

### § 115. Acquisition of real property

For the purposes of sections 314, 315, 316, and 2406 of this title and subchapter I of chapter 81 of this title, the Secretary may acquire and use real property—

- (1) before title to the property is approved under section 3111 of title 40; and
- (2) even though the property will be held in other than a fee simple interest in a case in which the Secretary determines that the interest to be acquired is sufficient for the purposes of the intended use.

(Added Pub. L. 102-86, title IV, §402(a), Aug. 14, 1991, 105 Stat. 422; amended Pub. L. 102-83, §5(c)(1), Aug. 6, 1991, 105 Stat. 406; Pub. L. 103-446, title XII, §1201(d)(1), Nov. 2, 1994, 108 Stat. 4684; Pub. L. 107-217, §3(j)(1), Aug. 21, 2002, 116 Stat. 1300.)

#### AMENDMENTS

2002—Par. (1). Pub. L. 107-217 substituted “section 3111 of title 40” for “section 355 of the Revised Statutes (40 U.S.C. 255)”.

1994—Pub. L. 103-446 substituted “sections 314, 315, 316,” for “sections 230” in introductory provisions.

1991—Pub. L. 102-83 substituted “2406” for “1006” in introductory provisions.

### § 116. Reports to Congress: cost information

Whenever the Secretary submits to Congress, or any committee of Congress, a report that is required by law or by a joint explanatory statement of a committee of conference of the Congress, the Secretary shall include with the report—

- (1) a statement of the cost of preparing the report; and
- (2) a brief explanation of the methodology used in preparing that cost statement.

(Added Pub. L. 106-419, title IV, §403(d)(1)(A), Nov. 1, 2000, 114 Stat. 1864.)

#### EFFECTIVE DATE

Pub. L. 106-419, title IV, §403(d)(2), Nov. 1, 2000, 114 Stat. 1864, provided that: “Section 116 of title 38, United States Code, as added by paragraph (1) of this subsection, shall apply with respect to any report submitted by the Secretary of Veterans Affairs after the end of the 90-day period beginning on the date of the enactment of this Act [Nov. 1, 2000].”

### § 117. Advance appropriations for certain accounts

(a) IN GENERAL.—For each fiscal year, new budget authority provided in an appropriations Act for the covered accounts of the Department shall—

- (1) be made available for that fiscal year; and
- (2) include, for each such account, advance new budget authority that first becomes available for the first fiscal year after the budget year.

(b) ESTIMATES REQUIRED.—The Secretary shall include in documents submitted to Congress in support of the President’s budget submitted pursuant to section 1105 of title 31, United States Code, detailed estimates of the funds necessary for the covered accounts of the Department for the fiscal year following the fiscal year for which the budget is submitted.

(c) COVERED ACCOUNTS OF THE DEPARTMENT.—For purposes of this section, the term “covered accounts of the Department” means the following accounts of the Department of Veterans Affairs account:

- (1) Veterans Benefits Administration, Compensation and Pensions.
- (2) Veterans Benefits Administration, Readjustment Benefits.
- (3) Veterans Benefits Administration, Veterans Insurance and Indemnities.
- (4) Veterans Health Administration, Medical Services.
- (5) Veterans Health Administration, Medical Support and Compliance.
- (6) Veterans Health Administration, Medical Facilities.
- (7) Veterans Health Administration, Medical Community Care.

(d) ANNUAL REPORT.—Not later than July 31 of each year, the Secretary shall submit to Congress an annual report on the sufficiency of the Department’s resources for the next fiscal year beginning after the date of the submittal of the report for the provision of medical care. Such report shall also include estimates of the workload and demand data for that fiscal year.

(Added Pub. L. 111-81, §3(a), Oct. 22, 2009, 123 Stat. 2137; amended Pub. L. 113-235, div. I, title II, §244(a), Dec. 16, 2014, 128 Stat. 2568; Pub. L. 114-315, title VI, §601(a), Dec. 16, 2016, 130 Stat. 1569.)

#### AMENDMENTS

2016—Subsec. (c)(7). Pub. L. 114-315 added par. (7).

2014—Pub. L. 113-235, §244(a)(4), substituted “certain accounts” for “certain medical care accounts” in section catchline.

Subsec. (a). Pub. L. 113-235, §244(a)(2), struck out “beginning with fiscal year 2011,” after “each fiscal year,” in introductory provisions and “discretionary” before “new budget authority” in introductory provisions and par. (2).

Pub. L. 113-235, §244(a)(1), substituted “covered accounts of the Department” for “medical care accounts of the Department” in introductory provisions.

Subsec. (b). Pub. L. 113-235, §244(a)(1), substituted “covered accounts of the Department” for “medical care accounts of the Department”.

Subsec. (c). Pub. L. 113-235, §244(a)(1), (3)(A), (G), in heading, substituted “Covered Accounts of the Department” for “Medical Care Accounts” and, in introductory provisions, substituted “covered accounts of the Department” for “medical care accounts of the Department” and “accounts of the Department of Veterans Affairs account” for “medical care accounts of the Veterans Health Administration, Department of Veterans Affairs account”.

Pub. L. 113-235, §244(a)(3)(B)–(F), inserted “Veterans Health Administration,” after enumerators for pars. (1) to (3), redesignated pars. (1) to (3) as (4) to (6), respectively, and added pars. (1) to (3).

#### EFFECTIVE DATE OF 2016 AMENDMENT

Amendment by Pub. L. 114-315 applicable to fiscal years beginning on and after Oct. 1, 2017, see section 601(c) of Pub. L. 114-315, set out as a note under section 1105 of Title 31, Money and Finance.

#### EFFECTIVE DATE OF 2014 AMENDMENT

Pub. L. 113-235, div. I, title II, §244(b), Dec. 16, 2014, 128 Stat. 2569, provided that: “Section 117 of title 38, United States Code, shall apply as follows:

- “(1) With respect to an account described in paragraph (4), (5), or (6) of subsection (c) of such section,