

Union Calendar No. 56

117TH CONGRESS
1ST SESSION

H. R. 4355

[Report No. 117-81]

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.

IN THE HOUSE OF REPRESENTATIVES

JULY 2, 2021

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

A BILL

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

1 of Congress of the determination and the reasons therefor:
2 *Provided further*, That of the amount made available
3 under this heading, \$62,010,000 shall be for the projects
4 and activities, and in the amounts, specified under the
5 heading “Military Construction, Army” in the report to
6 accompany this Act, in addition to amounts otherwise
7 available for such purposes.

8 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

9 For acquisition, construction, installation, and equip-
10 ment of temporary or permanent public works, naval in-
11 stallations, facilities, and real property for the Navy and
12 Marine Corps as currently authorized by law, including
13 personnel in the Naval Facilities Engineering Command
14 and other personal services necessary for the purposes of
15 this appropriation, \$1,937,428,000, to remain available
16 until September 30, 2026: *Provided*, That, of this amount,
17 not to exceed \$413,252,000 shall be available for study,
18 planning, design, and architect and engineer services, as
19 authorized by law, unless the Secretary of the Navy deter-
20 mines that additional obligations are necessary for such
21 purposes and notifies the Committees on Appropriations
22 of both Houses of Congress of the determination and the
23 reasons therefor: *Provided further*, That of the amount
24 made available under this heading, \$7,000,000 shall be
25 for the projects and activities, and in the amounts, speci-

1 fied under the heading “Military Construction, Navy and
2 Marine Corps” in the report to accompany this Act, in
3 addition to amounts otherwise available for such purposes.

4 MILITARY CONSTRUCTION, AIR FORCE

5 For acquisition, construction, installation, and equip-
6 ment of temporary or permanent public works, military
7 installations, facilities, and real property for the Air Force
8 as currently authorized by law, \$1,893,690,000, to remain
9 available until September 30, 2026: *Provided*, That, of
10 this amount, not to exceed \$279,301,000 shall be available
11 for study, planning, design, and architect and engineer
12 services, as authorized by law, unless the Secretary of the
13 Air Force determines that additional obligations are nec-
14 essary for such purposes and notifies the Committees on
15 Appropriations of both Houses of Congress of the deter-
16 mination and the reasons therefor: *Provided further*, That
17 of the amount made available under this heading,
18 \$82,000,000 shall be for the projects and activities, and
19 in the amounts, specified under the heading “Military
20 Construction, Air Force” in the report to accompany this
21 Act, in addition to amounts otherwise available for such
22 purposes.

1 MILITARY CONSTRUCTION, DEFENSE-WIDE

2 (INCLUDING TRANSFER OF FUNDS)

3 For acquisition, construction, installation, and equip-
4 ment of temporary or permanent public works, installa-
5 tions, facilities, and real property for activities and agen-
6 cies of the Department of Defense (other than the military
7 departments), as currently authorized by law,
8 \$2,023,416,000, to remain available until September 30,
9 2026: *Provided*, That such amounts of this appropriation
10 as may be determined by the Secretary of Defense may
11 be transferred to such appropriations of the Department
12 of Defense available for military construction or family
13 housing as the Secretary may designate, to be merged with
14 and to be available for the same purposes, and for the
15 same time period, as the appropriation or fund to which
16 transferred: *Provided further*, That, of the amount, not to
17 exceed \$261,313,000 shall be available for study, plan-
18 ning, design, and architect and engineer services, as au-
19 thorized by law, unless the Secretary of Defense deter-
20 mines that additional obligations are necessary for such
21 purposes and notifies the Committees on Appropriations
22 of both Houses of Congress of the determination and the
23 reasons therefor.

1 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

2 For construction, acquisition, expansion, rehabilita-
3 tion, and conversion of facilities for the training and ad-
4 ministration of the Army National Guard, and contribu-
5 tions therefor, as authorized by chapter 1803 of title 10,
6 United States Code, and Military Construction Authoriza-
7 tion Acts, \$335,603,000, to remain available until Sep-
8 tember 30, 2026: *Provided*, That, of the amount, not to
9 exceed \$72,000,000 shall be available for study, planning,
10 design, and architect and engineer services, as authorized
11 by law, unless the Director of the Army National Guard
12 determines that additional obligations are necessary for
13 such purposes and notifies the Committees on Appropria-
14 tions of both Houses of Congress of the determination and
15 the reasons therefor: *Provided further*, That of the amount
16 made available under this heading, \$15,500,000 shall be
17 for the projects and activities, and in the amounts, speci-
18 fied under the heading “Military Construction, Army Na-
19 tional Guard” in the report to accompany this Act, in ad-
20 dition to amounts otherwise available for such purposes.

21 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

22 For construction, acquisition, expansion, rehabilita-
23 tion, and conversion of facilities for the training and ad-
24 ministration of the Air National Guard, and contributions
25 therefor, as authorized by chapter 1803 of title 10, United

1 States Code, and Military Construction Authorization
2 Acts, \$246,770,000, to remain available until September
3 30, 2026: *Provided*, That, of the amount, not to exceed
4 \$28,402,000 shall be available for study, planning, design,
5 and architect and engineer services, as authorized by law,
6 unless the Director of the Air National Guard determines
7 that additional obligations are necessary for such purposes
8 and notifies the Committees on Appropriations of both
9 Houses of Congress of the determination and the reasons
10 therefor: *Provided further*, That of the amount made avail-
11 able under this heading, \$24,000,000 shall be for the
12 projects and activities, and in the amounts, specified
13 under the heading “Military Construction, Air National
14 Guard” in the report to accompany this Act, in addition
15 to amounts otherwise available for such purposes.

16 MILITARY CONSTRUCTION, ARMY RESERVE

17 For construction, acquisition, expansion, rehabilita-
18 tion, and conversion of facilities for the training and ad-
19 ministration of the Army Reserve as authorized by chapter
20 1803 of title 10, United States Code, and Military Con-
21 struction Authorization Acts, \$77,411,000, to remain
22 available until September 30, 2026: *Provided*, That, of the
23 amount, not to exceed \$12,167,000 shall be available for
24 study, planning, design, and architect and engineer serv-
25 ices, as authorized by law, unless the Chief of the Army

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

5 MILITARY CONSTRUCTION, NAVY RESERVE

6 For construction, acquisition, expansion, rehabilita-
7 tion, and conversion of facilities for the training and ad-
8 ministration of the reserve components of the Navy and
9 Marine Corps as authorized by chapter 1803 of title 10,
10 United States Code, and Military Construction Authoriza-
11 tion Acts, \$84,804,000, to remain available until Sep-
12 tember 30, 2026: *Provided*, That, of the amount, not to
13 exceed \$13,005,000 shall be available for study, planning,
14 design, and architect and engineer services, as authorized
15 by law, unless the Secretary of the Navy determines that
16 additional obligations are necessary for such purposes and
17 notifies the Committees on Appropriations of both Houses
18 of Congress of the determination and the reasons therefor.

19 MILITARY CONSTRUCTION, AIR FORCE RESERVE

20 For construction, acquisition, expansion, rehabilita-
21 tion, and conversion of facilities for the training and ad-
22 ministration of the Air Force Reserve as authorized by
23 chapter 1803 of title 10, United States Code, and Military
24 Construction Authorization Acts, \$104,574,000, to remain
25 available until September 30, 2026: *Provided*, That, of the

1 amount, not to exceed \$12,330,000 shall be available for
2 study, planning, design, and architect and engineer serv-
3 ices, as authorized by law, unless the Chief of the Air
4 Force Reserve determines that additional obligations are
5 necessary for such purposes and notifies the Committees
6 on Appropriations of both Houses of Congress of the de-
7 termination and the reasons therefor: *Provided further,*
8 That of the amount made available under this heading,
9 \$8,700,000 shall be for the projects and activities, and in
10 the amounts, specified under the heading “Military Con-
11 struction, Army” in the report to accompany this Act, in
12 addition to amounts otherwise available for such purposes.

13 NORTH ATLANTIC TREATY ORGANIZATION

14 SECURITY INVESTMENT PROGRAM

15 For the United States share of the cost of the North
16 Atlantic Treaty Organization Security Investment Pro-
17 gram for the acquisition and construction of military fa-
18 cilities and installations (including international military
19 headquarters) and for related expenses for the collective
20 defense of the North Atlantic Treaty Area as authorized
21 by section 2806 of title 10, United States Code, and Mili-
22 tary Construction Authorization Acts, \$205,853,000, to
23 remain available until expended.

1 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

2 For deposit into the Department of Defense Base
3 Closure Account, established by section 2906(a) of the De-
4 fense Base Closure and Realignment Act of 1990 (10
5 U.S.C. 2687 note), \$564,639,000, to remain available
6 until expended.

7 FAMILY HOUSING CONSTRUCTION, ARMY

8 For expenses of family housing for the Army for con-
9 struction, including acquisition, replacement, addition, ex-
10 pansion, extension, and alteration, as authorized by law,
11 \$99,849,000, to remain available until September 30,
12 2026.

13 FAMILY HOUSING OPERATION AND MAINTENANCE,

14 ARMY

15 For expenses of family housing for the Army for op-
16 eration and maintenance, including debt payment, leasing,
17 minor construction, principal and interest charges, and in-
18 surance premiums, as authorized by law, \$391,227,000.

19 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE

20 CORPS

21 For expenses of family housing for the Navy and Ma-
22 rine Corps for construction, including acquisition, replace-
23 ment, addition, expansion, extension, and alteration, as
24 authorized by law, \$77,616,000, to remain available until
25 September 30, 2026.

1 leasing, and minor construction, as authorized by law,
2 \$49,785,000.

3 DEPARTMENT OF DEFENSE

4 FAMILY HOUSING IMPROVEMENT FUND

5 For the Department of Defense Family Housing Im-
6 provement Fund, \$6,081,000, to remain available until ex-
7 pended, for family housing initiatives undertaken pursu-
8 ant to section 2883 of title 10, United States Code, pro-
9 viding alternative means of acquiring and improving mili-
10 tary family housing and supporting facilities.

11 DEPARTMENT OF DEFENSE

12 MILITARY UNACCOMPANIED HOUSING IMPROVEMENT

13 FUND

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

21 ADMINISTRATIVE PROVISIONS

22 SEC. 101. None of the funds made available in this
23 title shall be expended for payments under a cost-plus-a-
24 fixed-fee contract for construction, where cost estimates
25 exceed \$25,000, to be performed within the United States,

1 except Alaska, without the specific approval in writing of
2 the Secretary of Defense setting forth the reasons there-
3 for.

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

7 SEC. 103. Funds made available in this title for con-
8 struction may be used for advances to the Federal High-
9 way Administration, Department of Transportation, for
10 the construction of access roads as authorized by section
11 210 of title 23, United States Code, when projects author-
12 ized therein are certified as important to the national de-
13 fense by the Secretary of Defense.

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

18 SEC. 105. None of the funds made available in this
19 title shall be used for purchase of land or land easements
20 in excess of 100 percent of the value as determined by
21 the Army Corps of Engineers or the Naval Facilities Engi-
22 neering Command, except: (1) where there is a determina-
23 tion of value by a Federal court; (2) purchases negotiated
24 by the Attorney General or the designee of the Attorney
25 General; (3) where the estimated value is less than

1 \$25,000; or (4) as otherwise determined by the Secretary
2 of Defense to be in the public interest.

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

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

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

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

23 SEC. 110. None of the funds made available in this
24 title may be used to initiate a new installation overseas

1 without prior notification to the Committees on Appro-
2 priations of both Houses of Congress.

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

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

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

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

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

19 SEC. 116. Notwithstanding any other provision of
20 law, any funds made available to a military department
21 or defense agency for the construction of military projects
22 may be obligated for a military construction project or
23 contract, or for any portion of such a project or contract,
24 at any time before the end of the fourth fiscal year after
25 the fiscal year for which funds for such project were made

1 available, if the funds obligated for such project: (1) are
2 obligated from funds available for military construction
3 projects; and (2) do not exceed the amount appropriated
4 for such project, plus any amount by which the cost of
5 such project is increased pursuant to law.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 117. Subject to 30 days prior notification, or
8 14 days for a notification provided in an electronic me-
9 dium pursuant to sections 480 and 2883 of title 10,
10 United States Code, to the Committees on Appropriations
11 of both Houses of Congress, such additional amounts as
12 may be determined by the Secretary of Defense may be
13 transferred to: (1) the Department of Defense Family
14 Housing Improvement Fund from amounts appropriated
15 for construction in “Family Housing” accounts, to be
16 merged with and to be available for the same purposes
17 and for the same period of time as amounts appropriated
18 directly to the Fund; or (2) the Department of Defense
19 Military Unaccompanied Housing Improvement Fund
20 from amounts appropriated for construction of military
21 unaccompanied housing in “Military Construction” ac-
22 counts, to be merged with and to be available for the same
23 purposes and for the same period of time as amounts ap-
24 propriated directly to the Fund: *Provided*, That appropria-
25 tions made available to the Funds shall be available to

1 cover the costs, as defined in section 502(5) of the Con-
2 gressional Budget Act of 1974, of direct loans or loan
3 guarantees issued by the Department of Defense pursuant
4 to the provisions of subchapter IV of chapter 169 of title
5 10, United States Code, pertaining to alternative means
6 of acquiring and improving military family housing, mili-
7 tary unaccompanied housing, and supporting facilities.

8 (INCLUDING TRANSFER OF FUNDS)

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

20 SEC. 119. Notwithstanding any other provision of
21 law, funds made available in this title for operation and
22 maintenance of family housing shall be the exclusive
23 source of funds for repair and maintenance of all family
24 housing units, including general or flag officer quarters:
25 *Provided*, That not more than \$15,000 per unit may be

1 spent annually for the maintenance and repair of any gen-
2 eral or flag officer quarters without 30 days prior notifica-
3 tion, or 14 days for a notification provided in an electronic
4 medium pursuant to sections 480 and 2883 of title 10,
5 United States Code, to the Committees on Appropriations
6 of both Houses of Congress, except that an after-the-fact
7 notification shall be submitted if the limitation is exceeded
8 solely due to costs associated with environmental remedi-
9 ation that could not be reasonably anticipated at the time
10 of the budget submission.

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

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 121. During the 5-year period after appropria-
19 tions available in this Act to the Department of Defense
20 for military construction and family housing operation and
21 maintenance and construction have expired for obligation,
22 upon a determination that such appropriations will not be
23 necessary for the liquidation of obligations or for making
24 authorized adjustments to such appropriations for obliga-
25 tions incurred during the period of availability of such ap-

1 appropriations, unobligated balances of such appropriations
2 may be transferred into the appropriation “Foreign Cur-
3 rency Fluctuations, Construction, Defense”, to be merged
4 with and to be available for the same time period and for
5 the same purposes as the appropriation to which trans-
6 ferred.

7 SEC. 122. None of the funds made available in this
8 title may be obligated or expended for planning and design
9 and construction of projects at Arlington National Ceme-
10 tery.

11 SEC. 123. All amounts appropriated to the “Depart-
12 ment of Defense—Military Construction, Army”, “De-
13 partment of Defense—Military Construction, Navy and
14 Marine Corps”, “Department of Defense—Military Con-
15 struction, Air Force”, and “Department of Defense—Mili-
16 tary Construction, Defense-Wide” accounts pursuant to
17 the authorization of appropriations in a National Defense
18 Authorization Act specified for fiscal year 2022 in the
19 funding table in section 4601 of that Act shall be imme-
20 diately available and allotted to contract for the full scope
21 of authorized projects.

22 SEC. 124. For the purposes of this Act, the term
23 “congressional defense committees” means the Commit-
24 tees on Armed Services of the House of Representatives
25 and the Senate, the Subcommittee on Military Construc-

1 tion and Veterans Affairs of the Committee on Appropria-
2 tions of the Senate, and the Subcommittee on Military
3 Construction and Veterans Affairs of the Committee on
4 Appropriations of the House of Representatives.

5 SEC. 125. For an additional amount for the accounts
6 and in the amounts specified, to remain available until
7 September 30, 2024:

8 “Military Construction, Army”, \$54,200,000;

9 “Military Construction, Air Force”,
10 \$50,100,000;

11 “Family Housing Construction, Army”,
12 \$31,500,000; and

13 “Military Construction, Army Reserve”,
14 \$14,000,000:

15 *Provided*, That such funds may only be obligated to carry
16 out construction projects identified in the respective mili-
17 tary department’s cost to complete projects list of pre-
18 viously appropriated projects submitted to Congress: *Pro-*
19 *vided further*, That such projects are subject to authoriza-
20 tion prior to obligation and expenditure of funds to carry
21 out construction: *Provided further*, That not later than 30
22 days after enactment of this Act, the Secretary of the mili-
23 tary department concerned, or a duly authorized designee,
24 shall submit to the Committees on Appropriations of both

1 Houses of Congress an expenditure plan for funds pro-
2 vided under this section.

3 SEC. 126. Notwithstanding any other provision of
4 law, none of the funds appropriated or otherwise made
5 available by this or any other Act may be used to consoli-
6 date or relocate any element of a United States Air Force
7 Rapid Engineer Deployable Heavy Operational Repair
8 Squadron Engineer (RED HORSE) outside of the United
9 States until the Secretary of the Air Force: (1) completes
10 an analysis and comparison of the cost and infrastructure
11 investment required to consolidate or relocate a RED
12 HORSE squadron outside of the United States versus
13 within the United States; (2) provides to the Committees
14 on Appropriations of both Houses of Congress (“the Com-
15 mittees”) a report detailing the findings of the cost anal-
16 ysis; and (3) certifies in writing to the Committees that
17 the preferred site for the consolidation or relocation yields
18 the greatest savings for the Air Force: *Provided*, That the
19 term “United States” in this section does not include any
20 territory or possession of the United States.

21 SEC. 127. For an additional amount for the accounts
22 and in the amounts specified, for military construction and
23 planning and design for improving resilience and the ef-
24 fects of climate change on military installations, to remain
25 available until September 30, 2026:

1 “Military Construction, Army”, \$25,000,000;
2 “Military Construction, Navy and Marine
3 Corps”, \$25,000,000;
4 “Military Construction, Air Force”,
5 \$25,000,000; and
6 “Military Construction, Defense-Wide”,
7 \$25,000,000:

8 *Provided*, That not later than 60 days after enactment of
9 this Act, the Secretary of the military department con-
10 cerned, or a duly authorized designee, shall submit to the
11 Committees on Appropriations of both Houses of Congress
12 an expenditure plan for funds provided under this section:
13 *Provided further*, That the Secretary of the military de-
14 partment concerned may not obligate or expend any funds
15 prior to approval by the Committees on Appropriations of
16 both Houses of Congress of the expenditure plan required
17 by this section.

18 SEC. 128. For an additional amount for the accounts
19 and in the amounts specified for child development cen-
20 ters, to remain available until September 30, 2026:

21 “Military Construction, Army”, \$72,000,000;
22 “Military Construction, Navy and Marine
23 Corps”, \$11,000,000; and
24 “Military Construction, Air Force”,
25 \$64,000,000:

1 *Provided*, That such funds may only be obligated to carry
2 out construction projects and planning and design identi-
3 fied in the respective military department’s unfunded pri-
4 ority list for fiscal year 2022 submitted to Congress: *Pro-*
5 *vided further*, That not later than 60 days after enactment
6 of this Act, the Secretary of the military department con-
7 cerned, or a duly authorized 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. 129. For an additional amount for the accounts
11 and in the amounts specified for barracks, to remain avail-
12 able until September 30, 2026:

13 “Military Construction, Army”, \$90,200,000;

14 “Military Construction, Army National Guard”,
15 \$24,800,000; and

16 “Military Construction, Army Reserve”,
17 \$122,200,000:

18 *Provided*, That such funds may only be obligated to carry
19 out construction projects identified in the respective mili-
20 tary department’s unfunded priority list for fiscal year
21 2022 submitted to Congress: *Provided further*, That not
22 later than 60 days after enactment of this Act, the Sec-
23 retary of the military department concerned, or a duly au-
24 thorized designee, shall submit to the Committees on Ap-

1 appropriations of both Houses of Congress an expenditure
2 plan for funds provided under this section.

3 SEC. 130. For an additional amount for “Military
4 Construction, Navy and Marine Corps”, \$225,000,000, to
5 remain available until September 30, 2026, for Shipyard
6 Infrastructure Optimization Plan unspecified worldwide
7 construction: *Provided*, That such funds may only be obli-
8 gated to carry out construction projects identified in the
9 respective military department’s unfunded priority list for
10 fiscal year 2022 submitted to Congress: *Provided further*,
11 That not later than 60 days after enactment of this Act,
12 the Secretary of the military department concerned, or a
13 duly authorized designee, shall submit to the Committees
14 on Appropriations of both Houses of Congress an expendi-
15 ture plan for funds provided under this section.

16 SEC. 131. For an additional amount for “Military
17 Construction, Army National Guard”, \$100,000,000, to
18 remain available until September 30, 2026, for construc-
19 tion associated with the Army National Guard Trans-
20 formation Plan: *Provided*, That not later than 60 days
21 after enactment of this Act, the Secretary of the military
22 department concerned, or a duly authorized designee, shall
23 submit to the Committees on Appropriations of both
24 Houses of Congress an expenditure plan for funds pro-
25 vided under this section.

1 SEC. 132. For an additional amount for the accounts
2 and in the amounts specified for expenses incurred as a
3 result of natural disasters, to remain available until Sep-
4 tember 30, 2026:

5 “Military Construction, Navy and Marine
6 Corps”, \$62,966,000; and

7 “Military Construction, Air Force”,
8 \$100,000,000:

9 *Provided*, That not later than 60 days after enactment of
10 this Act, the Secretary of the military department con-
11 cerned, or a duly authorized designee, shall submit to the
12 Committees on Appropriations of both Houses of Congress
13 an expenditure plan for funds provided under this section.

14 SEC. 133. None of the funds made available by this
15 Act may be used to construct any facilities, nor obligate
16 planning and design, associated with Space Force until the
17 Department of Defense Office of Inspector General and
18 the Government Accountability Office complete the site se-
19 lection reviews.

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 became 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, \$1,400,000.

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 \$3,419,400,000: *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; \$100,000,000, to remain
8 available until September 30, 2023, which shall be in addi-
9 tion to funds previously appropriated under this heading
10 that become available on October 1, 2021; and, in addi-
11 tion, \$70,323,116,000, plus reimbursements, shall become
12 available on October 1, 2022, and shall remain available
13 until September 30, 2023: *Provided*, That, of the amount
14 made available on October 1, 2022, under this heading,
15 \$1,500,000,000 shall remain available until September 30,
16 2024: *Provided further*, That, notwithstanding any other
17 provision of law, the Secretary of Veterans Affairs shall
18 establish a priority for the provision of medical treatment
19 for veterans who have service-connected disabilities, lower
20 income, or have special needs: *Provided further*, That, not-
21 withstanding any other provision of law, the Secretary of
22 Veterans Affairs shall give priority funding for the provi-
23 sion of basic medical benefits to veterans in enrollment
24 priority groups 1 through 6: *Provided further*, That, not-
25 withstanding any other provision of law, the Secretary of

1 Veterans Affairs may authorize the dispensing of prescrip-
2 tion drugs from Veterans Health Administration facilities
3 to enrolled veterans with privately written prescriptions
4 based on requirements established by the Secretary: *Pro-*
5 *vided further*, That the implementation of the program de-
6 scribed in the previous proviso shall incur no additional
7 cost to the Department of Veterans Affairs: *Provided fur-*
8 *ther*, That the Secretary of Veterans Affairs shall ensure
9 that sufficient amounts appropriated under this heading
10 for medical supplies and equipment are available for the
11 acquisition of prosthetics designed specifically for female
12 veterans.

13 MEDICAL COMMUNITY CARE

14 For necessary expenses for furnishing health care to
15 individuals pursuant to chapter 17 of title 38, United
16 States Code, at non-Department facilities,
17 \$3,269,000,000, which shall be in addition to funds pre-
18 viously appropriated under this heading that become avail-
19 able on October 1, 2021; and, in addition,
20 \$24,156,659,000, plus reimbursements, shall become
21 available on October 1, 2022, and shall remain available
22 until September 30, 2023: *Provided*, That, of the amount
23 made available on October 1, 2022, under this heading,
24 \$2,000,000,000 shall remain available until September 30,
25 2024.

1 MEDICAL SUPPORT AND COMPLIANCE

2 For necessary expenses in the administration of the
3 medical, hospital, nursing home, domiciliary, construction,
4 supply, and research activities, as authorized by law; ad-
5 ministrative expenses in support of capital policy activi-
6 ties; and administrative and legal expenses of the Depart-
7 ment for collecting and recovering amounts owed the De-
8 partment as authorized under chapter 17 of title 38,
9 United States Code, and the Federal Medical Care Recov-
10 ery Act (42 U.S.C. 2651 et seq.), \$9,673,409,000, plus
11 reimbursements, shall become available on October 1,
12 2022, and shall remain available until September 30,
13 2023: *Provided*, That, of the amount made available on
14 October 1, 2022, under this heading, \$200,000,000 shall
15 remain available until September 30, 2024.

16 MEDICAL FACILITIES

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

1 ing, improving, or providing facilities in the several hos-
2 pitals and homes under the jurisdiction of the Depart-
3 ment, not otherwise provided for, either by contract or by
4 the hire of temporary employees and purchase of mate-
5 rials; for leases of facilities; and for laundry services;
6 \$7,133,816,000, plus reimbursements, shall become avail-
7 able on October 1, 2022, and shall remain available until
8 September 30, 2023: *Provided*, That, of the amount made
9 available on October 1, 2022, under this heading,
10 \$350,000,000 shall remain available until September 30,
11 2024.

12 MEDICAL AND PROSTHETIC RESEARCH

13 For necessary expenses in carrying out programs of
14 medical and prosthetic research and development as au-
15 thorized by chapter 73 of title 38, United States Code,
16 \$902,000,000, plus reimbursements, shall remain avail-
17 able until September 30, 2023: *Provided*, That the Sec-
18 retary of Veterans Affairs shall ensure that sufficient
19 amounts appropriated under this heading are available for
20 prosthetic research specifically for female veterans, and
21 for toxic exposure research.

22 NATIONAL CEMETERY ADMINISTRATION

23 For necessary expenses of the National Cemetery Ad-
24 ministration for operations and maintenance, not other-
25 wise provided for, including uniforms or allowances there-

1 for; cemeterial expenses as authorized by law; purchase
2 of one passenger motor vehicle for use in cemeterial oper-
3 ations; hire of passenger motor vehicles; and repair, alter-
4 ation or improvement of facilities under the jurisdiction
5 of the National Cemetery Administration, \$392,000,000,
6 of which not to exceed 10 percent shall remain available
7 until September 30, 2023.

8 DEPARTMENTAL ADMINISTRATION

9 GENERAL ADMINISTRATION

10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary operating expenses of the Department
12 of Veterans Affairs, not otherwise provided for, including
13 administrative expenses in support of Department-wide
14 capital planning, management and policy activities, uni-
15 forms, or allowances therefor; not to exceed \$25,000 for
16 official reception and representation expenses; hire of pas-
17 senger motor vehicles; and reimbursement of the General
18 Services Administration for security guard services,
19 \$396,911,000, of which not to exceed 10 percent shall re-
20 main available until September 30, 2023: *Provided*, That
21 funds provided under this heading may be transferred to
22 “General Operating Expenses, Veterans Benefits Adminis-
23 tration”.

1 ASSET AND INFRASTRUCTURE REVIEW

2 For carrying out the VA Asset and Infrastructure
3 Review Act of 2018 (subtitle A of title II of Public Law
4 115–182), \$5,000,000, to remain available until Sep-
5 tember 30, 2023.

6 BOARD OF VETERANS APPEALS

7 For necessary operating expenses of the Board of
8 Veterans Appeals, \$228,000,000, of which not to exceed
9 10 percent shall remain available until September 30,
10 2023.

11 INFORMATION TECHNOLOGY SYSTEMS

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses for information technology
14 systems and telecommunications support, including devel-
15 opmental information systems and operational information
16 systems; for pay and associated costs; and for the capital
17 asset acquisition of information technology systems, in-
18 cluding management and related contractual costs of said
19 acquisitions, including contractual costs associated with
20 operations authorized by section 3109 of title 5, United
21 States Code, \$4,842,800,000, plus reimbursements: *Pro-*
22 *vided*, That \$1,414,215,000 shall be for pay and associ-
23 ated costs, of which not to exceed 3 percent shall remain
24 available until September 30, 2023: *Provided further*, That
25 \$3,131,585,000 shall be for operations and maintenance,

1 of which not to exceed 5 percent shall remain available
2 until September 30, 2023: *Provided further*, That
3 \$297,000,000 shall be for information technology systems
4 development, and shall remain available until September
5 30, 2023: *Provided further*, That amounts made available
6 for salaries and expenses, operations and maintenance,
7 and information technology systems development may be
8 transferred among the three subaccounts after the Sec-
9 retary of Veterans Affairs requests from the Committees
10 on Appropriations of both Houses of Congress the author-
11 ity to make the transfer and an approval is issued: *Pro-*
12 *vided further*, That amounts made available for the “Infor-
13 mation Technology Systems” account for development
14 may be transferred among projects or to newly defined
15 projects: *Provided further*, That no project may be in-
16 creased or decreased by more than \$3,000,000 of cost
17 prior to submitting a request to the Committees on Appro-
18 priations of both Houses of Congress to make the transfer
19 and an approval is issued, or absent a response, a period
20 of 30 days has elapsed: *Provided further*, That the funds
21 made available under this heading for information tech-
22 nology systems development shall be for the projects, and
23 in the amounts, specified under this heading in the report
24 accompanying this Act.

1 VETERANS ELECTRONIC HEALTH RECORD

2 For activities related to implementation, preparation,
3 development, interface, management, rollout, and mainte-
4 nance of a Veterans Electronic Health Record system, in-
5 cluding contractual costs associated with operations au-
6 thorized by section 3109 of title 5, United States Code,
7 and salaries and expenses of employees hired under titles
8 5 and 38, United States Code, \$2,637,000,000, to remain
9 available until September 30, 2024: *Provided*, That the
10 Secretary of Veterans Affairs shall submit to the Commit-
11 tees on Appropriations of both Houses of Congress quar-
12 terly reports detailing obligations, expenditures, and de-
13 ployment implementation by facility, including any
14 changes from the deployment plan or schedule: *Provided*
15 *further*, That the funds provided in this account shall only
16 be available to the Office of the Deputy Secretary, to be
17 administered by that Office: *Provided further*, That 25
18 percent of the funds made available under this heading
19 shall not be available until July 1, 2022, and are contin-
20 gent upon the Secretary of Veterans Affairs providing a
21 certification within 7 days prior to that date to the Com-
22 mittees on Appropriations of any changes to the deploy-
23 ment schedules.

1 OFFICE OF INSPECTOR GENERAL

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

7 CONSTRUCTION, MAJOR PROJECTS

8 For constructing, altering, extending, and improving
9 any of the facilities, including parking projects, under the
10 jurisdiction or for the use of the Department of Veterans
11 Affairs, or for any of the purposes set forth in sections
12 316, 2404, 2406 and chapter 81 of title 38, United States
13 Code, not otherwise provided for, including planning, ar-
14 chitectural and engineering services, construction manage-
15 ment services, maintenance or guarantee period services
16 costs associated with equipment guarantees provided
17 under the project, services of claims analysts, offsite utility
18 and storm drainage system construction costs, and site ac-
19 quisition, where the estimated cost of a project is more
20 than the amount set forth in section 8104(a)(3)(A) of title
21 38, United States Code, or where funds for a project were
22 made available in a previous major project appropriation,
23 \$1,611,000,000, of which \$657,326,000 shall remain
24 available until September 30, 2026, and of which
25 \$953,674,000 shall remain available until expended, of

1 which \$100,000,000 shall be available for seismic improve-
2 ment projects and seismic program management activities,
3 including for projects that would otherwise be funded by
4 the Construction, Minor Projects, Medical Facilities or
5 National Cemetery Administration accounts: *Provided*,
6 That except for advance planning activities, including
7 needs assessments which may or may not lead to capital
8 investments, and other capital asset management related
9 activities, including portfolio development and manage-
10 ment activities, and planning, cost estimating, and design
11 for major medical facility projects and major medical facil-
12 ity leases and investment strategy studies funded through
13 the advance planning fund and the planning and design
14 activities funded through the design fund, staffing ex-
15 penses, and funds provided for the purchase, security, and
16 maintenance of land for the National Cemetery Adminis-
17 tration through the land acquisition line item, none of the
18 funds made available under this heading shall be used for
19 any project that has not been notified to Congress through
20 the budgetary process or that has not been approved by
21 the Congress through statute, joint resolution, or in the
22 explanatory statement accompanying such Act and pre-
23 sented to the President at the time of enrollment: *Provided*
24 *further*, That such sums as may be necessary shall be
25 available to reimburse the “General Administration” ac-

1 count for payment of salaries and expenses of all Office
2 of Construction and Facilities Management employees to
3 support the full range of capital infrastructure services
4 provided, including minor construction and leasing serv-
5 ices: *Provided further*, That funds made available under
6 this heading for fiscal year 2022, for each approved
7 project shall be obligated: (1) by the awarding of a con-
8 struction documents contract by September 30, 2022; and
9 (2) by the awarding of a construction contract by Sep-
10 tember 30, 2023: *Provided further*, That the Secretary of
11 Veterans Affairs shall promptly submit to the Committees
12 on Appropriations of both Houses of Congress a written
13 report on any approved major construction project for
14 which obligations are not incurred within the time limita-
15 tions established above: *Provided further*, That notwith-
16 standing the requirements of section 8104(a) of title 38,
17 United States Code, amounts made available under this
18 heading for seismic improvement projects and seismic pro-
19 gram management activities shall be available for the com-
20 pletion of both new and existing seismic projects of the
21 Department.

22 CONSTRUCTION, MINOR PROJECTS

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

1 Affairs, including planning and assessments of needs
2 which may lead to capital investments, architectural and
3 engineering services, maintenance or guarantee period
4 services costs associated with equipment guarantees pro-
5 vided under the project, services of claims analysts, offsite
6 utility and storm drainage system construction costs, and
7 site acquisition, or for any of the purposes set forth in
8 sections 316, 2404, 2406 and chapter 81 of title 38,
9 United States Code, not otherwise provided for, where the
10 estimated cost of a project is equal to or less than the
11 amount set forth in section 8104(a)(3)(A) of title 38,
12 United States Code, \$553,000,000, of which
13 \$497,700,000 shall remain available until September 30,
14 2026, and of which \$55,300,000 shall remain available
15 until expended, along with unobligated balances of pre-
16 vious “Construction, Minor Projects” appropriations
17 which are hereby made available for any project where the
18 estimated cost is equal to or less than the amount set forth
19 in such section: *Provided*, That funds made available
20 under this heading shall be for: (1) repairs to any of the
21 nonmedical facilities under the jurisdiction or for the use
22 of the Department which are necessary because of loss or
23 damage caused by any natural disaster or catastrophe;
24 and (2) temporary measures necessary to prevent or to
25 minimize further loss by such causes.

1 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
2 FACILITIES

3 For grants to assist States to acquire or construct
4 State nursing home and domiciliary facilities and to re-
5 model, modify, or alter existing hospital, nursing home,
6 and domiciliary facilities in State homes, for furnishing
7 care to veterans as authorized by sections 8131 through
8 8137 of title 38, United States Code, \$90,000,000, to re-
9 main available until expended.

10 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

11 For grants to assist States and tribal organizations
12 in establishing, expanding, or improving veterans ceme-
13 teries as authorized by section 2408 of title 38, United
14 States Code, \$47,097,000, to remain available until ex-
15 pended.

16 ADMINISTRATIVE PROVISIONS

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 201. Any appropriation for fiscal year 2022 for
19 “Compensation and Pensions”, “Readjustment Benefits”,
20 and “Veterans Insurance and Indemnities” may be trans-
21 ferred as necessary to any other of the mentioned appro-
22 priations: *Provided*, That, before any such transfer may
23 take place, the Secretary of Veterans Affairs shall request
24 from the Committees on Appropriations of both Houses
25 of Congress the authority to make the transfer and such

1 Committees issue an approval, or absent a response, a pe-
2 riod of 30 days has elapsed.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 202. Amounts made available for the Depart-
5 ment of Veterans Affairs for fiscal year 2022, in this or
6 any other Act, under the “Medical Services”, “Medical
7 Community Care”, “Medical Support and Compliance”,
8 and “Medical Facilities” accounts may be transferred
9 among the accounts: *Provided*, That any transfers among
10 the “Medical Services”, “Medical Community Care”, and
11 “Medical Support and Compliance” accounts of 1 percent
12 or less of the total amount appropriated to the account
13 in this or any other Act may take place subject to notifica-
14 tion from the Secretary of Veterans Affairs to the Com-
15 mittees on Appropriations of both Houses of Congress of
16 the amount and purpose of the transfer: *Provided further*,
17 That any transfers among the “Medical Services”, “Med-
18 ical Community Care”, and “Medical Support and Compli-
19 ance” accounts in excess of 1 percent, or exceeding the
20 cumulative 1 percent for the fiscal year, may take place
21 only after the Secretary requests from the Committees on
22 Appropriations of both Houses of Congress the authority
23 to make the transfer and an approval is issued: *Provided*
24 *further*, That any transfers to or from the “Medical Facili-
25 ties” account may take place only after the Secretary re-

1 quests from the Committees on Appropriations of both
2 Houses of Congress the authority to make the transfer
3 and an approval is issued.

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

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

16 SEC. 205. No appropriations in this title shall be
17 available for hospitalization or examination of any persons
18 (except beneficiaries entitled to such hospitalization or ex-
19 amination under the laws providing such benefits to vet-
20 erans, and persons receiving such treatment under sec-
21 tions 7901 through 7904 of title 5, United States Code,
22 or the Robert T. Stafford Disaster Relief and Emergency
23 Assistance Act (42 U.S.C. 5121 et seq.)), unless reim-
24 bursement of the cost of such hospitalization or examina-

1 tion is made to the “Medical Services” account at such
2 rates as may be fixed by the Secretary of Veterans Affairs.

3 SEC. 206. Appropriations available in this title for
4 “Compensation and Pensions”, “Readjustment Benefits”,
5 and “Veterans Insurance and Indemnities” shall be avail-
6 able for payment of prior year accrued obligations re-
7 quired to be recorded by law against the corresponding
8 prior year accounts within the last quarter of fiscal year
9 2021.

10 SEC. 207. Appropriations available in this title shall
11 be available to pay prior year obligations of corresponding
12 prior year appropriations accounts resulting from sections
13 3328(a), 3334, and 3712(a) of title 31, United States
14 Code, except that if such obligations are from trust fund
15 accounts they shall be payable only from “Compensation
16 and Pensions”.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 208. Notwithstanding any other provision of
19 law, during fiscal year 2022, the Secretary of Veterans
20 Affairs shall, from the National Service Life Insurance
21 Fund under section 1920 of title 38, United States Code,
22 the Veterans’ Special Life Insurance Fund under section
23 1923 of title 38, United States Code, and the United
24 States Government Life Insurance Fund under section
25 1955 of title 38, United States Code, reimburse the “Gen-

1 eral Operating Expenses, Veterans Benefits Administra-
2 tion” and “Information Technology Systems” accounts for
3 the cost of administration of the insurance programs fi-
4 nanced through those accounts: *Provided*, That reimburse-
5 ment shall be made only from the surplus earnings accu-
6 mulated in such an insurance program during fiscal year
7 2022 that are available for dividends in that program after
8 claims have been paid and actuarially determined reserves
9 have been set aside: *Provided further*, That if the cost of
10 administration of such an insurance program exceeds the
11 amount of surplus earnings accumulated in that program,
12 reimbursement shall be made only to the extent of such
13 surplus earnings: *Provided further*, That the Secretary
14 shall determine the cost of administration for fiscal year
15 2022 which is properly allocable to the provision of each
16 such insurance program and to the provision of any total
17 disability income insurance included in that insurance pro-
18 gram.

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

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 210. Funds available in this title or funds for
3 salaries and other administrative expenses shall also be
4 available to reimburse the Office of Resolution Manage-
5 ment, Diversity and Inclusion, the Office of Employment
6 Discrimination Complaint Adjudication, and the Alter-
7 native Dispute Resolution function within the Office of
8 Human Resources and Administration for all services pro-
9 vided at rates which will recover actual costs but not to
10 exceed \$78,417,225 for the Office of Resolution Manage-
11 ment, Diversity and Inclusion, \$6,609,000 for the Office
12 of Employment Discrimination Complaint Adjudication,
13 and \$3,822,000 for the Alternative Dispute Resolution
14 function within the Office of Human Resources and Ad-
15 ministration: *Provided*, That payments may be made in
16 advance for services to be furnished based on estimated
17 costs: *Provided further*, That amounts received shall be
18 credited to the “General Administration” and “Informa-
19 tion Technology Systems” accounts for use by the office
20 that provided the service.

21 SEC. 211. No funds of the Department of Veterans
22 Affairs shall be available for hospital care, nursing home
23 care, or medical services provided to any person under
24 chapter 17 of title 38, United States Code, for a non-serv-
25 ice-connected disability described in section 1729(a)(2) of

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

13 (INCLUDING TRANSFER OF FUNDS)

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

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

3 (1) for furnishing recreational facilities, sup-
4 plies, and equipment; and

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

8 (INCLUDING TRANSFER OF FUNDS)

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

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

1 which are not within the boundaries of the municipality
2 of Anchorage or the Fairbanks North Star Borough.

3 (INCLUDING TRANSFER OF FUNDS)

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

10 SEC. 217. 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 report on the financial status of the
14 Department of Veterans Affairs for the preceding quarter:
15 *Provided*, That, at a minimum, the report shall include
16 the direction contained in the paragraph entitled “Quar-
17 terly reporting”, under the heading “General Administra-
18 tion” in the joint explanatory statement accompanying
19 Public Law 114–223.

20 (INCLUDING TRANSFER OF FUNDS)

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

1 and “National Cemetery Administration” accounts for fis-
2 cal year 2022 may be transferred to or from the “Informa-
3 tion Technology Systems” account: *Provided*, That such
4 transfers may not result in a more than 10 percent aggre-
5 gate increase in the total amount made available by this
6 Act for the “Information Technology Systems” account:
7 *Provided further*, That, before a transfer may take place,
8 the Secretary of Veterans Affairs shall request from the
9 Committees on Appropriations of both Houses of Congress
10 the authority to make the transfer and an approval is
11 issued.

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 219. Of the amounts appropriated to the De-
14 partment of Veterans Affairs for fiscal year 2022 for
15 “Medical Services”, “Medical Community Care”, “Medical
16 Support and Compliance”, “Medical Facilities”, “Con-
17 struction, Minor Projects”, and “Information Technology
18 Systems”, up to \$379,009,000, plus reimbursements, may
19 be transferred to the Joint Department of Defense—De-
20 partment of Veterans Affairs Medical Facility Demonstra-
21 tion Fund, established by section 1704 of the National De-
22 fense Authorization Act for Fiscal Year 2010 (Public Law
23 111–84; 123 Stat. 3571) and may be used for operation
24 of the facilities designated as combined Federal medical
25 facilities as described by section 706 of the Duncan Hun-

1 ter National Defense Authorization Act for Fiscal Year
2 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*,
3 That additional funds may be transferred from accounts
4 designated in this section to the Joint Department of De-
5 fense—Department of Veterans Affairs Medical Facility
6 Demonstration Fund upon written notification by the Sec-
7 retary of Veterans Affairs to the Committees on Appro-
8 priations of both Houses of Congress: *Provided further*,
9 That section 220 of title II of division J of Public Law
10 116–260 is repealed.

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 220. Of the amounts appropriated to the De-
13 partment of Veterans Affairs which become available on
14 October 1, 2022, for “Medical Services”, “Medical Com-
15 munity Care”, “Medical Support and Compliance”, and
16 “Medical Facilities”, up to \$323,242,000, plus reimburse-
17 ments, may be transferred to the Joint Department of De-
18 fense—Department of Veterans Affairs Medical Facility
19 Demonstration Fund, established by section 1704 of the
20 National Defense Authorization Act for Fiscal Year 2010
21 (Public Law 111–84; 123 Stat. 3571) and may be used
22 for operation of the facilities designated as combined Fed-
23 eral medical facilities as described by section 706 of the
24 Duncan Hunter National Defense Authorization Act for
25 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500):

1 *Provided*, That additional funds may be transferred from
2 accounts designated in this section to the Joint Depart-
3 ment of Defense—Department of Veterans Affairs Med-
4 ical Facility Demonstration Fund upon written notifica-
5 tion by the Secretary of Veterans Affairs to the Commit-
6 tees on Appropriations of both Houses of Congress.

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 221. Such sums as may be deposited to the
9 Medical Care Collections Fund pursuant to section 1729A
10 of title 38, United States Code, for healthcare provided
11 at facilities designated as combined Federal medical facili-
12 ties as described by section 706 of the Duncan Hunter
13 National Defense Authorization Act for Fiscal Year 2009
14 (Public Law 110–417; 122 Stat. 4500) shall also be avail-
15 able: (1) for transfer to the Joint Department of De-
16 fense—Department of Veterans Affairs Medical Facility
17 Demonstration Fund, established by section 1704 of the
18 National Defense Authorization Act for Fiscal Year 2010
19 (Public Law 111–84; 123 Stat. 3571); and (2) for oper-
20 ations of the facilities designated as combined Federal
21 medical facilities as described by section 706 of the Dun-
22 can Hunter National Defense Authorization Act for Fiscal
23 Year 2009 (Public Law 110–417; 122 Stat. 4500): *Pro-*
24 *vided*, That, notwithstanding section 1704(b)(3) of the
25 National Defense Authorization Act for Fiscal Year 2010

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

5 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 228. The Secretary of Veterans Affairs, upon
11 determination that such action is necessary to address
12 needs of the Veterans Health Administration, may trans-
13 fer to the “Medical Services” account any discretionary
14 appropriations made available for fiscal year 2022 in this
15 title (except appropriations made to the “General Oper-
16 ating Expenses, Veterans Benefits Administration” ac-
17 count) or any discretionary unobligated balances within
18 the Department of Veterans Affairs, including those ap-
19 propriated for fiscal year 2022, that were provided in ad-
20 vance by appropriations Acts: *Provided*, That transfers
21 shall be made only with the approval of the Office of Man-
22 agement and Budget: *Provided further*, That the transfer
23 authority provided in this section is in addition to any
24 other transfer authority provided by law: *Provided further*,
25 That no amounts may be transferred from amounts that

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

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 229. Amounts made available for the Depart-
20 ment of Veterans Affairs for fiscal year 2022, under the
21 “Board of Veterans Appeals” and the “General Operating
22 Expenses, Veterans Benefits Administration” accounts
23 may be transferred between such accounts: *Provided*, That
24 before a transfer may take place, the Secretary of Vet-
25 erans Affairs shall request from the Committees on Appro-

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

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

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

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

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

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

25 (2) In this subsection—

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

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

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

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

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

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

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

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

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

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

13 SEC. 233. (a) Chapter 17 of title 38, United States
14 Code, is amended by inserting after section 1720J the fol-
15 lowing new section:

16 **“§ 1720K. Provision of assisted reproductive tech-**
17 **nology or adoption reimbursements for**
18 **certain disabled veterans**

19 “(a) PROVISION OF SERVICES.—Subject to the avail-
20 ability of appropriations, the Secretary may provide—

21 “(1) fertility counseling and treatment using as-
22 sisted reproductive technology to a covered veteran
23 or the spouse of a covered veteran; or

24 “(2) adoption reimbursement to a covered vet-
25 eran.

1 “(b) LIMITATIONS.—Amounts made available for the
2 purposes specified in subsection (a) are subject to the re-
3 quirements for funds contained in section 508 of division
4 H of the Consolidated Appropriations Act, 2017 (Public
5 Law 115–31).

6 “(c) DEFINITIONS.—In this section:

7 “(1) The term ‘adoption reimbursement’ means
8 reimbursement for the adoption-related expenses for
9 an adoption that is finalized after the date of the en-
10 actment of this section under the same terms as
11 apply under the adoption reimbursement program of
12 the Department of Defense, as authorized in De-
13 partment of Defense Instruction 1341.09, including
14 the reimbursement limits and requirements set forth
15 in such instruction, as in effect on the date of the
16 enactment of this section.

17 “(2) The term ‘assisted reproductive tech-
18 nology’ means benefits relating to reproductive as-
19 sistance provided to a member of the Armed Forces
20 who incurs a serious injury or illness on active duty
21 pursuant to section 1074(c)(4)(A) of title 10, as de-
22 scribed in the memorandum on the subject of ‘Policy
23 for Assisted Reproductive Services for the Benefit of
24 Seriously or Severely Ill/Injured (Category II or III)
25 Active Duty Service Members’ issued by the Assist-

1 ant Secretary of Defense for Health Affairs on April
2 3, 2012, and the guidance issued to implement such
3 policy, as in effect on the date of the enactment of
4 this section, including any limitations on the amount
5 of such benefits available to such a member, except
6 that—

7 “(A) the periods regarding embryo
8 cryopreservation and storage set forth in part
9 III(G) and in part IV(H) of the first part IV
10 of such memorandum shall not apply; and

11 “(B) such term includes embryo
12 cryopreservation and storage without limitation
13 on the duration of such cryopreservation and
14 storage.

15 “(3) The term ‘covered veteran’ means a vet-
16 eran who has a service-connected disability that re-
17 sults in the inability of the veteran to procreate
18 without the use of fertility treatment.”.

19 (b) The table of sections at the beginning of such
20 chapter is amended by inserting after the item relating
21 to section 1720J the following new item:

“1720K. Provision of assisted reproductive technology or adoption reimburse-
ments for certain disabled veterans.”.

22 SEC. 234. None of the funds appropriated or other-
23 wise made available by this Act or any other Act for the
24 Department of Veterans Affairs may be used in a manner

1 that is inconsistent with: (1) section 842 of the Transpor-
2 tation, Treasury, Housing and Urban Development, the
3 Judiciary, the District of Columbia, and Independent
4 Agencies Appropriations Act, 2006 (Public Law 109–115;
5 119 Stat. 2506); or (2) section 8110(a)(5) of title 38,
6 United States Code.

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

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

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

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

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

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

12 SEC. 237. For funds provided to the Department of
13 Veterans Affairs for each of fiscal year 2022 and 2023
14 for “Medical Services”, section 239 of division A of Public
15 Law 114–223 shall apply.

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

22 SEC. 239. Of the funds provided to the Department
23 of Veterans Affairs for each of fiscal year 2022 and fiscal
24 year 2023 for “Medical Services”, funds may be used in
25 each year to carry out and expand the child care program

1 authorized by section 205 of Public Law 111–163, not-
2 withstanding subsection (e) of such section.

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

13 SEC. 241. For funds provided to the Department of
14 Veterans Affairs for each of fiscal year 2022 and 2023,
15 section 258 of division A of Public Law 114–223 shall
16 apply.

17 SEC. 242. (a) None of the funds appropriated or oth-
18 erwise made available by this Act may be used to deny
19 an Inspector General funded under this Act timely access
20 to any records, documents, or other materials available to
21 the department or agency of the United States Govern-
22 ment over which such Inspector General has responsibil-
23 ities under the Inspector General Act of 1978 (5 U.S.C.
24 App.), or to prevent or impede the access of such Inspector
25 General to such records, documents, or other materials,

1 under any provision of law, except a provision of law that
2 expressly refers to such Inspector General and expressly
3 limits the right of access of such Inspector General.

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

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

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

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

23 SEC. 244. None of the funds appropriated or other-
24 wise made available by this Act to the Veterans Health
25 Administration may be used in fiscal year 2022 to convert

1 any program which received specific purpose funds in fis-
2 cal year 2021 to a general purpose funded program unless
3 the Secretary of Veterans Affairs submits written notifica-
4 tion of any such proposal to the Committees on Appropria-
5 tions of both Houses of Congress at least 30 days prior
6 to any such action and an approval is issued by the Com-
7 mittees.

8 SEC. 245. (a) Except as provided by subsection (b),
9 none of the funds made available by this Act may be used
10 by the Secretary of Veterans Affairs to purchase, breed,
11 transport, house, feed, maintain, dispose of, or experiment
12 on, dogs or cats as part of the conduct of any study includ-
13 ing an assignment of pain category D or E, as defined
14 by the Pain and Distress Categories of the Department
15 of Agriculture (or such successor categories developed pur-
16 suant to section 13 of the Animal Welfare Act (7 U.S.C.
17 2143)).

18 (b) Subsection (a) shall not apply to training pro-
19 grams or studies of service dogs described in section 1714
20 of title 38, United States Code, or section 17.148 of title
21 38, Code of Federal Regulations.

22 SEC. 246. Amounts made available for the “Veterans
23 Health Administration, Medical Community Care” ac-
24 count in this or any other Act for fiscal years 2022 and
25 2023 may be used for expenses that would otherwise be

1 payable from the Veterans Choice Fund established by
2 section 802 of the Veterans Access, Choice, and Account-
3 ability Act, as amended (38 U.S.C. 1701 note).

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

10 SEC. 248. Of the amounts made available for the De-
11 partment of Veterans Affairs for fiscal year 2022, in this
12 or any other Act, under the “Veterans Health Administra-
13 tion—Medical Services”, “Veterans Health Administra-
14 tion—Medical Community Care”, “Veterans Health Ad-
15 ministration—Medical Support and Compliance”, and
16 “Veterans Health Administration—Medical Facilities” ac-
17 counts, \$778,500,000 shall be made available for gender-
18 specific care for women.

19 SEC. 249. By no later than October 1, 2021, the Sec-
20 retary shall commence site preparation for the Commu-
21 nity-Based Outpatient Clinic in Bakersfield, California in
22 accordance with Lease No. 36C10F20L0008.

1 TITLE III
2 RELATED AGENCIES
3 AMERICAN BATTLE MONUMENTS COMMISSION
4 SALARIES AND EXPENSES
5 For necessary expenses, not otherwise provided for,
6 of the American Battle Monuments Commission, including
7 the acquisition of land or interest in land in foreign coun-
8 tries; purchases and repair of uniforms for caretakers of
9 national cemeteries and monuments outside of the United
10 States and its territories and possessions; rent of office
11 and garage space in foreign countries; purchase (one-for-
12 one replacement basis only) and hire of passenger motor
13 vehicles; not to exceed \$15,000 for official reception and
14 representation expenses; and insurance of official motor
15 vehicles in foreign countries, when required by law of such
16 countries, \$88,100,000, to remain available until ex-
17 pended.

18 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT
19 For necessary expenses, not otherwise provided for,
20 of the American Battle Monuments Commission, such
21 sums as may be necessary, to remain available until ex-
22 pended, for purposes authorized by section 2109 of title
23 36, United States Code.

1 UNITED STATES COURT OF APPEALS FOR VETERANS
2 CLAIMS
3 SALARIES AND EXPENSES

4 For necessary expenses for the operation of the
5 United States Court of Appeals for Veterans Claims as
6 authorized by sections 7251 through 7298 of title 38,
7 United States Code, \$41,700,000: *Provided*, That
8 \$3,385,104 shall be available for the purpose of providing
9 financial assistance as described and in accordance with
10 the process and reporting procedures set forth under this
11 heading in Public Law 102–229.

12 DEPARTMENT OF DEFENSE—CIVIL
13 CEMETERIAL EXPENSES, ARMY
14 SALARIES AND EXPENSES

15 For necessary expenses for maintenance, operation,
16 and improvement of Arlington National Cemetery and Sol-
17 diers' and Airmen's Home National Cemetery, including
18 the purchase or lease of passenger motor vehicles for re-
19 placement on a one-for-one basis only, and not to exceed
20 \$2,000 for official reception and representation expenses,
21 \$87,000,000, of which not to exceed \$15,000,000 shall re-
22 main available until September 30, 2024. In addition,
23 such sums as may be necessary for parking maintenance,
24 repairs and replacement, to be derived from the "Lease

1 of Department of Defense Real Property for Defense
2 Agencies’’ account.

3 CONSTRUCTION

4 For necessary expenses for planning and design and
5 construction at Arlington National Cemetery and Soldiers’
6 and Airmen’s Home National Cemetery, \$141,000,000, to
7 remain available until expended, for planning and design
8 and construction associated with the Southern Expansion
9 project at Arlington National Cemetery.

10 ARMED FORCES RETIREMENT HOME

11 TRUST FUND

12 For expenses necessary for the Armed Forces Retire-
13 ment Home to operate and maintain the Armed Forces
14 Retirement Home—Washington, District of Columbia,
15 and the Armed Forces Retirement Home—Gulfport, Mis-
16 sissippi, to be paid from funds available in the Armed
17 Forces Retirement Home Trust Fund, \$77,000,000, to re-
18 main available until September 30, 2023, of which
19 \$9,000,000 shall remain available until expended for con-
20 struction and renovation of the physical plants at the
21 Armed Forces Retirement Home—Washington, District of
22 Columbia, and the Armed Forces Retirement Home—
23 Gulfport, Mississippi: *Provided*, That of the amounts made
24 available under this heading from funds available in the
25 Armed Forces Retirement Home Trust Fund,

1 \$25,000,000 shall be paid from the general fund of the
2 Treasury to the Trust Fund.

3 ADMINISTRATIVE PROVISION

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

8 TITLE IV

9 GENERAL PROVISIONS

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

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

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

1 SEC. 404. Unless stated otherwise, all reports and no-
2 tifications required by this Act shall be submitted to the
3 Subcommittee on Military Construction and Veterans Af-
4 fairs, and Related Agencies of the Committee on Appro-
5 priations of the House of Representatives and the Sub-
6 committee on Military Construction and Veterans Affairs,
7 and Related Agencies of the Committee on Appropriations
8 of the Senate.

9 SEC. 405. None of the funds made available in this
10 Act may be transferred to any department, agency, or in-
11 strumentality of the United States Government except
12 pursuant to a transfer made by, or transfer authority pro-
13 vided in, this or any other appropriations Act.

14 SEC. 406. None of the funds made available in this
15 Act may be used for a project or program named for an
16 individual serving as a Member, Delegate, or Resident
17 Commissioner of the United States House of Representa-
18 tives.

19 SEC. 407. (a) Any agency receiving funds made avail-
20 able in this Act, shall, subject to subsections (b) and (c),
21 post on the public website of that agency any report re-
22 quired to be submitted by the Congress in this or any
23 other Act, upon the determination by the head of the agen-
24 cy that it shall serve the national interest.

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

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

3 (2) the report contains confidential or propri-
4 etary information.

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

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

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

17 SEC. 409. None of the funds made available in this
18 Act may be used by an agency of the executive branch
19 to pay for first-class travel by an employee of the agency
20 in contravention of sections 301–10.122 through 301–
21 10.124 of title 41, Code of Federal Regulations.

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

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

4 This Act may be cited as the “Military Construction,
5 Veterans Affairs, and Related Agencies Appropriations
6 Act, 2022”.

Union Calendar No. 56

117TH CONGRESS
1ST Session

H. R. 4355

[Report No. 117-81]

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.

JULY 2, 2021

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