

§ 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,

as redesignated by subsection (a) of this section, for each fiscal year beginning with fiscal year 2011.

“(2) With respect to an account described in paragraph (1), (2), or (3) of such subsection (c), as added by subsection (a) of this section, for each fiscal year beginning with 2017.”

COMPTROLLER GENERAL REVIEW OF THE ACCURACY OF VA MEDICAL CARE BUDGET SUBMISSION IN RELATION TO BASELINE HEALTH CARE MODEL PROJECTION

Pub. L. 111-81, § 4, Oct. 22, 2009, 123 Stat. 2138, provided that:

“(a) REVIEW OF ACCURACY OF MEDICAL CARE BUDGET SUBMISSION.—The Comptroller General shall conduct a review of each budget of the President for a fiscal year that is submitted to Congress pursuant to section 1105(a) of title 31 in order to assess whether or not the relevant components of the amounts requested in such budget for such fiscal year for the medical care accounts of the Department of Veterans Affairs specified in section 117(c) of title 38, United States Code, as added by section 3, are consistent with estimates of the resources required by the Department for the provision of medical care and services in such fiscal year, as forecast using the Enrollee Health Care Projection Model, or other methodologies used by the Department.

“(b) REPORTS.—

“(1) IN GENERAL.—Not later than 120 days after the date of each year in 2011, 2012, and 2013, on which the President submits the budget request for the next fiscal year under section 1105 of title 31, United States Code, the Comptroller General shall submit to the Committees on Veterans' Affairs, Appropriations, and the Budget of the Senate and the Committees on Veterans' Affairs, Appropriations, and the Budget of the House of Representatives and to the Secretary a report on the review conducted under subsection (a).

“(2) ELEMENTS.—Each report under this paragraph shall include, for the fiscal year beginning in the year in which such report is submitted, the following:

“(A) An assessment of the review conducted under subsection (a).

“(B) The basis for such assessment.

“(C) Such additional information as the Comptroller General determines appropriate.

“(3) AVAILABILITY TO THE PUBLIC.—Each report submitted under this subsection shall also be made available to the public.”

§ 118. Submission of reports to Congress in electronic form

(a) IN GENERAL.—Whenever the Secretary or any other official of the Department is required by law to submit to Congress (or any committee of either chamber of Congress) a report, the Secretary or other official shall submit to Congress (or such committee) a copy of the report in an electronic format.

(b) TREATMENT.—The submission of a copy of a report in accordance with this section shall be treated as meeting any requirement of law to submit such report to Congress (or any committee of either chamber of Congress).

(c) REPORT DEFINED.—For purposes of this section, the term “report” includes any certification, notification, or other communication in writing.

(Added Pub. L. 111-163, title X, § 1003(a), May 5, 2010, 124 Stat. 1182.)

CHAPTER 3—DEPARTMENT OF VETERANS AFFAIRS

Sec.	
301.	Department.
302.	Seal.

Sec.	
303.	Secretary of Veterans Affairs.
304.	Deputy Secretary of Veterans Affairs.
305.	Under Secretary for Health.
306.	Under Secretary for Benefits.
307.	Under Secretary for Memorial Affairs.
308.	Assistant Secretaries; Deputy Assistant Secretaries.
309.	Chief Financial Officer.
310.	Chief Information Officer.
311.	General Counsel.
312.	Inspector General.
312A.	Director of Construction and Facilities Management.
313.	Availability of appropriations.
314.	Central Office.
315.	Regional offices.
316.	Colocation of regional offices and medical centers.
317.	Center for Minority Veterans.
318.	Center for Women Veterans.
319.	Office of Employment Discrimination Complaint Adjudication.
320.	Department of Veterans Affairs-Department of Defense Joint Executive Committee.
321.	Office of Survivors Assistance.
322.	Office of National Veterans Sports Programs and Special Events.
323.	Office of Accountability and Whistleblower Protection.

PRIOR PROVISIONS

Prior chapter 3, consisted of sections 201 to 203, 210 to 224, 230, 231, 233 to 236, and 240 to 246, prior to repeal by Pub. L. 102-83, § 2(a), Aug. 6, 1991, 105 Stat. 378.

Section 201, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1114, established Veterans' Administration as an independent agency in executive branch of Government. See section 301 of this title.

Section 202, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1114, related to seal of Veterans' Administration and authentication of records of Veterans' Administration. See section 302 of this title.

Section 203, added Pub. L. 94-424, § 2(a), Sept. 28, 1976, 90 Stat. 1332; amended Pub. L. 97-258, § 2(j), Sept. 13, 1982, 96 Stat. 1062; Pub. L. 98-160, title VII, § 702(1), Nov. 21, 1983, 97 Stat. 1009, related to availability of appropriations. See section 313 of this title.

Section 210, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1114; Pub. L. 88-426, title III, § 305(15), Aug. 14, 1964, 78 Stat. 424; Pub. L. 89-361, § 1(a), (b), Mar. 7, 1966, 80 Stat. 29; Pub. L. 89-785, title III, § 301, Nov. 7, 1966, 80 Stat. 1376; Pub. L. 92-328, title II, § 201, June 30, 1972, 86 Stat. 396; Pub. L. 95-202, title III, § 301, Nov. 23, 1977, 91 Stat. 1440; Pub. L. 96-22, title V, § 502(a), June 13, 1979, 93 Stat. 64; Pub. L. 97-66, title VI, § 601(a)(1), Oct. 17, 1981, 95 Stat. 1033; Pub. L. 97-452, § 2(e)(1), Jan. 12, 1983, 96 Stat. 2478; Pub. L. 99-166, title IV, § 403(a), Dec. 3, 1985, 99 Stat. 957; Pub. L. 99-576, title V, § 501, title VII, § 701(9), Oct. 28, 1986, 100 Stat. 3285, 3291; Pub. L. 100-527, § 15(a), Oct. 5, 1988, 102 Stat. 2644; Pub. L. 102-40, title III, § 303, May 7, 1991, 105 Stat. 208, related to appointment and general authority of Administrator and Deputy Administrator. See sections 303, 304, 501, 503, 510, and 711 of this title.

Section 211, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1115; Pub. L. 89-214, § 1(b), Sept. 29, 1965, 79 Stat. 886; Pub. L. 89-358, § 4(h), Mar. 3, 1966, 80 Stat. 24; Pub. L. 91-376, § 8(a), Aug. 12, 1970, 84 Stat. 790; Pub. L. 100-687, div. A, title I, § 101(a), Nov. 18, 1988, 102 Stat. 4105, related to decisions of Administrator and opinions of Attorney General. See sections 505 and 511 of this title.

Section 212, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1115; Pub. L. 89-361, § 2, Mar. 7, 1966, 80 Stat. 30; Pub. L. 99-576, title VII, § 701(10), Oct. 28, 1986, 100 Stat. 3291, related to delegation of authority and assignment of duties. See section 512 of this title.

Section 213, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1115; Pub. L. 89-785, title III, § 302, Nov. 7, 1966, 80 Stat. 1376; Pub. L. 91-24, § 2(c), June 11, 1969, 83 Stat. 33; Pub. L. 99-576, title VII, § 701(11), Oct. 28, 1986, 100 Stat. 3291, re-