estab-  
15 lished to execute section 8002 of the American Rescue  
16 Plan Act of 2021 (Public Law 117-2): *Provided*, That, at  
17 a minimum, the report shall include an update on obliga-  
18 tions by program, project or activity and a plan for ex-  
19 pending the remaining funds; *Provided further*, That the  
20 Secretary of Veterans Affairs must submit notification of  
21 any plans to reallocate funds from the current apporportion-  
22 ment categories of “Medical Services”, “Medical Support  
23 and Compliance”, “Medical Facilities”, “Medical Commu-  
24 nity Care”, or “Medical and Prosthetics Research”, in-  
25 cluding the amount and purpose of each reallocation to

1 the Committees on Appropriations of both Houses of Con-  
 2 gress and such Committees issue an approval, or absent  
 3 a response, a period of 30 days has elapsed.

4 SEC. 256. None of the funds appropriated or other-  
 5 wise made available to the Department of Veterans Affairs  
 6 in this Act may be used in a manner that would—

7 (1) interfere with the ability of a veteran to  
 8 participate in a medicinal marijuana program ap-  
 9 proved by a State;

10 (2) deny any services from the Department to  
 11 a veteran who is participating in such a program; or

12 (3) limit or interfere with the ability of a health  
 13 care provider of the Department to make appro-  
 14 priate recommendations, fill out forms, or take steps  
 15 to comply with such a program.

### 16 TITLE III

#### 17 RELATED AGENCIES

##### 18 AMERICAN BATTLE MONUMENTS COMMISSION

##### 19 SALARIES AND EXPENSES

20 For necessary expenses, not otherwise provided for,  
 21 of the American Battle Monuments Commission, including  
 22 the acquisition of land or interest in land in foreign coun-  
 23 tries; purchases and repair of uniforms for caretakers of  
 24 national cemeteries and monuments outside of the United  
 25 States and its territories and possessions; rent of office

1 and garage space in foreign countries; purchase (one-for-  
2 one replacement basis only) and hire of passenger motor  
3 vehicles; not to exceed \$15,000 for official reception and  
4 representation expenses; and insurance of official motor  
5 vehicles in foreign countries, when required by law of such  
6 countries, \$87,500,000, to remain available until ex-  
7 pended.

8 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

9 For necessary expenses, not otherwise provided for,  
10 of the American Battle Monuments Commission, such  
11 sums as may be necessary, to remain available until ex-  
12 pended, for purposes authorized by section 2109 of title  
13 36, United States Code.

14 UNITED STATES COURT OF APPEALS FOR VETERANS

15 CLAIMS

16 SALARIES AND EXPENSES

17 For necessary expenses for the operation of the  
18 United States Court of Appeals for Veterans Claims as  
19 authorized by sections 7251 through 7298 of title 38,  
20 United States Code, \$41,700,000: *Provided*, That  
21 \$3,385,104 shall be available for the purpose of providing  
22 financial assistance as described and in accordance with  
23 the process and reporting procedures set forth under this  
24 heading in Public Law 102-229.

1                   DEPARTMENT OF DEFENSE—CIVIL  
2                   CEMETERIAL EXPENSES, ARMY  
3                   SALARIES AND EXPENSES

4           For necessary expenses for maintenance, operation,  
5 and improvement of Arlington National Cemetery and Sol-  
6 diers' and Airmen's Home National Cemetery, including  
7 the purchase or lease of passenger motor vehicles for re-  
8 placement on a one-for-one basis only, and not to exceed  
9 \$2,000 for official reception and representation expenses,  
10 \$87,000,000, of which not to exceed \$15,000,000 shall re-  
11 main available until September 30, 2024. In addition,  
12 such sums as may be necessary for parking maintenance,  
13 repairs and replacement, to be derived from the "Lease  
14 of Department of Defense Real Property for Defense  
15 Agencies" account.

16                   CONSTRUCTION

17           For necessary expenses for planning and design and  
18 construction at Arlington National Cemetery and Soldiers'  
19 and Airmen's Home National Cemetery, \$141,000,000, to  
20 remain available until expended, for planning and design  
21 and construction associated with the Southern Expansion  
22 project at Arlington National Cemetery.

1                   ARMED FORCES RETIREMENT HOME  
2                                   TRUST FUND

3           For expenses necessary for the Armed Forces Retire-  
4 ment Home to operate and maintain the Armed Forces  
5 Retirement Home—Washington, District of Columbia,  
6 and the Armed Forces Retirement Home—Gulfport, Mis-  
7 sissippi, to be paid from funds available in the Armed  
8 Forces Retirement Home Trust Fund, \$76,300,000, to re-  
9 main available until September 30, 2023, of which  
10 \$8,300,000 shall remain available until expended for con-  
11 struction and renovation of the physical plants at the  
12 Armed Forces Retirement Home—Washington, District of  
13 Columbia, and the Armed Forces Retirement Home—  
14 Gulfport, Mississippi: *Provided*, That of the amounts made  
15 available under this heading from funds available in the  
16 Armed Forces Retirement Home Trust Fund,  
17 \$25,000,000 shall be paid from the general fund of the  
18 Treasury to the Trust Fund.

19                                   ADMINISTRATIVE PROVISION

20           SEC. 301. Amounts deposited into the special account  
21 established under 10 U.S.C. 7727 are appropriated and  
22 shall be available until expended to support activities at  
23 the Army National Military Cemeteries.

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## TITLE IV

### GENERAL PROVISIONS

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

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

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

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



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

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

8 SEC. 406. (a) Any agency receiving funds made avail-  
9 able in this Act, shall, subject to subsections (b) and (c),  
10 post on the public Web site of that agency any report re-  
11 quired to be submitted by the Congress in this or any  
12 other Act, upon the determination by the head of the agen-  
13 cy that it shall serve the national interest.

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

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

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

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

23 SEC. 407. (a) None of the funds made available in  
24 this Act may be used to maintain or establish a computer

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

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

7 SEC. 408. None of the funds made available in this  
8 Act may be used by an agency of the executive branch  
9 to pay for first-class travel by an employee of the agency  
10 in contravention of sections 301–10.122 through 301–  
11 10.124 of title 41, Code of Federal Regulations.

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

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

19 This Act may be cited as the “Military Construction,  
20 Veterans Affairs, and Related Agencies Appropriations  
21 Act, 2022”.



Calendar No. 114

117<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**S. 2604**

[Report No. 117-35]

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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, 2022, and for other purposes.

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August 4, 2021

Read twice and placed on the calendar