AMENDMENT TO RULES COMMITTEE PRINT 117–33

OFFERED BY MR. GRAVES OF LOUISIANA

Add at the end the following:

TITLE VIII—VA LEASE AUTHORIZATION REFORMS

SEC. 801. MODIFICATIONS TO ENHANCED-USE LEASE AUTHORITY OF DEPARTMENT OF VETERANS AFFAIRS.

(a) MODIFICATIONS TO AUTHORITY.—Paragraph (2) of section 8162(a) of title 38, United States Code, is amended to read as follows:

“(2)(A) The Secretary may enter into an enhanced-use lease on or after the date of the enactment of this paragraph only if the Secretary determines—

“(i) that the lease will not be inconsistent with, and will not adversely affect—

“(I) the mission of the Department; or

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

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

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

“(B) The Secretary shall give priority to enhanced-use leases that, on the leased property—

“(i) provide supportive housing for veterans;

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

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

(b) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $455,000,000 for the Department of Veterans Affairs, to remain available until expended, to enter into enhanced-use leases pursuant to section 8162 of title 38, United States Code, as amended by this section.

(c) MODIFICATION OF SUNSET.—Section 8169 of such title is amended by striking “December 31, 2023” and inserting “September 30, 2026”.
SEC. 802. MAJOR MEDICAL FACILITY LEASES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) Authority to Enter Into Major Medical Facility Leases.—Paragraph (2) of subsection (a) of section 8104 of title 38, United States Code, is amended—

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

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

(3) by striking “or lease”; and

(4) by adding at the end the following new subparagraph:

“(B) Funds may be appropriated for a fiscal year, and the Secretary may obligate and expend funds, including for advance planning and design, for any major medical facility lease.”.

(b) Modification of Definition of Major Medical Facility Lease.—Subparagraph (B) of paragraph (3) of such subsection is amended to read as follows:

“(B) The term ‘major medical facility lease’—

“(i) means a lease for space for use as a new medical facility approved through the General Services Administration under section 3307(a)(2) of title 40 at an average annual rent equal to or greater than the dollar threshold described in such section, which shall be subject
to annual adjustment in accordance with section 3307(h) of such title; and

“(ii) does not include a lease for space for use as a shared Federal medical facility for which the Department’s estimated share of the lease costs does not exceed such dollar threshold.”.

(c) INTERIM LEASING ACTIONS.—Such section is further amended by adding at the end the following new subsection:

“(i)(1) The Secretary may carry out interim leasing actions as the Secretary considers necessary for major medical facility leases (as defined in subsection (a)(3)(B)).

“(2) In this subsection, the term ‘interim leasing actions’ has the meaning given that term by the Administrator of the General Services Administration.’”.

(d) APPLICABILITY.—The amendments made by this section shall apply with respect to a lease that has not been specifically authorized by law on or before the date of the enactment of this Act and is included as part of the annual budget submission of the President for fiscal year 2022, 2023, or 2024.

(e) PURCHASE OPTIONS.—The Secretary of Veterans Affairs may obligate and expend funds to exercise a pur-
chase option included in any major medical facility lease described in subsection (d).

(f) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $1,805,000,000, to remain available until expended, for major medical facility leases pursuant to subchapter I of chapter 81 of title 38, United States Code, as amended by this section, as requested in the annual budget submission of the President for fiscal year 2022, 2023, or 2024.

(g) TERMINATION AND RESTORATION.—

(1) IN GENERAL.—Effective upon the date of execution of the final lease award for leases described in subsection (d), subsections (a) through (e) of this section and the amendments made by those subsections are repealed and any provision of law amended by those subsections is restored as if those subsections had not been enacted into law.

(2) NOTIFICATION.—The Secretary of Veterans Affairs shall submit to Congress and the Law Revision Counsel of the House of Representatives written notification of the date specified in paragraph (1) not later than 30 days before such date.