

**AMENDMENT TO**  
**RULES COMMITTEE PRINT 116-54**  
**OFFERED BY MS. BROWNLEY OF CALIFORNIA**

Add at the end of division H the following new title:

1 **TITLE \_\_\_\_\_—CONSTRUCTION**  
2 **AND LEASING OF MEDICAL**  
3 **FACILITIES OF THE DEPART-**  
4 **MENT OF VETERANS AFFAIRS**

5 **SEC. \_\_\_\_ . SHORT TITLE.**

6 This title may be cited as the “Build a Better VA  
7 Act”.

8 **SEC. \_\_\_\_ . TREATMENT OF MAJOR MEDICAL FACILITY**  
9 **LEASES OF THE DEPARTMENT OF VETERANS**  
10 **AFFAIRS.**

11 (a) CONGRESSIONAL APPROVAL OF MAJOR MEDICAL  
12 FACILITY LEASES.—Paragraph (2) of section 8104(a) of  
13 title 38, United States Code, is amended—

14 (1) by striking “No funds” and inserting “(A)  
15 No funds”;

16 (2) by striking “or any major medical facility  
17 lease”;

18 (3) by striking “or lease”; and

1           (4) by adding at the end the following new sub-  
2           paragraph:

3           “(B) No funds may be appropriated for any fiscal  
4           year (other than for advance planning and design) for any  
5           major medical facility lease unless the Committee on Vet-  
6           erans’ Affairs of the Senate and the Committee on Vet-  
7           erans’ Affairs of the House of Representatives each adopt  
8           a resolution approving the lease.”.

9           (b) MODIFICATION OF DEFINITION OF MAJOR MED-  
10          ICAL FACILITY LEASE.—Paragraph (3)(B) of such section  
11          is amended to read as follows:

12          “(B) The term ‘major medical facility lease’ means  
13          a lease for space for use as a new medical facility at an  
14          average annual rent equal to or greater than the dollar  
15          threshold for leases procured through the General Services  
16          Administration under section 3307(a)(2) of title 40, which  
17          shall be subject to annual adjustment in accordance with  
18          section 3307(h) of such title, but such term does not in-  
19          clude a lease for space for use as a shared Federal medical  
20          facility for which the Department’s estimated share of the  
21          lease costs does not exceed that dollar threshold.”.

22          (c) APPLICABILITY.—The amendments made by this  
23          section shall apply with respect to a lease that has not  
24          been specifically authorized by law on or before the date  
25          of the enactment of this Act.

1 **SEC. \_\_\_\_ . AUTHORIZATION OF MAJOR MEDICAL FACILITY**  
2 **LEASES OF DEPARTMENT OF VETERANS AF-**  
3 **FAIRS FOR FISCAL YEAR 2021.**

4 (a) IN GENERAL.—The Secretary of Veterans Affairs  
5 may carry out the following major medical facility leases  
6 in fiscal year 2021 at the locations specified and in an  
7 amount for each lease not to exceed the amount specified  
8 for such location:

9 (1) Lease of a facility for member services for  
10 the Veterans Health Administration in Atlanta,  
11 Georgia, in an amount not to exceed \$14,146,000.

12 (2) Lease for an outpatient clinic in Baltimore,  
13 Maryland, in an amount not to exceed \$26,005,000.

14 (3) Lease for an outpatient clinic in Baton  
15 Rouge, Louisiana, in an amount not to exceed  
16 \$18,923,000.

17 (4) Lease for an outpatient clinic in Beaufort,  
18 South Carolina, in an amount not to exceed  
19 \$12,667,000.

20 (5) Lease for an outpatient clinic in Beaumont,  
21 Texas, in an amount not to exceed \$9,851,000.

22 (6) Lease of a facility for research in Columbia,  
23 Missouri, in an amount not to exceed \$14,889,000.

24 (7) Lease for an outpatient clinic in Hampton,  
25 Virginia, in an amount not to exceed \$45,958,000.



1           “(2)(A) The Secretary may enter into an enhanced-  
2 use lease on or after the date of the enactment of the  
3 Build a Better VA Act only if the Secretary determines  
4 that—

5                   “(i) the lease will not be inconsistent with and  
6 will not adversely affect—

7                           “(I) the mission of the Department; or

8                           “(II) the operation of facilities, programs,  
9 and services of the Department in the local  
10 area; and

11                   “(ii)(I) the lease will enhance the use of the  
12 leased property by directly or indirectly benefitting  
13 veterans; or

14                           “(II) the leased property will provide supportive  
15 housing.

16           “(B) The Secretary shall give priority to enhanced  
17 used leases that, on the leased property—

18                   “(i) provide supportive housing for veterans;

19                   “(ii) provide direct services or benefits targeted  
20 to veterans; or

21                   “(iii) provide services or benefits that indirectly  
22 support veterans.”.

1 **SEC. \_\_\_\_ . FACILITY PLANNING STAFF AT MEDICAL CEN-**  
2 **TERS OF THE DEPARTMENT OF VETERANS**  
3 **AFFAIRS.**

4 (a) STAFFING.—

5 (1) IN GENERAL.—The Secretary of Veterans  
6 Affairs shall ensure that each medical center of the  
7 Department of Veterans Affairs has not fewer than  
8 one staff member whose sole job is—

9 (A) facility planning;

10 (B) long-range capital planning; and

11 (C) management of projects and capital as-  
12 sets relating to the execution of major construc-  
13 tion projects, minor construction projects,  
14 major leases, minor leases, non-recurring main-  
15 tenance, and related matters at the medical  
16 center and the catchment area surrounding the  
17 medical center.

18 (2) TREATMENT OF STATES AND TERRITORIES  
19 WITHOUT A MEDICAL CENTER.—In the case of a  
20 State or territory of the United States in which the  
21 Department does not operate a full-service medical  
22 center, the staff member required under paragraph  
23 (1) shall be located at the largest medical facility of  
24 the Department in that State or territory, and any  
25 reference in this section to a medical center shall be  
26 deemed to be a reference to that medical facility.

1 (b) LONG-TERM PLANNING AND MANAGEMENT.—An  
2 individual in a position described in subsection (a) at a  
3 medical center of the Department shall not be the same  
4 individual responsible for day to day maintenance and re-  
5 pairs at the medical center or other medical facilities of  
6 the Department in the catchment area surrounding the  
7 medical center.

8 (c) QUALIFICATIONS.—The Secretary shall ensure  
9 that an individual in a position described in subsection (a)  
10 has the appropriate professional certifications, educational  
11 background, and other qualifications to manage the duties  
12 of such position under this section.

13 (d) DUTIES.—

14 (1) IN GENERAL.—An individual in a position  
15 described in subsection (a) at a medical center of the  
16 Department shall have the following duties:

17 (A) The development, monitoring, and im-  
18 plementation of capital asset objectives for the  
19 catchment area surrounding the medical center,  
20 including community-based outpatient clinics  
21 and other sites of care of the Department in  
22 that area.

23 (B) The coordination of capital asset man-  
24 agement and planning with counterparts at  
25 other medical centers of the Department in the

1 region and facility planners for the Veterans In-  
2 tegrated Service Network or Networks in the  
3 region.

4 (C) Constantly monitoring the needs of  
5 veterans and staff of the Department as it re-  
6 lates to medical space and services at the med-  
7 ical center and the catchment area surrounding  
8 the medical center to forward plan and identify  
9 and submit plans to meet those needs.

10 (D) In order to formulate local and re-  
11 gional capital improvement and asset manage-  
12 ment plans for medical facilities of the Depart-  
13 ment, the collection, not less frequently than  
14 once every two years, of—

15 (i) views and expectations of veterans  
16 in the catchment area surrounding the  
17 medical center who are users of health care  
18 provided by the Department with respect  
19 to—

20 (I) preferences and needs of  
21 those veterans for the care received  
22 from medical facilities of the Depart-  
23 ment in that area; and

1 (II) the need for improvements  
2 and enhancements to infrastructure of  
3 the Department; and

4 (ii) views of relevant medical staff of  
5 the Department at the medical center and  
6 in the catchment area surrounding the  
7 medical center regarding their preferences  
8 and needs for how to deliver health care to  
9 veterans and how those preferences impact  
10 the infrastructure needs of the Depart-  
11 ment.

12 (E) With respect to space, planning, and  
13 infrastructure policies and directives of the De-  
14 partment, including those issued by the central  
15 office of the Department, the Veterans Health  
16 Administration, the Office of Acquisition, Lo-  
17 gistics, and Construction, the Office of Manage-  
18 ment, the Office of General Counsel, a Veterans  
19 Integrated Service Network, and any other of-  
20 fice of the Department with significant respon-  
21 sibility over capital asset management and plan-  
22 ning—

23 (i) understanding and implementing  
24 locally those policies and directives; and

1 (ii) providing feedback regarding ways  
2 in which those policies and directives can  
3 be improved.

4 (2) COLLECTION OF VIEWS AND EXPECTA-  
5 TIONS.—

6 (A) IN GENERAL.—Views and expectations  
7 may be collected under paragraph (1)(D)  
8 through multiple channels and the process used  
9 for such collection shall ensure that the views  
10 and expectations collected provide a representa-  
11 tive sample of the population from which such  
12 views and expectations are collected.

13 (B) CONFIDENTIALITY.—Any information  
14 collected under paragraph (1)(D) shall be col-  
15 lected in a manner that provides an option for  
16 submission of views that are anonymous and  
17 confidential.

18 (C) INCLUSION OF DIVERSE VIEW-  
19 POINTS.—In collecting views and expectations  
20 of veterans under paragraph (1)(D)(i), an indi-  
21 vidual in a position described in subsection (a)  
22 at a medical center of the Department shall en-  
23 sure that the viewpoints of a diverse population  
24 of veterans being served by the medical center  
25 are captured.

1 (e) DEVELOPMENT OF STANDARD PROCESS TO SO-  
2 LICIT VIEWS ON EFFECTIVENESS.—

3 (1) IN GENERAL.—The Secretary shall develop  
4 a standardized process to solicit, not less frequently  
5 than once every two years, feedback from medical  
6 centers and Veterans Integrated Service Networks of  
7 the Department regarding the effectiveness of and  
8 ways to improve the infrastructure and asset man-  
9 agement investment processes and guidance of the  
10 central office of the Department and Veterans Inte-  
11 grated Service Networks.

12 (2) CONFIDENTIALITY.—Any information col-  
13 lected under paragraph (1) shall be collected in a  
14 manner that provides an option for submission of  
15 views that are anonymous and confidential.

16 **SEC. \_\_\_\_ . REVIEW OF CLIMATE RESILIENCE OF FACILI-**  
17 **TIES OF THE DEPARTMENT OF VETERANS AF-**  
18 **FAIRS.**

19 (a) IN GENERAL.—The Secretary of Veterans Affairs  
20 shall conduct a comprehensive review of the climate resil-  
21 ience of facilities under the authority and jurisdiction of  
22 the Secretary.

23 (b) ELEMENTS.—

24 (1) IN GENERAL.—The review conducted under  
25 subsection (a) shall—

- 1 (A) provide a comprehensive assessment of  
2 existing facilities that may be at risk due to  
3 changes in the climate, including potential  
4 vulnerabilities related to—
- 5 (i) proximity to a body of water;
  - 6 (ii) proximity to an area prone to  
7 flooding;
  - 8 (iii) proximity to an area prone to  
9 wild fire;
  - 10 (iv) proximity to an area prone to tor-  
11 nadoes, hurricanes, or other storms; and
  - 12 (v) such other matters as the Sec-  
13 retary considers appropriate after con-  
14 sulting with the United States Global  
15 Change Research Program on the best  
16 available observations and forward-looking  
17 climate projections by region, including sea  
18 level rise data;
- 19 (B) include a description of strategies to  
20 improve the climate resilience of existing facili-  
21 ties at risk due to changes in the climate, in-  
22 cluding potential modifications to facility oper-  
23 ations and maintenance practices, and the cost  
24 of such strategies;

1 (C) include an analysis of the design  
2 standards and building codes used by the De-  
3 partment to site, plan, build, lease, and ren-  
4 ovate facilities and whether those design stand-  
5 ards and building codes reflect both observed  
6 and forward-looking climate information;

7 (D) use, in consultation with the United  
8 States Global Change Research Program, for-  
9 ward-looking climate information and other pro-  
10 jections to anticipate changing environmental  
11 conditions during the design life of existing or  
12 planned facilities and infrastructure; and

13 (E) include recommendations for best  
14 practices for future placement, planning, ren-  
15 ovation, and construction of facilities of the De-  
16 partment so as to avoid or mitigate the chal-  
17 lenges resulting from placing a facility in an  
18 area at risk of being vulnerable to harm from  
19 the impacts of changing environmental condi-  
20 tions.

21 (2) SOURCES OF INFORMATION AND PROJEC-  
22 TIONS.—Sources of information and projections used  
23 under paragraph (1)(D) may include the Bureau of  
24 the Census (for population projections), the National  
25 Academies of Sciences, Engineering, and Medicine

1 (for land use change projections and climate projec-  
2 tions), the United States Geological Survey (for land  
3 use change projections), the United States Global  
4 Change Research Program and the National Climate  
5 Assessment (for climate observations and projec-  
6 tions), and such other sources as the Secretary con-  
7 siders reliable in consultation with the United States  
8 Global Change Research Program.

9 (c) REPORT.—

10 (1) IN GENERAL.—Not later than two years  
11 after the date of the enactment of this Act, the Sec-  
12 retary shall submit to the appropriate committees of  
13 Congress a report detailing the results of the review  
14 conducted under subsection (a) and the actions the  
15 Secretary will take in response to the findings of  
16 such review.

17 (2) ELEMENTS.—The report required by para-  
18 graph (1) shall include the following:

19 (A) Recommendations for legislative and  
20 administrative action to mitigate and respond  
21 to the findings contained in such review.

22 (B) A description of action to be taken by  
23 the Secretary to improve the climate resilience  
24 of existing facilities of the Department of Vet-  
25 erans Affairs.

1 (C) A description of changes in policy, di-  
2 rectives, and procedures of the Department to  
3 mitigate, plan for, and improve resilience of fu-  
4 ture constructed facilities of the Department.

5 (D) The estimated cost to implement the  
6 changes described in the report.

7 (E) The estimate timeline to implement  
8 the changes described in the report.

9 (F) Such other matters, recommendations,  
10 or requests as the Secretary considers appro-  
11 priate.

12 (d) DEFINITIONS.—In this section:

13 (1) APPROPRIATE COMMITTEES OF CON-  
14 GRESS.—The term “appropriate committees of Con-  
15 gress” means—

16 (A) the Committee on Appropriations and  
17 the Committee on Veterans’ Affairs of the Sen-  
18 ate; and

19 (B) the Committee on Appropriations and  
20 the Committee on Veterans’ Affairs of the  
21 House of Representatives.

22 (2) CLIMATE RESILIENCE.—The term “climate  
23 resilience” means—

24 (A) anticipating, preparing for, and adapt-  
25 ing to changing environmental conditions such

1 as variations in average weather conditions that  
2 persist over multiple decades or longer that en-  
3 compass increases and decreases in tempera-  
4 ture, shifts in precipitation, and changing risk  
5 of certain types of severe weather events; and

6 (B) the ability to withstand, respond to,  
7 and recover rapidly from disruptions while en-  
8 suring the sustainment of mission-critical oper-  
9 ations.

10 **SEC. \_\_\_\_ . REVIEW OF INFRASTRUCTURE NEEDS FOR DE-**  
11 **PLOYMENT OF THE ELECTRONIC HEALTH**  
12 **RECORD MODERNIZATION INITIATIVE OF**  
13 **THE DEPARTMENT OF VETERANS AFFAIRS.**

14 (a) IN GENERAL.—The Secretary of Veterans Affairs  
15 shall conduct a review of the physical space needs of each  
16 facility of the Department of Veterans Affairs as it relates  
17 to the deployment of the Electronic Health Record Mod-  
18 ernization initiative of the Department.

19 (b) ELEMENTS.—The review conducted under sub-  
20 section (a) shall include an assessment of the amount and  
21 type of space, by facility, that needs to be renovated, modi-  
22 fied, or constructed to accommodate any new or existing  
23 information technology or other infrastructure needed for  
24 the effective deployment of the new electronic health  
25 record of the Department.

1 (c) REPORT.—

2 (1) IN GENERAL.—Not later than 275 days  
3 after the date of the enactment of this Act, the Sec-  
4 retary shall submit to the appropriate committees of  
5 Congress a report—

6 (A) summarizing the findings of the review  
7 conducted under subsection (a);

8 (B) detailing any legislative or administra-  
9 tive action needed to carry out any projects rec-  
10 ommended in the review;

11 (C) containing a timeline to complete any  
12 such projects;

13 (D) containing the cost and location of any  
14 such projects; and

15 (E) containing such recommendations, in-  
16 formation, or requests as the Secretary con-  
17 siders appropriate.

18 (2) APPROPRIATE COMMITTEES OF CONGRESS  
19 DEFINED.—In this subsection, the term “appro-  
20 priate committees of Congress” means—

21 (A) the Committee on Appropriations and  
22 the Committee on Veterans’ Affairs of the Sen-  
23 ate; and

1 (B) the Committee on Appropriations and  
2 the Committee on Veterans' Affairs of the  
3 House of Representatives.

