

117TH CONGRESS  
2D SESSION

# S. 4759

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

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## IN THE SENATE OF THE UNITED STATES

AUGUST 3, 2022

Mr. HEINRICH introduced the following bill; which was read twice and referred to the Committee on Appropriations

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## A BILL

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

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, for  
5       military construction, the Department of Veterans Affairs,  
6       and related agencies for the fiscal year ending September  
7       30, 2023, and for other purposes, namely:

## TITLE I

## DEPARTMENT OF DEFENSE

## MILITARY CONSTRUCTION, ARMY

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

1     MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

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

23           MILITARY CONSTRUCTION, AIR FORCE

24           For acquisition, construction, installation, and equip-  
 25    ment of temporary or permanent public works, military

1 installations, facilities, and real property for the Air Force  
 2 as currently authorized by law, \$2,306,796,000, to remain  
 3 available until September 30, 2027: *Provided*, That, of this  
 4 amount, not to exceed \$210,934,000 shall be available for  
 5 study, planning, design, and architect and engineer serv-  
 6 ices, as authorized by law, unless the Secretary of the Air  
 7 Force determines that additional obligations are necessary  
 8 for such purposes and notifies the Committees on Appro-  
 9 priations of both Houses of Congress of the determination  
 10 and the reasons therefor: *Provided further*, That of the  
 11 amount made available under this heading, \$323,840,000  
 12 shall be for the projects and activities, and in the amounts,  
 13 specified under the heading “Military Construction, Air  
 14 Force” in the explanatory statement accompanying this  
 15 Act, in addition to amounts otherwise available for such  
 16 purposes.

17           MILITARY CONSTRUCTION, DEFENSE-WIDE

18                   (INCLUDING TRANSFER OF FUNDS)

19           For acquisition, construction, installation, and equip-  
 20 ment of temporary or permanent public works, installa-  
 21 tions, facilities, and real property for activities and agen-  
 22 cies of the Department of Defense (other than the military  
 23 departments), as currently authorized by law,  
 24 \$2,514,648,000, to remain available until September 30,  
 25 2027: *Provided*, That such amounts of this appropriation

1 as may be determined by the Secretary of Defense may  
2 be transferred to such appropriations of the Department  
3 of Defense available for military construction or family  
4 housing as the Secretary may designate, to be merged with  
5 and to be available for the same purposes, and for the  
6 same time period, as the appropriation or fund to which  
7 transferred: *Provided further*, That, of the amount, not to  
8 exceed \$473,197,000 shall be available for study, plan-  
9 ning, design, and architect and engineer services, as au-  
10 thorized by law, unless the Secretary of Defense deter-  
11 mines that additional obligations are necessary for such  
12 purposes and notifies the Committees on Appropriations  
13 of both Houses of Congress of the determination and the  
14 reasons therefor: *Provided further*, That of the amount  
15 made available under this heading, \$50,950,000 shall be  
16 for the projects and activities, and in the amounts, speci-  
17 fied under the heading “Military Construction, Defense-  
18 Wide” in the explanatory statement accompanying this  
19 Act, in addition to amounts otherwise available for such  
20 purposes.

21 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

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

1 United States Code, and Military Construction Authoriza-  
2 tion Acts, \$480,638,000, to remain available until Sep-  
3 tember 30, 2027: *Provided*, That, of the amount, not to  
4 exceed \$82,555,000 shall be available for study, planning,  
5 design, and architect and engineer services, as authorized  
6 by law, unless the Director of the Army National Guard  
7 determines that additional obligations are necessary for  
8 such purposes and notifies the Committees on Appropria-  
9 tions of both Houses of Congress of the determination and  
10 the reasons therefor: *Provided further*, That of the amount  
11 made available under this heading, \$150,160,000 shall be  
12 for the projects and activities, and in the amounts, speci-  
13 fied under the heading “Military Construction, Army Na-  
14 tional Guard” in the explanatory statement accompanying  
15 this Act, in addition to amounts otherwise available for  
16 such purposes.

17 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

18 For construction, acquisition, expansion, rehabilita-  
19 tion, and conversion of facilities for the training and ad-  
20 ministration of the Air National Guard, and contributions  
21 therefor, as authorized by chapter 1803 of title 10, United  
22 States Code, and Military Construction Authorization  
23 Acts, \$242,553,000, to remain available until September  
24 30, 2027: *Provided*, That, of the amount, not to exceed  
25 \$43,182,000 shall be available for study, planning, design,

1 and architect and engineer services, as authorized by law,  
 2 unless the Director of the Air National Guard determines  
 3 that additional obligations are necessary for such purposes  
 4 and notifies the Committees on Appropriations of both  
 5 Houses of Congress of the determination and the reasons  
 6 therefor: *Provided further*, That of the amount made avail-  
 7 able under this heading, \$101,170,000 shall be for the  
 8 projects and activities, and in the amounts, specified  
 9 under the heading “Military Construction, Air National  
 10 Guard” in the explanatory statement accompanying this  
 11 Act, in addition to amounts otherwise available for such  
 12 purposes.

13           MILITARY CONSTRUCTION, ARMY RESERVE

14       For construction, acquisition, expansion, rehabilita-  
 15 tion, and conversion of facilities for the training and ad-  
 16 ministration of the Army Reserve as authorized by chapter  
 17 1803 of title 10, United States Code, and Military Con-  
 18 struction Authorization Acts, \$221,878,000, to remain  
 19 available until September 30, 2027: *Provided*, That, of the  
 20 amount, not to exceed \$37,829,000 shall be available for  
 21 study, planning, design, and architect and engineer serv-  
 22 ices, as authorized by law, unless the Chief of the Army  
 23 Reserve determines that additional obligations are nec-  
 24 essary for such purposes and notifies the Committees on  
 25 Appropriations of both Houses of Congress of the deter-

mination and the reasons therefor: *Provided further*, That of the amount made available under this heading, \$74,000,000 shall be for the projects and activities, and in the amounts, specified under the heading “Military Construction, Army Reserve” in the explanatory statement accompanying this Act, in addition to amounts otherwise available for such purposes.

#### MILITARY CONSTRUCTION, NAVY RESERVE

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

#### MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by



1 chapter 1803 of title 10, United States Code, and Military  
 2 Construction Authorization Acts, \$93,423,000, to remain  
 3 available until September 30, 2027: *Provided*, That, of the  
 4 amount, not to exceed \$21,573,000 shall be available for  
 5 study, planning, design, and architect and engineer serv-  
 6 ices, as authorized by law, unless the Chief of the Air  
 7 Force Reserve determines that additional obligations are  
 8 necessary for such purposes and notifies the Committees  
 9 on Appropriations of both Houses of Congress of the de-  
 10 termination and the reasons therefor: *Provided further*,  
 11 That of the amount made available under this heading,  
 12 \$35,800,000 shall be for the projects and activities, and  
 13 in the amounts, specified under the heading “Military  
 14 Construction, Air Force Reserve” in the explanatory state-  
 15 ment accompanying this Act, in addition to amounts oth-  
 16 erwise available for such purposes.

#### 17 NORTH ATLANTIC TREATY ORGANIZATION

#### 18 SECURITY INVESTMENT PROGRAM

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

1 tary Construction Authorization Acts, \$210,139,000, to  
2 remain available until expended.

3 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

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

9 FAMILY HOUSING CONSTRUCTION, ARMY

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

15 FAMILY HOUSING OPERATION AND MAINTENANCE,

16 ARMY

17 For expenses of family housing for the Army for op-  
18 eration and maintenance, including debt payment, leasing,  
19 minor construction, principal and interest charges, and in-  
20 surance premiums, as authorized by law, \$436,411,000.

21 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE

22 CORPS

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

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

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

5 For expenses of family housing for the Navy and Ma-  
6 rine Corps for operation and maintenance, including debt  
7 payment, leasing, minor construction, principal and inter-  
8 est charges, and insurance premiums, as authorized by  
9 law, \$368,224,000.

10 FAMILY HOUSING CONSTRUCTION, AIR FORCE

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

16 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR  
17 FORCE

18 For expenses of family housing for the Air Force for  
19 operation and maintenance, including debt payment, leas-  
20 ing, minor construction, principal and interest charges,  
21 and insurance premiums, as authorized by law,  
22 \$355,222,000.

8 DEPARTMENT OF DEFENSE FAMILY HOUSING  
9 IMPROVEMENT FUND

16 DEPARTMENT OF DEFENSE MILITARY UNACCOMPANIED  
17 HOUSING IMPROVEMENT FUND

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## 1 ADMINISTRATIVE PROVISIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

9 (INCLUDING TRANSFER OF FUNDS)

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

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

11 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

(INCLUDING TRANSFER OF FUNDS)

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

(INCLUDING TRANSFER OF FUNDS)

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

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

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

8       “Military Construction, Army”, \$261,040,000;

9       “Military Construction, Navy and Marine Corps”,  
10 \$727,387,000;

11       “Military Construction, Air Force”, \$591,700,000;

12       “Military Construction, Defense-Wide”,  
13 \$151,000,000;

14       “Military Construction, Army National Guard”,  
15 \$54,743,000;

16       “Military Construction, Air National Guard”,  
17 \$9,200,000;

18       “Military Construction, Army Reserve”,  
19 \$59,600,000;

20       “Military Construction, Navy Reserve”,  
21 \$137,300,000;

22       “Military Construction, Air Force Reserve”,  
23 \$8,000,000;

24       “Family Housing Construction, Army”,  
25 \$292,822,000; and

1 “Family Housing Construction, Air Force”,  
2 \$18,800,000:

3 *Provided*, That such funds may only be obligated to carry  
4 out construction and cost to complete projects identified  
5 in the respective military department’s unfunded priority  
6 list for fiscal year 2023 submitted to Congress: *Provided*  
7 *further*, That such projects are subject to authorization  
8 prior to obligation and expenditure of funds to carry out  
9 construction: *Provided further*, That not later than 60  
10 days after enactment of this Act, the Secretary of the mili-  
11 tary department concerned, or his or her designee, shall  
12 submit to the Committees on Appropriations of both  
13 Houses of Congress an expenditure plan for funds pro-  
14 vided under this section.

15 SEC. 125. All amounts appropriated to the “Depart-  
16 ment of Defense—Military Construction, Army”, “De-  
17 partment of Defense—Military Construction, Navy and  
18 Marine Corps”, “Department of Defense—Military Con-  
19 struction, Air Force”, and “Department of Defense—Mili-  
20 tary Construction, Defense-Wide” accounts pursuant to  
21 the authorization of appropriations in a National Defense  
22 Authorization Act specified for fiscal year 2023 in the  
23 funding table in section 4601 of that Act shall be imme-  
24 diately available and allotted to contract for the full scope  
25 of authorized projects.

1        SEC. 126. Notwithstanding section 116 of this Act,  
2 funds made available in this Act or any available unobli-  
3 gated balances from prior appropriations Acts may be obli-  
4 gated before October 1, 2024 for fiscal year 2017 and fis-  
5 cal year 2018 military construction projects for which  
6 project authorization has not lapsed or for which author-  
7 ization is extended for fiscal year 2023 by a National De-  
8 fense Authorization Act: *Provided*, That no amounts may  
9 be obligated pursuant to this section from amounts that  
10 were designated by the Congress as an emergency require-  
11 ment pursuant to a concurrent resolution on the budget  
12 or the Balanced Budget and Emergency Deficit Control  
13 Act of 1985.

14        SEC. 127. For the purposes of this Act, the term  
15 “congressional defense committees” means the Commit-  
16 tees on Armed Services of the House of Representatives  
17 and the Senate, the Subcommittee on Military Construc-  
18 tion and Veterans Affairs of the Committee on Appropria-  
19 tions of the Senate, and the Subcommittee on Military  
20 Construction and Veterans Affairs of the Committee on  
21 Appropriations of the House of Representatives.

22        SEC. 128. For an additional amount for the accounts  
23 and in the amounts specified for planning and design, un-  
24 specified minor construction, and authorized major con-  
25 struction projects, for construction improvements to De-

1 partment of Defense laboratory facilities, to remain avail-  
2 able until September 30, 2027:

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

4 “Military Construction, Navy and Marine Corps”,  
5 \$10,000,000; and

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

7 *Provided*, That not later than 60 days after enactment of  
8 this Act, the Secretary of the military department con-  
9 cerned, or his or her designee, shall submit to the Commit-  
10 tees on Appropriations of both Houses of Congress an ex-  
11 penditure plan for funds provided under this section: *Pro-*  
12 *vided further*, That the Secretary of the military depart-  
13 ment concerned may not obligate or expend any funds  
14 prior to approval by the Committees on Appropriations of  
15 both Houses of Congress of the expenditure plan required  
16 by this section.

17 SEC. 129. For an additional amount for the accounts  
18 and in the amounts specified for planning and design and  
19 unspecified minor construction, for improving military in-  
20 stallation resilience, to remain available until September  
21 30, 2027:

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

23 “Military Construction, Navy and Marine Corps”,  
24 \$20,000,000; and

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



1 *Provided*, That not later than 60 days after enactment of  
2 this Act, the Secretary of the military department con-  
3 cerned, or his or her designee, shall submit to the Commit-  
4 tees on Appropriations of both Houses of Congress an ex-  
5 penditure plan for funds provided under this section: *Pro-*  
6 *vided further*, That the Secretary of the military depart-  
7 ment concerned may not obligate or expend any funds  
8 prior to approval by the Committees on Appropriations of  
9 both Houses of Congress of the expenditure plan required  
10 by this section.

11 SEC. 130. For an additional amount for “Military  
12 Construction, Air Force”, \$100,000,000, to remain avail-  
13 able until September 30, 2027, for expenses incurred as  
14 a result of natural disasters: *Provided*, That not later than  
15 60 days after the date of enactment of this Act, the Sec-  
16 retary of the Air Force, or his or her designee, shall sub-  
17 mit to the Committees on Appropriations of both Houses  
18 of Congress an expenditure plan for funds provided under  
19 this section.

20 SEC. 131. For an additional amount for the accounts  
21 and in the amounts specified to address cost increases  
22 identified subsequent to the fiscal year 2023 budget re-  
23 quest for authorized major construction projects included  
24 in that request, to remain available until September 30,  
25 2027:

1       “Military Construction, Army”, \$40,000,000;  
2       “Military Construction, Navy and Marine Corps”,  
3 \$65,000,000;  
4       “Military Construction, Air Force”, \$58,000,000;  
5 and  
6       “Military Construction, Defense-Wide”,  
7 \$51,000,000:  
8 *Provided*, That not later than 60 days after the date of  
9 enactment of this Act, the Secretary of the military de-  
10 partment concerned, or his or her designee, shall submit  
11 to the Committees on Appropriations of both Houses of  
12 Congress an expenditure plan for funds provided under  
13 this section: *Provided further*, That the Secretary of the  
14 military department concerned may not obligate or expend  
15 any funds prior to approval by the Committees on Appro-  
16 priations of both Houses of Congress of the expenditure  
17 plan required by this section.

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

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

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

#### 11 READJUSTMENT BENEFITS

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

#### 23 VETERANS INSURANCE AND INDEMNITIES

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

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

5 VETERANS HOUSING BENEFIT PROGRAM FUND

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

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

18 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

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

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

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

7 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM  
 8 ACCOUNT

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

12 GENERAL OPERATING EXPENSES, VETERANS BENEFITS  
 13 ADMINISTRATION

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

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

6 VETERANS HEALTH ADMINISTRATION

7 MEDICAL SERVICES

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

1 322(d) and 521A of title 38, United States Code, and hos-  
2 pital care and medical services authorized by section 1787  
3 of title 38, United States Code; \$261,000,000, which shall  
4 be in addition to funds previously appropriated under this  
5 heading that become available on October 1, 2022; and,  
6 in addition, \$74,004,000,000, plus reimbursements, shall  
7 become available on October 1, 2023, and shall remain  
8 available until September 30, 2024: *Provided*, That, of the  
9 amount made available on October 1, 2023, under this  
10 heading, \$2,000,000,000 shall remain available until Sep-  
11 tember 30, 2025: *Provided further*, That, notwithstanding  
12 any other provision of law, the Secretary of Veterans Af-  
13 fairs shall establish a priority for the provision of medical  
14 treatment for veterans who have service-connected disabil-  
15 ities, lower income, or have special needs: *Provided further*,  
16 That, notwithstanding any other provision of law, the Sec-  
17 retary of Veterans Affairs shall give priority funding for  
18 the provision of basic medical benefits to veterans in en-  
19 rollment priority groups 1 through 6: *Provided further*,  
20 That, notwithstanding any other provision of law, the Sec-  
21 retary of Veterans Affairs may authorize the dispensing  
22 of prescription drugs from Veterans Health Administra-  
23 tion facilities to enrolled veterans with privately written  
24 prescriptions based on requirements established by the  
25 Secretary: *Provided further*, That the implementation of



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

#### 8 MEDICAL COMMUNITY CARE

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

#### 21 MEDICAL SUPPORT AND COMPLIANCE

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

ties; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), \$1,400,000,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2022; and, in addition, \$12,300,000,000, plus reimbursements, shall become available on October 1, 2023, and shall remain available until September 30, 2024: *Provided*, That, of the amount made available on October 1, 2023, under this heading, \$350,000,000 shall remain available until September 30, 2025.

#### MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department.

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

#### 13 MEDICAL AND PROSTHETIC RESEARCH

14 For necessary expenses in carrying out programs of  
 15 medical and prosthetic research and development as au-  
 16 thorized by chapter 73 of title 38, United States Code,  
 17 \$916,000,000, plus reimbursements, shall remain avail-  
 18 able until September 30, 2024: *Provided*, That the Sec-  
 19 retary of Veterans Affairs shall ensure that sufficient  
 20 amounts appropriated under this heading are available for  
 21 prosthetic research specifically for female veterans, and  
 22 for toxic exposure research.

#### 23 NATIONAL CEMETERY ADMINISTRATION

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

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

9 DEPARTMENTAL ADMINISTRATION

10 GENERAL ADMINISTRATION

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary operating expenses of the Department  
 13 of Veterans Affairs, not otherwise provided for, including  
 14 administrative expenses in support of Department-wide  
 15 capital planning, management and policy activities, uni-  
 16 forms, or allowances therefor; not to exceed \$25,000 for  
 17 official reception and representation expenses; hire of pas-  
 18 senger motor vehicles; and reimbursement of the General  
 19 Services Administration for security guard services,  
 20 \$425,000,000, of which not to exceed 10 percent shall re-  
 21 main available until September 30, 2024: *Provided*, That  
 22 funds provided under this heading may be transferred to  
 23 “General Operating Expenses, Veterans Benefits Adminis-  
 24 tration”.

## 1 BOARD OF VETERANS APPEALS

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

## 6 INFORMATION TECHNOLOGY SYSTEMS

## 7 (INCLUDING TRANSFER OF FUNDS)

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

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

#### 20 VETERANS ELECTRONIC HEALTH RECORD

21 For activities related to implementation, preparation,  
 22 development, interface, management, rollout, and mainte-  
 23 nance of a Veterans Electronic Health Record system, in-  
 24 cluding contractual costs associated with operations au-  
 25 thorized by section 3109 of title 5, United States Code,

1 and salaries and expenses of employees hired under titles  
2 5 and 38, United States Code, \$1,759,000,000, to remain  
3 available until September 30, 2024: *Provided*, That the  
4 Secretary of Veterans Affairs shall submit to the Commit-  
5 tees on Appropriations of both Houses of Congress quar-  
6 terly reports detailing obligations, expenditures, and de-  
7 ployment implementation by facility, including any  
8 changes from the deployment plan or schedule: *Provided*  
9 *further*, That the funds provided in this account shall only  
10 be available to the Office of the Deputy Secretary, to be  
11 administered by that Office: *Provided further*, That 25  
12 percent of the funds made available under this heading  
13 shall not be available until July 1, 2023, and are contin-  
14 gent upon the Secretary of Veterans Affairs (1) being up  
15 to date on the quarterly reports on cost, performance  
16 metrics, and outcomes as required by the VA Electronic  
17 Health Record Transparency Act of 2021 (Public Law  
18 117–154), and (2) providing a report comparing current  
19 estimated costs to the revised Life Cycle Cost Estimate  
20 and certifying and detailing any changes to the full deploy-  
21 ment schedule, no later than 30 days prior to that date  
22 to the Committees on Appropriations.

23 OFFICE OF INSPECTOR GENERAL

24 For necessary expenses of the Office of Inspector  
25 General, to include information technology, in carrying out

1 the provisions of the Inspector General Act of 1978 (5  
2 U.S.C. App.), \$273,000,000, of which not to exceed 10  
3 percent shall remain available until September 30, 2024.

4 CONSTRUCTION, MAJOR PROJECTS

5 For constructing, altering, extending, and improving  
6 any of the facilities, including parking projects, under the  
7 jurisdiction or for the use of the Department of Veterans  
8 Affairs, or for any of the purposes set forth in sections  
9 316, 2404, 2406 and chapter 81 of title 38, United States  
10 Code, not otherwise provided for, including planning, ar-  
11 chitectural and engineering services, construction manage-  
12 ment services, maintenance or guarantee period services  
13 costs associated with equipment guarantees provided  
14 under the project, services of claims analysts, offsite utility  
15 and storm drainage system construction costs, and site ac-  
16 quisition, where the estimated cost of a project is more  
17 than the amount set forth in section 8104(a)(3)(A) of title  
18 38, United States Code, or where funds for a project were  
19 made available in a previous major project appropriation,  
20 \$1,447,890,000, of which \$731,722,000 shall remain  
21 available until September 30, 2027, and of which  
22 \$716,168,000 shall remain available until expended, of  
23 which \$1,500,000 shall be available for seismic improve-  
24 ment projects and seismic program management activities,  
25 including for projects that would otherwise be funded by



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

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

#### 19 CONSTRUCTION, MINOR PROJECTS

20 For constructing, altering, extending, and improving  
 21 any of the facilities, including parking projects, under the  
 22 jurisdiction or for the use of the Department of Veterans  
 23 Affairs, including planning and assessments of needs  
 24 which may lead to capital investments, architectural and  
 25 engineering services, maintenance or guarantee period

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

1 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE  
 2 FACILITIES

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

10 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

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

16 COST OF WAR TOXIC EXPOSURES FUND

17 For investment in the delivery of veterans health care  
 18 associated with exposure to environmental hazards, the ex-  
 19 penses incident to the delivery of veterans' health care and  
 20 benefits associated with exposure to environmental haz-  
 21 ards, and medical and other research relating to exposure  
 22 to environmental hazards, as authorized by section 324  
 23 of title 38, United States Code, \$1,400,000,000, to remain  
 24 available until September 30, 2027: *Provided*, That not  
 25 later than 30 days after the date of enactment of this Act,

1 the Secretary of the Department of Veterans Affairs, shall  
 2 submit to the Committees on Appropriations of both  
 3 Houses of Congress an expenditure plan for funds pro-  
 4 vided under this heading for fiscal year 2023: *Provided*  
 5 *further*, That the Secretary may not obligate, expend, or  
 6 transfer any funds prior to approval by the Committees  
 7 on Appropriations of both Houses of Congress of the ex-  
 8 penditure plan required by this section or absent a re-  
 9 sponse, a period of 30 days has elapsed.

#### 10 ADMINISTRATIVE PROVISIONS

##### 11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 201. Any appropriation for fiscal year 2023 for  
 13 “Compensation and Pensions”, “Readjustment Benefits”,  
 14 and “Veterans Insurance and Indemnities” may be trans-  
 15 ferred as necessary to any other of the mentioned appro-  
 16 priations: *Provided*, That, before a transfer may take  
 17 place, the Secretary of Veterans Affairs shall request from  
 18 the Committees on Appropriations of both Houses of Con-  
 19 gress the authority to make the transfer and such Com-  
 20 mittees issue an approval, or absent a response, a period  
 21 of 30 days has elapsed.

##### 22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 202. Amounts made available for the Depart-  
 24 ment of Veterans Affairs for fiscal year 2023, in this or  
 25 any other Act, under the “Medical Services”, “Medical

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

23 SEC. 203. Appropriations available in this title for  
24 salaries and expenses shall be available for services au-  
25 thorized by section 3109 of title 5, United States Code;

1 hire of passenger motor vehicles; lease of a facility or land  
2 or both; and uniforms or allowances therefore, as author-  
3 ized by sections 5901 through 5902 of title 5, United  
4 States Code.

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

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

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

1 prior year accounts within the last quarter of fiscal year  
2 2022.

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

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 208. Notwithstanding any other provision of  
12 law, during fiscal year 2023, the Secretary of Veterans  
13 Affairs shall, from the National Service Life Insurance  
14 Fund under section 1920 of title 38, United States Code,  
15 the Veterans’ Special Life Insurance Fund under section  
16 1923 of title 38, United States Code, and the United  
17 States Government Life Insurance Fund under section  
18 1955 of title 38, United States Code, reimburse the “Gen-  
19 eral Operating Expenses, Veterans Benefits Administra-  
20 tion” and “Information Technology Systems” accounts for  
21 the cost of administration of the insurance programs fi-  
22 nanced through those accounts: *Provided*, That reimburse-  
23 ment shall be made only from the surplus earnings accu-  
24 mulated in such an insurance program during fiscal year  
25 2023 that are available for dividends in that program after



1 claims have been paid and actuarially determined reserves  
 2 have been set aside: *Provided further*, That if the cost of  
 3 administration of such an insurance program exceeds the  
 4 amount of surplus earnings accumulated in that program,  
 5 reimbursement shall be made only to the extent of such  
 6 surplus earnings: *Provided further*, That the Secretary  
 7 shall determine the cost of administration for fiscal year  
 8 2023 which is properly allocable to the provision of each  
 9 such insurance program and to the provision of any total  
 10 disability income insurance included in that insurance pro-  
 11 gram.

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

17 (INCLUDING TRANSFER OF FUNDS)

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

1 exceed \$86,481,000 for the Office of Resolution Manage-  
2 ment, Diversity and Inclusion, \$6,812,000 for the Office  
3 of Employment Discrimination Complaint Adjudication,  
4 and \$4,576,000 for the Alternative Dispute Resolution  
5 function within the Office of Human Resources and Ad-  
6 ministration: *Provided*, That payments may be made in  
7 advance for services to be furnished based on estimated  
8 costs: *Provided further*, That amounts received shall be  
9 credited to the “General Administration” and “Informa-  
10 tion Technology Systems” accounts for use by the office  
11 that provided the service.

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

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

4 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

23 (INCLUDING TRANSFER OF FUNDS)

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

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

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

17 (INCLUDING TRANSFER OF FUNDS)

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

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

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

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 218. Amounts made available under the “Med-  
11 ical Services”, “Medical Community Care”, “Medical Sup-  
12 port and Compliance”, “Medical Facilities”, “General Op-  
13 erating Expenses, Veterans Benefits Administration”,  
14 “Board of Veterans Appeals”, “General Administration”,  
15 and “National Cemetery Administration” accounts for fis-  
16 cal year 2023 may be transferred to or from the “Informa-  
17 tion Technology Systems” account: *Provided*, That such  
18 transfers may not result in a more than 10 percent aggre-  
19 gate increase in the total amount made available by this  
20 Act for the “Information Technology Systems” account:  
21 *Provided further*, That, before a transfer may take place,  
22 the Secretary of Veterans Affairs shall request from the  
23 Committees on Appropriations of both Houses of Congress  
24 the authority to make the transfer and an approval is  
25 issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 219. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2023 for “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, “Medical Facilities”, “Construction, Minor Projects”, and “Information Technology Systems”, up to \$330,140,000, plus reimbursements, may be transferred to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress: *Provided further*, That section 220 of title II of division J of Public Law 117–103 is repealed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Of the amounts appropriated to the Department of Veterans Affairs which become available on October 1, 2023, for “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, and “Medical Facilities”, up to \$314,825,000, plus reimbursements, may be transferred to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

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

1 at facilities designated as combined Federal medical facili-  
 2 ties as described by section 706 of the Duncan Hunter  
 3 National Defense Authorization Act for Fiscal Year 2009  
 4 (Public Law 110–417; 122 Stat. 4500) shall also be avail-  
 5 able: (1) for transfer to the Joint Department of De-  
 6 fense—Department of Veterans Affairs Medical Facility  
 7 Demonstration Fund, established by section 1704 of the  
 8 National Defense Authorization Act for Fiscal Year 2010  
 9 (Public Law 111–84; 123 Stat. 2571); and (2) for oper-  
 10 ations of the facilities designated as combined Federal  
 11 medical facilities as described by section 706 of the Dun-  
 12 can Hunter National Defense Authorization Act for Fiscal  
 13 Year 2009 (Public Law 110–417; 122 Stat. 4500): *Pro-*  
 14 *vided*, That, notwithstanding section 1704(b)(3) of the  
 15 National Defense Authorization Act for Fiscal Year 2010  
 16 (Public Law 111–84; 123 Stat. 2573), amounts trans-  
 17 ferred to the Joint Department of Defense—Department  
 18 of Veterans Affairs Medical Facility Demonstration Fund  
 19 shall remain available until expended.

20 (INCLUDING TRANSFER OF FUNDS)

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



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

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

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

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

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

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

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

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

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

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 229. The Secretary of Veterans Affairs, upon  
 6 determination that such action is necessary to address  
 7 needs of the Veterans Health Administration, may trans-  
 8 fer to the “Medical Services” account any discretionary  
 9 appropriations made available for fiscal year 2023 in this  
 10 title (except appropriations made to the “General Oper-  
 11 ating Expenses, Veterans Benefits Administration” ac-  
 12 count) or any discretionary unobligated balances within  
 13 the Department of Veterans Affairs, including those ap-  
 14 propriated for fiscal year 2023, that were provided in ad-  
 15 vance by appropriations Acts: *Provided*, That transfers  
 16 shall be made only with the approval of the Office of Man-  
 17 agement and Budget: *Provided further*, That the transfer  
 18 authority provided in this section is in addition to any  
 19 other transfer authority provided by law: *Provided further*,  
 20 That no amounts may be transferred from amounts that  
 21 were designated by Congress as an emergency requirement  
 22 pursuant to a concurrent resolution on the budget or the  
 23 Balanced Budget and Emergency Deficit Control Act of  
 24 1985: *Provided further*, That such authority to transfer  
 25 may not be used unless for higher priority items, based

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

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 230. Amounts made available for the Depart-  
15 ment of Veterans Affairs for fiscal year 2023, under the  
16 “Board of Veterans Appeals” and the “General Operating  
17 Expenses, Veterans Benefits Administration” accounts  
18 may be transferred between such accounts: *Provided*, That  
19 before a transfer may take place, the Secretary of Vet-  
20 erans Affairs shall request from the Committees on Appro-  
21 priations of both Houses of Congress the authority to  
22 make the transfer and receive approval of that request.

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

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

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

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

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

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

20 (2) In this subsection—

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

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

1 (i) any Executive order, Presidential  
2 memorandum, or other action by the President;  
3 and

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

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

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

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

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

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

24 SEC. 233. Effective during the period beginning on  
25 October 1, 2018, and ending on January 1, 2024, none

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

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

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

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

18 (b) In this section:

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

22 (2) The term “covered veteran” means a vet-  
23 eran, as such term is defined in section 101 of title  
24 38, United States Code, who has a service-connected

1 disability that results in the inability of the veteran  
2 to procreate without the use of fertility treatment.

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

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

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



1           (4) The term “adoption reimbursement” means  
2 reimbursement for the adoption-related expenses for  
3 an adoption that is finalized after the date of the en-  
4 actment of this Act under the same terms as apply  
5 under the adoption reimbursement program of the  
6 Department of Defense, as authorized in Depart-  
7 ment of Defense Instruction 1341.09, including the  
8 reimbursement limits and requirements set forth in  
9 such instruction.

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

15       SEC. 235. None of the funds appropriated or other-  
16 wise made available by this Act or any other Act for the  
17 Department of Veterans Affairs may be used in a manner  
18 that is inconsistent with: (1) section 842 of the Transpor-  
19 tation, Treasury, Housing and Urban Development, the  
20 Judiciary, the District of Columbia, and Independent  
21 Agencies Appropriations Act, 2006 (Public Law 109–115;  
22 119 Stat. 2506); or (2) section 8110(a)(5) of title 38,  
23 United States Code.

24       SEC. 236. Section 842 of Public Law 109–115 shall  
25 not apply to conversion of an activity or function of the

1 Veterans Health Administration, Veterans Benefits Ad-  
2 ministration, or National Cemetery Administration to con-  
3 tractor performance by a business concern that is at least  
4 51 percent owned by one or more Indian Tribes as defined  
5 in section 5304(e) of title 25, United States Code, or one  
6 or more Native Hawaiian Organizations as defined in sec-  
7 tion 637(a)(15) of title 15, United States Code.

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

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

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

20 (b) The Secretary of Veterans Affairs may use a So-  
21 cial Security account number to identify an individual in  
22 an information system of the Department of Veterans Af-  
23 fairs if and only if the use of such number is required  
24 to obtain information the Secretary requires from an in-

1 formation system that is not under the jurisdiction of the  
2 Secretary.

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

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

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

15 SEC. 240. Of the funds provided to the Department  
16 of Veterans Affairs for each of fiscal year 2023 and fiscal  
17 year 2024 for “Medical Services”, funds may be used in  
18 each year to carry out and expand the child care program  
19 authorized by section 205 of Public Law 111–163, not-  
20 withstanding subsection (e) of such section.

21 SEC. 241. None of the funds appropriated or other-  
22 wise made available in this title may be used by the Sec-  
23 retary of Veterans Affairs to enter into an agreement re-  
24 lated to resolving a dispute or claim with an individual  
25 that would restrict in any way the individual from speak-

1 ing to members of Congress or their staff on any topic  
2 not otherwise prohibited from disclosure by Federal law  
3 or required by Executive order to be kept secret in the  
4 interest of national defense or the conduct of foreign af-  
5 fairs.

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

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

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

24 (c) Each Inspector General shall ensure compliance  
25 with statutory limitations on disclosure relevant to the in-

1 formation provided by the establishment over which that  
2 Inspector General has responsibilities under the Inspector  
3 General Act of 1978 (5 U.S.C. App.).

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

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

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

24 SEC. 246. For funds provided to the Department of  
25 Veterans Affairs for each of fiscal year 2023 and 2024,

1 section 248 of division A of Public Law 114–223 shall  
2 apply.

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

9 (b)(1) The Secretary of Veterans Affairs may approve  
10 the conduct of research commencing on or after October  
11 1, 2019, using canines, felines, or non-human primates if  
12 the Secretary determines that—

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

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

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

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

24 (c) If the Secretary approves any new research pursu-  
25 ant to subsection (b), not later than 30 days before the

1 commencement of such research, the Secretary shall sub-  
2 mit to the Committees on Appropriations of the Senate  
3 and House of Representatives a report describing—

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

6           SEC. 249. Amounts made available for the “Veterans  
7   Health Administration, Medical Community Care” ac-  
8   count in this or any other Act for fiscal years 2023 and  
9   2024 may be used for expenses that would otherwise be  
10   payable from the Veterans Choice Fund established by  
11   section 802 of the Veterans Access, Choice, and Account-  
12   ability Act, as amended (38 U.S.C. 1701 note).

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

19          SEC. 251. Of the amounts made available for the De-  
20   partment of Veterans Affairs for fiscal year 2023, in this  
21   or any other Act, under the “Veterans Health Administra-  
22   tion—Medical Services”, “Veterans Health Administra-  
23   tion—Medical Community Care”, “Veterans Health Ad-  
24   ministration—Medical Support and Compliance”, and  
25   “Veterans Health Administration—Medical Facilities” ac-

1 counts, \$911,119,000 shall be made available for gender-  
2 specific care and programmatic efforts to deliver care for  
3 women veterans.

4 (RESCISSION OF FUNDS)

5 SEC. 252. (a) Any remaining unobligated balances in  
6 the “Recurring Expenses Transformational Fund” estab-  
7 lished in section 243 of division J of Public Law 114–  
8 113, are hereby rescinded immediately upon enactment of  
9 this Act.

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

19 (1) 85 percent of the additional new budget au-  
20 thority shall be made available for an additional  
21 amount for “Departmental Administration—Con-  
22 struction, Major Projects”; and

23 (2) 15 percent of the additional new budget au-  
24 thority shall be made available for an additional

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

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

10       SEC. 253. Not later than 30 days after the end of  
11    each fiscal quarter, the Secretary of Veterans Affairs shall  
12    submit to the Committees on Appropriations of both  
13    Houses of Congress a quarterly report on the status of  
14    the “Veterans Medical Care and Health Fund”, estab-  
15    lished to execute section 8002 of the American Rescue  
16    Plan Act of 2021 (Public Law 117–2): *Provided*, That,  
17    at a minimum, the report shall include an update on obli-  
18    gations by program, project or activity and a plan for ex-  
19    pending the remaining funds: *Provided further*, That the  
20    Secretary of Veterans Affairs must submit notification of  
21    any plans to reallocate funds from the current apporportion-  
22    ment categories of “Medical Services”, “Medical Support  
23    and Compliance”, “Medical Facilities”, “Medical Commu-  
24    nity Care”, or “Medical and Prosthetic Research”, includ-  
25    ing the amount and purpose of each reallocation to the

1 Committees on Appropriations of both Houses of Congress  
2 and such Committees issue an approval, or absent a re-  
3 sponse, a period of 30 days has elapsed.

4       SEC. 254. Any amounts transferred to the Secretary  
5 and administered by a corporation referred to in section  
6 7364(b) of title 38, United States Code, between October  
7 1, 2017 and September 30, 2018 for purposes of carrying  
8 out an order placed with the Department of Veterans Af-  
9 fairs pursuant to section 1535 of title 31, United States  
10 Code, that are available for obligation pursuant to section  
11 7364(b)(1) of title 38, United States Code, are to remain  
12 available for the liquidation of valid obligations incurred  
13 by such corporation during the period of performance of  
14 such order, provided that the Secretary of Veterans Af-  
15 fairs determines that such amounts need to remain avail-  
16 able for such liquidation.

17                               (RESCISSIONS OF FUNDS)

18       SEC. 255. Of the unobligated balances available to  
19 the Department of Veterans Affairs from prior appropria-  
20 tions Acts, the following funds are hereby rescinded from  
21 the following accounts in the amounts specified:

22               “Asset and Infrastructure Review”, \$5,000,000;  
23       and  
24               “Departmental Administration—Veterans Elec-  
25       tronic Health Record”, \$82,174,000:

1 *Provided*, That no amounts may be rescinded from  
2 amounts that were designated by the Congress as an  
3 emergency requirement pursuant to a concurrent resolu-  
4 tion on the budget or the Balanced Budget and Emer-  
5 gency Deficit Control Act of 1985.

6       SEC. 256. None of the funds in this or any other Act  
7 may be used to close Department of Veterans Affairs hos-  
8 pitals, domiciliaries, or clinics, conduct an environmental  
9 assessment, or to diminish healthcare services at existing  
10 Veterans Health Administration medical facilities as part  
11 of a planned realignment of services until the Secretary  
12 provides to the Committees on Appropriations of both  
13 Houses of Congress a report including an analysis of how  
14 any such planned realignment of services will impact ac-  
15 cess to care for veterans living in rural or highly rural  
16 areas, including travel distances and transportation costs  
17 to access a Department medical facility and availability  
18 of local specialty and primary care.

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, \$86,800,000, 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, \$46,900,000: *Provided*, That  
8 \$3,385,000 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 \$93,400,000, of which not to exceed \$15,000,000 shall re-  
22 main available until September 30, 2025. 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, \$62,500,000, to  
7 remain available until expended, of which \$2,500,000 shall  
8 be for study, planning and design and architect and engi-  
9 neering services for Memorial Avenue improvements  
10 project at Arlington National Cemetery; and \$60,000,000  
11 shall be for planning and design and construction associ-  
12 ated with the Southern Expansion project.

13 ARMED FORCES RETIREMENT HOME

14 TRUST FUND

15 For expenses necessary for the Armed Forces Retire-  
16 ment Home to operate and maintain the Armed Forces  
17 Retirement Home—Washington, District of Columbia,  
18 and the Armed Forces Retirement Home—Gulfport, Mis-  
19 sissippi, to be paid from funds available in the Armed  
20 Forces Retirement Home Trust Fund, \$75,360,000, to re-  
21 main available until September 30, 2024, of which  
22 \$7,300,000 shall remain available until expended for con-  
23 struction and renovation of the physical plants at the  
24 Armed Forces Retirement Home—Washington, District of  
25 Columbia, and the Armed Forces Retirement Home—



1 Gulfport, Mississippi: *Provided*, That of the amounts made  
2 available under this heading from funds available in the  
3 Armed Forces Retirement Home Trust Fund,  
4 \$25,000,000 shall be paid from the general fund of the  
5 Treasury to the Trust Fund.

6 MAJOR CONSTRUCTION

7 For an additional amount for necessary expenses re-  
8 lated to design, planning, and construction for renovation  
9 of the Sheridan Building at the Armed Forces Retirement  
10 Home—Washington, \$77,000,000, to remain available  
11 until expended, shall be paid from the general fund of the  
12 Treasury to the Armed Forces Retirement Home Trust  
13 Fund.

14 ADMINISTRATIVE PROVISION

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

## 1 TITLE IV

## 2 GENERAL PROVISIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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