

117TH CONGRESS
2D SESSION

S. 4601

To improve the management and performance of the capital asset programs of the Department of Veterans Affairs so as to better serve veterans, their families, caregivers, and survivors, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 25, 2022

Mr. TESTER introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To improve the management and performance of the capital asset programs of the Department of Veterans Affairs so as to better serve veterans, their families, caregivers, and survivors, 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 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Build, Utilize, Invest, Learn, and Deliver for Veterans
6 Act of 2022” or the “BUILD for Veterans Act of 2022”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

- Sec. 1. Short title; table of contents.
 Sec. 2. Definitions.

TITLE I—CAPITAL ASSET MANAGEMENT

- Sec. 101. Establishment of offices of capital asset personnel at medical centers of Department of Veterans Affairs.
 Sec. 102. Development of performance metrics of capital asset management by Department of Veterans Affairs and monitoring for improvement.
 Sec. 103. Expansion of membership of the Capital Asset Planning Committee.

TITLE II—REPORTS

- Sec. 201. Review of climate resilience of facilities, land, and other relevant capital assets of the Department of Veterans Affairs.
 Sec. 202. Reports on capital asset planning, management, budgeting, staffing, and performance of Department of Veterans Affairs.
 Sec. 203. Annual report on completion of disposal and reuse requirements of Department of Veterans Affairs.
 Sec. 204. Report on improvements to medical staffing for new medical facilities of the Department of Veterans Affairs.
 Sec. 205. Report on improvements to alignment of information technology funding and activation of medical and other space of the Department of Veterans Affairs.
 Sec. 206. Bimonthly report on key capital asset investments, activities, and performance of the Department of Veterans Affairs.
 Sec. 207. Reports on projected need for funding for infrastructure and capital assets of Department of Veterans Affairs.
 Sec. 208. Inspector General of the Department of Veterans Affairs reports on Department infrastructure projects.
 Sec. 209. Comptroller General report on capital asset program management and execution by Department of Veterans Affairs.
 Sec. 210. Reports on dental and long-term care physical infrastructure needs of Department of Veterans Affairs.
 Sec. 211. Report on feasibility and advisability of using a dedicated budget account for maintenance of capital assets of Department of Veterans Affairs.
 Sec. 212. Report on women veterans retrofit initiative.
 Sec. 213. Report on physical infrastructure needs of the research and development facilities of Department of Veterans Affairs.
 Sec. 214. Review and report on provisions of law relating to Department of Veterans Affairs construction and facilities management.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

- 3 (1) APPROPRIATE COMMITTEES OF CON-
 4 GRESS.—The term “appropriate committees of Con-
 5 gress” means—

1 (A) the Committee on Appropriations and
 2 the Committee on Veterans' Affairs of the Sen-
 3 ate; and

4 (B) the Committee on Appropriations and
 5 the Committee on Veterans' Affairs of the
 6 House of Representatives.

7 (2) CAPITAL ASSET.—The term “capital asset”
 8 means the physical infrastructure, land, buildings,
 9 and other related items under the operation and con-
 10 trol of the Department of Veterans Affairs, includ-
 11 ing the information technology and other support
 12 systems needed to ensure the physical space can be
 13 used to deliver intended services and functions of the
 14 Department.

15 **TITLE I—CAPITAL ASSET** 16 **MANAGEMENT**

17 **SEC. 101. ESTABLISHMENT OF OFFICES OF CAPITAL ASSET** 18 **PERSONNEL AT MEDICAL CENTERS OF DE-** 19 **PARTMENT OF VETERANS AFFAIRS.**

20 (a) OFFICES OF CAPITAL ASSET PERSONNEL.—

21 (1) IN GENERAL.—By not later than 18 months
 22 after the date of the enactment of this Act, the Sec-
 23 retary of Veterans Affairs shall ensure that each
 24 medical center of the Department of Veterans Af-

1 fairs has a dedicated office and sufficient staff to
2 conduct—

3 (A) facility planning;

4 (B) long-range capital planning;

5 (C) management of projects and capital as-
6 sets relating to the execution of major construc-
7 tion projects, minor construction projects,
8 major leases, minor leases, non-recurring main-
9 tenance, and related matters at the medical
10 center and facilities of the Department in the
11 catchment area surrounding the medical center;

12 (D) engineering, including matters relating
13 to seismic repairs and projects;

14 (E) maintenance and repair of existing in-
15 frastructure;

16 (F) the collection of views of veterans and
17 employees of the Department to understand the
18 capital assets needs of the Department; and

19 (G) other relevant functions relating to
20 capital assets of the Department as determined
21 by the Secretary.

22 (2) TASKS.—To the greatest extent possible,
23 the Secretary shall ensure that each of the require-
24 ments under paragraph (1) are held by a different
25 individual or group of individuals so as not to over-

1 burden a small number of individuals with such re-
2 quirements.

3 (3) LEAD OFFICIAL.—The Secretary shall des-
4 ignate one individual as the lead senior official re-
5 sponsible for integration and coordination of, and
6 accountability for, the functions described in sub-
7 paragraph (A) through (F) of paragraph (1).

8 (4) STAFFING MODEL.—

9 (A) IN GENERAL.—The Secretary shall
10 maintain a staffing model for the offices under
11 paragraph (1) that ensures a minimum base
12 level of capital asset staffing.

13 (B) UPDATE.—The Secretary shall update
14 the staffing model under subparagraph (A) reg-
15 ularly to ensure it is effective in achieving the
16 goals of this section.

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

1 (b) QUALIFICATIONS.—The Secretary shall establish
2 appropriate professional certifications, educational back-
3 ground, and other qualifications to be required of individ-
4 uals employed at a position in an office described in sub-
5 section (a) to manage the duties of such position under
6 this section.

7 (c) DUTIES.—

8 (1) IN GENERAL.—The duties of an office de-
9 scribed in subsection (a) for a medical center of the
10 Department shall include the following:

11 (A) The development, monitoring, and im-
12 plementation of capital asset objectives for the
13 catchment area surrounding the medical center,
14 including community-based outpatient clinics
15 and other sites of care of the Department in
16 that area.

17 (B) The coordination of capital asset man-
18 agement and planning with counterparts at
19 other medical centers of the Department in the
20 region and facility planners for the Veterans In-
21 tegrated Service Network or Networks in the
22 region.

23 (C) Effective delivery of capital asset
24 projects.

1 (D) Maintenance and repair of existing in-
2 frastructure.

3 (E) Constantly monitoring the needs of
4 veterans and employees of the Department as it
5 relates to medical space and services at the
6 medical center and facilities in the catchment
7 area surrounding the medical center to forward
8 plan and identify and submit plans, through
9 processes of the Department, to meet those
10 needs, including by formulating local and re-
11 gional capital improvement and asset manage-
12 ment plans for medical facilities of the Depart-
13 ment through the regular collection of—

14 (i) views and expectations of veterans
15 in that area who are eligible users of
16 health care and related services provided
17 by the Department with respect to—

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

22 (II) the need for improvements
23 and enhancements to infrastructure of
24 the Department; and

1 (ii) views of relevant medical staff of
2 the Department at the medical center and
3 facilities in that catchment area regarding
4 their preferences and needs for how to de-
5 liver health care to veterans and how those
6 preferences impact the infrastructure
7 needs of the Department.

8 (F) Having an understanding of the cap-
9 ital asset policies, procedures, and directives of
10 the Department, including those issued by the
11 central office of the Department, Veterans Inte-
12 grated Service Networks, the Veterans Health
13 Administration, the Office of Information and
14 Technology, the Office of Management, the Of-
15 fice of Acquisition, Logistics, and Construction,
16 the Office of General Counsel, or any successor
17 offices, and any other office of the Department
18 with significant responsibility over capital asset
19 management and planning.

20 (G) Implementing locally those policies,
21 procedures, and directives.

22 (H) Providing feedback regarding ways in
23 which those policies, procedures and directives
24 can be improved.

(I) Having an understanding of the importance for collaboration and coordination among all relevant offices of the Department, including the Office of Acquisition, Logistics, and Construction, the Office of Asset Enterprise Management, the Office of Information and Technology, and other internal stakeholders as required to achieve success in all phases of capital asset management.

(2) COLLECTION OF VIEWS AND EXPECTATIONS.—

(A) IN GENERAL.—Views and expectations may be collected under paragraph (1)(E) through multiple channels and the process used for such collection shall ensure that the views and expectations collected provide a representative sample of the population from which such views and expectations are collected.

(B) CONFIDENTIALITY.—Any information collected under paragraph (1)(E) shall be collected in a manner that provides an option for submission of views that are anonymous and confidential.

(C) INCLUSION OF DIVERSE VIEWPOINTS.—In collecting views and expectations

1 of veterans and medical staff under paragraph
 2 (1)(E), an office described in subsection (a) for
 3 a medical center of the Department shall ensure
 4 that the viewpoints of a diverse population of
 5 veterans being served by the medical center and
 6 medical staff of the medical center or in the
 7 catchment area of the medical center are cap-
 8 tured.

9 (d) DEVELOPMENT OF STANDARD PROCESS TO SO-
 10 LICIT VIEWS ON EFFECTIVENESS.—

11 (1) IN GENERAL.—The Secretary shall develop
 12 a standardized process to regularly solicit feedback
 13 from individuals and entities described in paragraph
 14 (2) regarding the effectiveness of and ways to im-
 15 prove—

16 (A) the infrastructure and asset manage-
 17 ment investment processes and procedures of
 18 the central office of the Department and Vet-
 19 erans Integrated Service Networks of the De-
 20 partment; and

21 (B) the guidance of the central office and
 22 Veterans Integrated Service Networks regard-
 23 ing such processes and procedures to the med-
 24 ical centers, facilities in the catchment area of

1 those medical centers, and Veterans Integrated
2 Service Networks, as appropriate.

3 (2) INDIVIDUALS AND ENTITIES DESCRIBED.—

4 The individuals and entities described in this para-
5 graph are the following:

6 (A) Each office described in subsection (a)
7 for a medical center of the Department.

8 (B) Medical staff of the Department at fa-
9 cilities in the catchment area of the medical
10 center.

11 (C) Veterans Integrated Service Networks.

12 (D) Staff of offices within the central of-
13 fice of the Department, including the Office of
14 Acquisition, Logistics, and Construction, the
15 Office of Asset Enterprise Management, the Of-
16 fice of Information and Technology, and the Of-
17 fice of Healthcare Environment and Facilities
18 Programs.

19 (3) CONFIDENTIALITY.—Any information col-
20 lected under paragraph (1) shall be collected in a
21 manner that provides an option for submission of
22 views that are anonymous and confidential.

23 (e) USE OF REPORT FINDINGS.—The Secretary shall
24 use the results of the report required under section 202

1 in establishing the offices required under subsection (a)
2 and carrying out any other requirements of this section.

3 **SEC. 102. DEVELOPMENT OF PERFORMANCE METRICS OF**
4 **CAPITAL ASSET MANAGEMENT BY DEPART-**
5 **MENT OF VETERANS AFFAIRS AND MONI-**
6 **TORING FOR IMPROVEMENT.**

7 (a) IN GENERAL.—Not later than one year after the
8 date of the enactment of this Act, the Secretary of Vet-
9 erans Affairs shall—

10 (1) develop meaningful and measurable goals
11 and metrics—

12 (A) to assess the performance of the cap-
13 ital asset management programs of the Depart-
14 ment of Veterans Affairs to allow the Secretary
15 to make sound decisions regarding construction,
16 leasing, acquisition, maintenance, and disposal
17 of capital assets; and

18 (B) that are in alignment with Department
19 strategic plans, budgets, and mission to serve
20 veterans, their families, and caregivers;

21 (2) develop an internal dashboard or other tool
22 to monitor progress towards meeting those goals;

23 (3) establish and implement internal governance
24 processes to direct necessary improvements to

1 strengthen performance and achievement of those
2 goals; and

3 (4) submit to appropriate committees of Con-
4 gress a report on the development of those goals and
5 metrics in paragraph (1) and the implementation of
6 the internal dashboard or other tool under para-
7 graph (2) and the internal governance process under
8 paragraph (3).

9 (b) INTERNAL DASHBOARD.—The Secretary shall en-
10 sure that the internal dashboard developed under sub-
11 section (a)(2) includes meaningful and relevant goals with
12 related metrics that—

13 (1) would evaluate capital asset management
14 performance of the Department and provide relevant
15 information to guide necessary improvements; and

16 (2) are developed consistent with recommenda-
17 tions set forth by the Comptroller General of the
18 United States.

19 (c) CONSIDERATION OF PART TWO OF STRATEGIC
20 PLAN TO IMPROVE VA’S DELIVERY AND MANAGEMENT
21 OF CAPITAL ASSET.—In developing the internal dash-
22 board under subsection (a)(2), the Secretary shall consider
23 the findings in part two of the Strategic Plan to Improve
24 VA’s Delivery and Management of Capital Asset required
25 under section 202(a)(4).

1 **SEC. 103. EXPANSION OF MEMBERSHIP OF THE CAPITAL**
 2 **ASSET PLANNING COMMITTEE.**

3 Not later than 180 days after the date of the enact-
 4 ment of this Act, in order to facilitate Federal health in-
 5 frastructure planning, coordination, and investment, the
 6 Deputy Secretary of Veterans Affairs and the Under Sec-
 7 retary of Defense for Personnel and Readiness shall mod-
 8 ify the membership of the Capital Asset Planning Com-
 9 mittee established as a subordinate entity of the Depart-
 10 ment of Veterans Affairs-Department of Defense Joint
 11 Executive Committee established under section 320 of title
 12 38, United States Code, to include the following:

13 (1) Not fewer than one officer or employee of
 14 the Indian Health Service.

15 (2) Not fewer than one officer or employee of
 16 the Department of Health and Human Services who
 17 is not an employee of the Indian Health Service.

18 **TITLE II—REPORTS**

19 **SEC. 201. REVIEW OF CLIMATE RESILIENCE OF FACILITIES,**
 20 **LAND, AND OTHER RELEVANT CAPITAL AS-**
 21 **SETS OF THE DEPARTMENT OF VETERANS**
 22 **AFFAIRS.**

23 (a) IN GENERAL.—The Secretary of Veterans Affairs
 24 shall conduct a comprehensive review of the climate resil-
 25 ience of facilities, land, and other relevant capital assets
 26 under the authority and jurisdiction of the Secretary.

1 (b) ELEMENTS.—

2 (1) IN GENERAL.—The review conducted under
3 subsection (a) shall—

4 (A) provide a comprehensive assessment of
5 existing facilities, land, and other relevant cap-
6 ital assets that may be at risk due to changes
7 in the climate, including potential vulnerabilities
8 related to—

9 (i) proximity to a body of water;

10 (ii) proximity to an area prone to
11 flooding;

12 (iii) proximity to an area prone to
13 wild fire;

14 (iv) proximity to an area prone to tor-
15 nadoes, hurricanes, or other storms; and

16 (v) such other matters as the Sec-
17 retary considers appropriate after con-
18 sulting with the United States Global
19 Change Research Program on the best
20 available observations and forward-looking
21 climate projections by region, including sea
22 level rise data;

23 (B) include a description of strategies to
24 improve the climate resilience of existing facili-
25 ties, land, and other relevant capital assets at

1 risk due to changes in the climate, including po-
2 tential modifications to facility operations and
3 maintenance practices, and the cost of such
4 strategies;

5 (C) include an analysis of the design
6 standards and building codes used by the De-
7 partment of Veterans Affairs to site, plan,
8 build, lease, renovate, and purchase land, facili-
9 ties, infrastructure, and other capital assets of
10 the Department and whether those design
11 standards and building codes reflect both ob-
12 served and forward-looking climate information;

13 (D) include an analysis of the effect of cli-
14 mate change on energy usage, energy sources,
15 and utility systems of the Department and the
16 Department's mitigation strategies;

17 (E) use, in consultation with the United
18 States Global Change Research Program, for-
19 ward-looking climate information and other pro-
20 jections to anticipate changing environmental
21 conditions during the design life of existing or
22 planned facilities, land, and other capital assets
23 of the Department and make relevant decisions
24 and planning strategies based on this informa-
25 tion;

(F) after consulting with the United States Global Change Research Program and other relevant Federal and non-Federal entities, include recommendations for best practices, standards, and solutions for future placement, planning, renovation, leasing, purchase, and construction of facilities and land of the Department so as to avoid or mitigate the challenges resulting from placing a facility in an area at risk of being vulnerable to harm from the impacts of changing environmental conditions; and

(G) assess how the Department can incorporate climate resilience information into its processes and procedures for capital asset investment decisions.

(2) SOURCES OF INFORMATION AND PROJECTIONS.—Sources of information and projections used under paragraph (1)(E) may include the Bureau of the Census (for population projections), the National Academies of Sciences, Engineering, and Medicine (for land use change projections and climate projections), the United States Geological Survey (for land use change projections), the United States Global Change Research Program and the National Climate

1 Assessment (for climate observations and projec-
2 tions), and such other sources as the Secretary con-
3 siders reliable in consultation with the United States
4 Global Change Research Program.

5 (c) REPORT.—

6 (1) IN GENERAL.—Not later than one year
7 after the date of the enactment of this Act, the Sec-
8 retary shall submit to the appropriate committees of
9 Congress a report detailing the results of the review
10 conducted under subsection (a) and the actions the
11 Secretary will take in response to the findings of
12 such review.

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

15 (A) Recommendations for legislative and
16 administrative action to mitigate and respond
17 to the findings contained in the review con-
18 ducted under subsection (a).

19 (B) A description of action to be taken by
20 the Secretary to improve the climate resilience
21 of existing facilities, land, infrastructure and
22 other capital assets under the jurisdiction or
23 control of the Department.

24 (C) A description of changes in policy, di-
25 rectives, and procedures of the Department to

1 mitigate, plan for, and improve resilience of fu-
2 ture constructed, leased, or other facilities,
3 land, and other relevant capital assets under
4 the jurisdiction or control of the Department.

5 (D) A description of how the Department
6 will incorporate climate resilience information
7 into its processes and procedures for capital
8 asset investment decisions.

9 (E) A description of changes the Depart-
10 ment will make to ensure the facilities, land,
11 and other relevant capital assets of the Depart-
12 ment are available to furnish care and services
13 under section 1785 of title 38, United States
14 Code, during or following a disaster or emer-
15 gency.

16 (F) The estimated cost to implement the
17 changes described in the report.

18 (G) The estimate timeline to implement
19 the changes described in the report.

20 (H) Such other matters, recommendations,
21 or requests as the Secretary considers appro-
22 priate.

23 (3) UPDATES.—

24 (A) IN GENERAL.—Not later than five
25 years after the date on which the Secretary

1 submits the report under paragraph (1) and not
2 less frequently than once every five years there-
3 after until the date that is 21 years after the
4 date of the enactment of this Act, the Secretary
5 shall submit to the appropriate committees of
6 Congress an update of the report submitted
7 under paragraph (1).

8 (B) CONTENTS.—Each update submitted
9 under subparagraph (A) shall describe the ef-
10 forts of the Department since the submittal of
11 the latest report or update, as the case may be,
12 relating to matters covered by the report and
13 such other matters as the Secretary considers
14 appropriate.

15 (d) CLIMATE RESILIENCE DEFINED.—In this sec-
16 tion, the term “climate resilience” means—

17 (1) anticipating, preparing for, and adapting to
18 changing environmental conditions such as vari-
19 ations in average weather conditions that persist
20 over multiple decades or longer that encompass in-
21 creases and decreases in temperature, shifts in pre-
22 cipitation, and changing risk of certain types of se-
23 vere weather events; and

1 (2) the ability to withstand, respond to, and re-
 2 cover rapidly from disruptions while ensuring the
 3 sustainment of mission-critical operations.

4 **SEC. 202. REPORTS ON CAPITAL ASSET PLANNING, MAN-**
 5 **AGEMENT, BUDGETING, STAFFING, AND PER-**
 6 **FORMANCE OF DEPARTMENT OF VETERANS**
 7 **AFFAIRS.**

8 (a) INITIAL REPORT.—

9 (1) IN GENERAL.—Not later than one year
 10 after the date of the enactment of this Act, the Sec-
 11 retary of Veterans Affairs shall submit to the appro-
 12 priate committees of Congress a report on the plan-
 13 ning, management, budgeting, staffing, and perform-
 14 ance by the Department of Veterans Affairs relating
 15 to capital assets. Such report shall be known as the
 16 “Strategic Plan to Improve VA’s Delivery and Man-
 17 agement of Capital Assets” (in this subsection re-
 18 ferred to as the “Report”).

19 (2) STRUCTURE.—The Report shall consist of
 20 not fewer than two parts as set forth in this sub-
 21 section.

22 (3) PART ONE.—

23 (A) IN GENERAL.—Part one of the Report
 24 shall focus on the human capital needs for the
 25 capital asset and related areas workforce of the

1 Department (in this subsection referred to as
2 “Part One”).

3 (B) ELEMENTS.—Part One shall include
4 the following:

5 (i) A description of the steps being
6 taken by the Department, and the steps
7 that the Department plans to take during
8 the 10-year period following the date of the
9 Report, including a specific timeline, to en-
10 sure sufficient capital asset personnel at
11 the local, regional, and central office levels
12 of the Department are available and pre-
13 pared to—

14 (I) execute the current level of
15 capital asset work, including mainte-
16 nance, delivery of new facilities, dis-
17 posal, and reuse;

18 (II) handle future capital asset
19 work described in subclause (I) during
20 such 10-year period; and

21 (III) perform any other capital
22 asset activities as identified by the
23 Secretary.

1 (ii) A plan that addresses the needed
2 capital asset workforce of the Department
3 by—

4 (I) identifying and describing the
5 staffing needs and status of such
6 workforce, including—

7 (aa) the number of currently
8 authorized positions;

9 (bb) the number of filled po-
10 sitions of those positions author-
11 ized;

12 (cc) the number of unfilled
13 positions of those positions au-
14 thorized, including reasons why
15 those positions are not filled and
16 steps the Department is taking
17 to fill those positions;

18 (dd) the number of current
19 positions needed above the level
20 currently authorized; and

21 (ee) future needs, including
22 expected growth or reduction,
23 during the 10-year period fol-
24 lowing the date of the Report;

1 (II) providing the data under
2 subclause (I) at the Departmental
3 level, disaggregated by relevant divi-
4 sions of the Department and by—

5 (aa) data for the Veterans
6 Health Administration, broken
7 out by field, Veterans Integrated
8 Service Network, and central of-
9 fice, including the Office of
10 Healthcare Environment and Fa-
11 cilities Programs;

12 (bb) data for the Office of
13 Acquisition, Logistics, and Con-
14 struction, broken out by field, re-
15 gion, and central office;

16 (cc) data for the National
17 Cemetery Administration, broken
18 out by field, region, and central
19 office;

20 (dd) data for the Veterans
21 Benefits Administration, broken
22 out by field, region, and central
23 office;

24 (ee) data for the Office of
25 Asset Enterprise Management;

1 (ff) data for the Office of
2 Information and Technology, bro-
3 ken out by field, region, and cen-
4 tral office; and

5 (gg) data for all other of-
6 fices of the Department not cov-
7 ered under items (aa) through
8 (ff) that have capital asset staff
9 or significant capital asset re-
10 sponsibilities at the field, re-
11 gional, or central office level; and

12 (III) including an estimate of the
13 funding required to accomplish filling
14 the unfilled and future positions speci-
15 fied under subclause (I) during the
16 10-year period following the date of
17 the Report.

18 (iii) A description of the efforts taken
19 and planned to be taken by the Depart-
20 ment to recruit, retain, and develop the ex-
21 isting and future capital asset workforce of
22 the Department.

23 (iv) A description of any changes
24 needed to the qualifications, standards, po-
25 sition descriptions and other related mat-

1 ters to ensure the qualification standards
2 of the workforce—

3 (I) match the needs of the De-
4 partment; and

5 (II) align where appropriate with
6 relevant Federal Government and in-
7 dustry standards and best practices.

8 (v) A description of how the Depart-
9 ment will coordinate the human capital ef-
10 forts of the Department across the Vet-
11 erans Health Administration, the Office of
12 Acquisition, Logistics, and Construction,
13 the National Cemetery Administration, the
14 Veterans Benefits Administration, the Of-
15 fice of Asset Enterprise Management, and
16 other entities of the Department so as to
17 leverage collective efforts, reduce unneces-
18 sary duplication, and identify opportunities
19 for collaboration and efficiency.

20 (vi) With respect to a Department-
21 wide succession plan for leadership and
22 mission-critical occupations in the capital
23 asset workforce of the Department—

1 (I) if such a plan is not already
 2 developed, a timeline for the develop-
 3 ment of such a plan; and

4 (II) if such a plan is already de-
 5 veloped, the current implementation
 6 status of such plan.

7 (vii) An assessment of different re-
 8 gional challenges in rural, suburban, and
 9 urban areas to recruit and retain the nec-
 10 essary capital asset workforce of the De-
 11 partment and steps to be taken by the De-
 12 partment in response to such challenges.

13 (viii) With respect to the report pub-
 14 lished by the National Academies of
 15 Sciences, Engineering, and Medicine on
 16 December 24, 2019, entitled “Facilities
 17 Staffing Requirement for VHA-Resource
 18 Planning and Methodology for the Fu-
 19 ture”—

20 (I) a plan and timeline to imple-
 21 ment all recommendations from the
 22 report; and

23 (II) if the Secretary decides not
 24 to implement a recommendation of

1 the report, a description of why such
2 decision was made.

3 (ix) A description of how the Depart-
4 ment will leverage contract support and
5 partnerships with other Federal agencies,
6 nonprofits, and other stakeholders to meet
7 the short-, medium-, and long-term human
8 capital needs for infrastructure to ensure
9 that the Department has the experience
10 and workforce needed to match the current
11 and future projected infrastructure work-
12 load of the Department.

13 (x) A description of any improvements
14 to training or curriculum of the Depart-
15 ment that are needed to enhance the edu-
16 cation of the capital asset employees of the
17 Department to ensure they are as pro-
18 ficient as possible in their jobs.

19 (xi) A description of such legislative
20 or administrative action as the Secretary
21 considers necessary.

22 (xii) Such other matters as the Sec-
23 retary considers necessary.

24 (C) STAFF COVERED BY REPORT.—Part
25 One shall cover all relevant staff required for

the entire lifecycle of facilities, land, and other relevant capital assets of the Department, including the following:

(i) Individuals who keep facilities clean, such as janitorial and housekeeping staff and housekeeping aids.

(ii) Individuals who maintain facilities, such as through repairs and preventative maintenance.

(iii) Groundskeepers.

(iv) Planners, engineers, and architects.

(v) Project managers.

(vi) Individuals with expertise in real estate, acquisition, leasing, and easements.

(vii) Energy or utility experts, including experts with respect to energy efficiency and renewable energy.

(viii) Individuals who work in—

(I) capital asset management;

(II) healthcare engineering;

(III) environmental management;

or

(IV) occupational safety and

health.

(ix) Individuals who conduct contracting, including contracting officers, related to capital assets locally, regionally, or nationally for all various types of construction or infrastructure work, such as minor construction, major construction, non-recurring maintenance, minor leases, and major leases.

(x) Individuals knowledgeable in relevant rules and procedures related to property disposal or transfer, environmental remediation, historic preservation, and other similar topics.

(xi) Any other position that has a critical role in the planning, contracting, delivery, maintenance, upkeep, and disposal of capital assets.

(xii) Any other positions the Secretary determines relevant.

(4) PART TWO.—

(A) IN GENERAL.—Part two of the Report shall cover the methods undertaken by the Department to accomplish changes to improve the planning, execution, and delivery of capital asset projects of the Department, such as main-

1 tenance, renovations, land acquisition, or new
2 construction or leasing, including through bet-
3 ter planning, project management, cost, and
4 schedule performance (in this subsection re-
5 ferred to as “Part Two”).

6 (B) ELEMENTS.—Part Two shall include
7 the following:

8 (i) A timeline for accomplishing the
9 changes described in subparagraph (A).

10 (ii) A description of the steps the De-
11 partment is taking or will take to shorten
12 the time it takes from project concept to
13 completion while controlling costs and
14 budget, meeting schedule, and achieving
15 established goals.

16 (iii) A description of what new or
17 modified contracting or other services, ar-
18 rangements, strategies, contract vehicles or
19 mechanisms, innovations, pilots, and part-
20 nerships the Department is planning to use
21 during the five-year period following the
22 date of the Report, including—

23 (I) a timeline of how and when
24 the Department will test and imple-
25 ment those approaches; and

1 (II) a description of any limita-
2 tions under current law (including
3 regulations) that would prevent or are
4 preventing the Department from
5 using innovative contracting vehicles,
6 services, arrangements, administrative
7 action, or other agreements and strat-
8 egies and what legislative changes are
9 needed to facilitate use of those ap-
10 proaches, including a description of
11 whether each limitation is a limitation
12 for all Federal agencies or only for
13 the Department.

14 (iv) A description of the costs in-
15 curred or added to meet Federal or De-
16 partment standards, including those for re-
17 siliency that are needed and greater or
18 more stringent than private industry
19 standards.

20 (v) A description of the steps the De-
21 partment has taken or plans to take to im-
22 prove capital project delivery by standard-
23 izing facility design, modularizing facilities
24 components, and taking other steps to ac-
25 celerate project delivery while maintaining

1 flexibility, agility, and quality, including a
2 timeline for the completion of such steps.

3 (vi) A description of steps the Depart-
4 ment is taking to make all of its relevant
5 capital assets energy efficient and climate
6 resilient.

7 (vii) The steps the Secretary will take
8 to ensure the Office of Information and
9 Technology and the Office of Acquisition,
10 Logistics, and Construction of the Depart-
11 ment, or similar successor offices, are inte-
12 grated into all relevant aspects of the cap-
13 ital asset planning and implementation
14 process of the Department, including at
15 the earliest stage of every capital asset
16 project in the field so as to improve com-
17 munication, coordination, and project
18 scope, cost, and schedule.

19 (viii) A description of any other ac-
20 tions the Department is taking or will take
21 to improve its delivery and management of
22 capital assets.

23 (ix) A description of such legislative
24 or administrative action as the Secretary
25 considers necessary to more effectively

1 manage and deliver needed capital assets
2 of the Department.

3 (x) Such other matters as the Sec-
4 retary considers necessary.

5 (b) SUBSEQUENT REPORTS.—Not later than three
6 years after the date on which the initial report required
7 by subsection (a) is submitted, and once every three years
8 thereafter for a period of six years, the Secretary shall
9 submit to the appropriate committees of Congress a report
10 including—

11 (1) a description of any changes with respect to
12 the matters described in paragraphs (3) and (4) of
13 subsection (a) since the previous report was sub-
14 mitted;

15 (2) an explanation of plans under the previous
16 report compared to actions taken since that report
17 was submitted; and

18 (3) a discussion of the results and performance
19 of the Department since the previous report includ-
20 ing in cost savings, faster facility delivery, or reduc-
21 tion in the number of unaddressed priority capital
22 asset improvements.

1 **SEC. 203. ANNUAL REPORT ON COMPLETION OF DISPOSAL**
2 **AND REUSE REQUIREMENTS OF DEPART-**
3 **MENT OF VETERANS AFFAIRS.**

4 (a) INITIAL REPORT.—

5 (1) IN GENERAL.—The Secretary of Veterans
6 Affairs shall include with the budget justification
7 materials that are submitted to Congress in support
8 of the Department of Veterans Affairs budget for
9 the first fiscal year beginning after the date of the
10 enactment of this Act (as submitted with the budget
11 of the President for such fiscal year under section
12 1105(a) of title 31, United States Code) a report
13 containing a specific timeline to accomplish the ac-
14 tions required of the Secretary included in the dis-
15 posal and reuse reports included in the annual budg-
16 et of the Department of Veterans Affairs submitted
17 by the President under section 1105(a) of title 31,
18 United States Code, or similar future reports.

19 (2) CONTENTS.—The report required by para-
20 graph (1) shall include the following:

21 (A) A description of a specific timeline and
22 plan to sell, reuse, dispose of, demolish, or oth-
23 erwise manage the property that the Secretary
24 has identified in the reports described in such
25 subsection.

1 (B) A list of any impediments or chal-
2 lenges to carrying out any action described in
3 subparagraph (A), including environmental re-
4 mediation and preservation mitigation and any
5 assistance need for executive or legislative ac-
6 tion to address those impediments or chal-
7 lenges.

8 (C) A discussion of whether disposal and
9 reuse actions do not get completed or initiated
10 because they most compete with urgent direct
11 health care or other more time-sensitive infra-
12 structure needs of the Department.

13 (D) A detailed cost estimate of the fund-
14 ing, including funding type, needed to accom-
15 plish all of the actions described in paragraph
16 (1), including the number of fiscal years for
17 which such funding is needed.

18 (E) A discussion of whether the Depart-
19 ment would benefit from having a distinct and
20 separate account within the budget of the De-
21 partment dedicated to the management of the
22 disposal of these assets.

23 (F) Such other matters as the Secretary
24 considers appropriate.

25 (b) SUBSEQUENT REPORTS.—

1 (1) IN GENERAL.—For the first fiscal year
2 after the fiscal year referred to in subsection (a)(1)
3 and each fiscal year thereafter, the Secretary shall
4 include with the budget justification materials that
5 are submitted to Congress in support of the Depart-
6 ment budget for that first fiscal (as submitted with
7 the budget of the President for such fiscal year
8 under section 1105(a) of title 31, United States
9 Code) a report on actions described in such sub-
10 section.

11 (2) CONTENTS.—Each report required by para-
12 graph (1) shall include the following:

13 (A) An update to the most recent report
14 under subsection (a) or this subsection, as ap-
15 plicable, with respect to each of subparagraphs
16 (A) through (F) of paragraph (2) of such sub-
17 section.

18 (B) Information on how many disposal and
19 reuse actions from the previous year's report
20 were accomplished or not accomplished.

21 (C) Information about what may have in-
22 hibited the accomplishment of those actions de-
23 scribed in subparagraph (B) that were not ac-
24 complished.

1 (D) A description of best practices or les-
 2 sons learned with respect to actions described in
 3 subsection (a)(1).

4 **SEC. 204. REPORT ON IMPROVEMENTS TO MEDICAL STAFF-**
 5 **ING FOR NEW MEDICAL FACILITIES OF THE**
 6 **DEPARTMENT OF VETERANS AFFAIRS.**

7 (a) IN GENERAL.—Not later than 180 days after the
 8 date of the enactment of this Act, the Secretary of Vet-
 9 erans Affairs shall submit to the appropriate committees
 10 of Congress a report on planned actions to improve the
 11 alignment of staffing of new or expanded medical facilities
 12 of the Department of Veterans Affairs.

13 (b) ELEMENTS.—The report required by subsection
 14 (a) shall—

15 (1) describe the current process for how and
 16 when in the construction, leasing, and other relevant
 17 capital improvement process staff are hired to fill ex-
 18 panded or new medical space of the Department;
 19 and

20 (2) assess whether such process requires im-
 21 provement to ensure, to the greatest extent possible,
 22 that new medical space and staffing levels for that
 23 space are in complete alignment allowing for full
 24 medical staffing at the time of opening of that

1 space, including such legislative or administrative ac-
2 tion as the Secretary considers appropriate.

3 **SEC. 205. REPORT ON IMPROVEMENTS TO ALIGNMENT OF**
4 **INFORMATION TECHNOLOGY FUNDING AND**
5 **ACTIVATION OF MEDICAL AND OTHER SPACE**
6 **OF THE DEPARTMENT OF VETERANS AF-**
7 **FAIRS.**

8 (a) IN GENERAL.—Not later than 180 days after the
9 date of the enactment of this Act, the Secretary of Vet-
10 erans Affairs shall submit to the appropriate committees
11 of Congress a report on any potential improvements to the
12 alignment of funding of the Department of Veterans Af-
13 fairs for information technology so as to facilitate more
14 effective and efficient activation of medical and other rel-
15 evant space of the Department.

16 (b) ELEMENTS.—The report required by subsection
17 (a) shall include the following:

18 (1) A description of any current limitations on
19 funding mechanisms, including the timing and se-
20 quencing of information technology and health care
21 resources that are needed to purchase, procure, and
22 install information technology equipment and related
23 information technology assets and services needed
24 for the activation of medical and other relevant

1 space of the Department, whether leased, owned, or
 2 otherwise under the jurisdiction of the Department.

3 (2) Any proposed solutions the Secretary may
 4 have to address the limitations described in para-
 5 graph (1).

6 (3) Any legislative or administrative action re-
 7 quired to achieve the solutions described in para-
 8 graph (2).

9 (4) Such other matters as the Secretary con-
 10 siders appropriate.

11 **SEC. 206. BIMONTHLY REPORT ON KEY CAPITAL ASSET IN-**
 12 **VESTMENTS, ACTIVITIES, AND PERFORM-**
 13 **ANCE OF THE DEPARTMENT OF VETERANS**
 14 **AFFAIRS.**

15 (a) IN GENERAL.—Not later than the first March 31
 16 occurring after the date of the enactment of this Act and
 17 not less frequently than once every other month thereafter
 18 until the eleventh March 31 occurring after the date of
 19 the enactment of this Act, the Secretary of Veterans Af-
 20 fairs shall submit to the appropriate committees of Con-
 21 gress a report on completed and planned key capital asset
 22 investments of the Department of Veterans Affairs.

23 (b) ELEMENTS.—

24 (1) IN GENERAL.—Each report submitted
 25 under subsection (a) shall include the following:

1 (A) A list of the major construction, minor
2 construction, non-recurring maintenance, major
3 and minor lease projects (including lease renew-
4 als, extensions, standstill agreements, and in-
5 terim leases) and construction or infrastructure
6 management support contracts awarded since
7 the last report submitted under subsection (a)
8 (or in the case of the first report submitted
9 under such subsection, in the last 90 days).

10 (B) For each contract award listed pursu-
11 ant to subparagraph (A), the following:

12 (i) The contract amount.

13 (ii) A description of the project for
14 which the contract was awarded.

15 (iii) The location of the project for
16 which the project was awarded.

17 (iv) An indication of whether the
18 amount of the contract award, including
19 relevant increment awards, was more than
20 10 percent greater than the estimated cost
21 of the project, or project increment, or 180
22 days later than the planned schedule for
23 the project or project increment, the rea-
24 son for such overages and delays, and ac-

1 tions being taken to address the overages
2 and delays.

3 (C) A list of major construction, minor
4 construction, non-recurring maintenance, major
5 and minor lease projects (including lease renew-
6 als, extensions, standstill agreements, and in-
7 terim leases) and construction or infrastructure
8 management support contracts the Secretary
9 plans to initiate or award.

10 (D) For each contract award listed pursu-
11 ant to subparagraph (C), the following:

12 (i) The general month or quarter of
13 expected award.

14 (ii) Whether the planned action is off-
15 or on-track as it relates to schedule and
16 cost and if off-track, an explanation of why
17 and a description of the corrective actions
18 being taken.

19 (E) Such observations of best practices,
20 impediments, and accomplishments as the Sec-
21 retary may find that relate to the capital asset
22 management and performance of the Depart-
23 ment, including such needs for legislative or ad-
24 ministrative action as the Secretary considers

1 appropriate with respect to such practices, im-
2 pediments, and accomplishments.

3 (F) Meaningful metrics that show the
4 progress of the Department toward meeting rel-
5 evant goals of the Department relating to cap-
6 ital asset management.

7 (G) Steps the Department is taking in in-
8 dividual projects that are behind schedule or
9 otherwise underperforming and steps the De-
10 partment is taking to improve overall capital
11 asset management.

12 (H) Such other matters as the Secretary
13 considers appropriate.

14 (2) METRICS.—Beginning not later than two
15 years after the date of the enactment of this Act, the
16 metrics described in subsection (b)(1)(F) shall in-
17 clude the metrics developed under section 102(a).

18 (c) MATTERS RELATING TO REPORTING SCHED-
19 ULES.—In each report under subsection (a), when report-
20 ing on schedule for completion, the Secretary shall distin-
21 guish between the date an award was to occur, the date
22 a construction action was to be completed (meaning the
23 space is ready for use), and the date veteran patients or
24 other users, including employees of the Department, are
25 scheduled to begin using the new facility or capital asset.

1 (d) MATTERS RELATING TO REPORTING COSTS.—In
 2 each report under subsection (a), when reporting on costs
 3 for capital asset projects of the Department, the Secretary
 4 may include information regarding Federal requirements
 5 that may drive cost increases to projects that may not
 6 exist in the non-Federal construction sector.

7 **SEC. 207. REPORTS ON PROJECTED NEED FOR FUNDING**
 8 **FOR INFRASTRUCTURE AND CAPITAL ASSETS**
 9 **OF DEPARTMENT OF VETERANS AFFAIRS.**

10 (a) INITIAL REPORT.—Not later than May 31, 2023,
 11 the Secretary of Veterans Affairs shall submit to the ap-
 12 propriate committees of Congress a report summarizing
 13 the projected amount of funding for infrastructure and
 14 capital assets that the Department of Veterans Affairs will
 15 need for the 10 fiscal years that begin immediately fol-
 16 lowing such date.

17 (b) SUBSEQUENT REPORTS.—The Secretary shall in-
 18 clude in the annual budget of the Department submitted
 19 by the President under section 1105(a) of title 31, United
 20 States Code, for fiscal year 2025 and each fiscal year
 21 thereafter a report described in subsection (a) relating to
 22 the 10 fiscal years that begin immediately following the
 23 date on which such budget is submitted.

24 (c) ELEMENTS.—Each report required by this section
 25 shall include, for each fiscal year covered by the report

1 and for the entire period covered by the report, the fol-
2 lowing:

3 (1) The funding needs of the Department
4 disaggregated by funding purpose, including the fol-
5 lowing:

6 (A) Land acquisition.

7 (B) Operations and maintenance of facili-
8 ties of the existing capital asset portfolio of the
9 Department to include the minimum level of
10 funding below which facilities could not be ap-
11 propriately maintained.

12 (C) Operations and maintenance of the
13 planned future capital asset portfolio of the De-
14 partment.

15 (D) New construction, by type, including
16 major construction, minor construction, and
17 nonrecurring maintenance.

18 (E) Major and minor leasing.

19 (F) Activation of space.

20 (G) Disposal, reuse, and remediation.

21 (H) Staffing to support the planning, de-
22 livery, management, and maintenance of the
23 Department's current and future capital asset
24 portfolio.

1 (I) Such other categories as the Secretary
2 deems relevant.

3 (2) The funding needs under paragraph (1)
4 disaggregated by component of the Department and
5 type of capital asset investment.

6 (3) A description of the cost increases which
7 may or have been incurred because of the delay in
8 adequate funding and forward movement on capital
9 asset projects. Such description may include a dis-
10 cussion of the negative effect of the lack of stable
11 and predictable funding on the ability of the Depart-
12 ment to plan, staff, and execute effective capital
13 asset management.

14 (4) Such other matters as the Secretary con-
15 sider appropriate, include matters relating to nec-
16 essary legislative or administrative action.

17 **SEC. 208. INSPECTOR GENERAL OF THE DEPARTMENT OF**
18 **VETERANS AFFAIRS REPORTS ON DEPART-**
19 **MENT INFRASTRUCTURE PROJECTS.**

20 (a) IN GENERAL.—Not later than three years after
21 the date of the enactment of this Act, and at least twice
22 during the ten-year period beginning on the date that is
23 three years after the date of the enactment of this Act,
24 the Inspector General of the Department of Veterans Af-
25 fairs shall submit to the appropriate committees of Con-

1 gress a report examining the management and perform-
2 ance of relevant capital asset projects of the Department
3 that were initiated after the date of the enactment of this
4 Act.

5 (b) SAMPLE PROJECTS.—The Inspector General shall
6 select meaningful and representative samples of categories
7 of projects for review, such as major construction, minor
8 construction, nonrecurring maintenance, major and minor
9 leases, land acquisition, and disposals.

10 (c) ELEMENTS.—Each report submitted under sub-
11 section (a) may include, at the discretion of the Inspector
12 General, the following:

13 (1) A comparison of planned versus actual cost,
14 schedule, and scope metrics.

15 (2) Improvements or lack thereof to project
16 management at the local, regional, or national levels.

17 (3) Observations on key characteristics inhib-
18 iting successful delivery of projects or allowing for
19 successful delivery of projects.

20 (4) An identification of areas of waste, fraud,
21 and abuse, if any.

22 (5) Such other matters as the Inspector Gen-
23 eral considers appropriate.

1 **SEC. 209. COMPTROLLER GENERAL REPORT ON CAPITAL**
2 **ASSET PROGRAM MANAGEMENT AND EXECU-**
3 **TION BY DEPARTMENT OF VETERANS AF-**
4 **FAIRS.**

5 (a) IN GENERAL.—Not later than three years after
6 the date of the enactment of this Act and not less fre-
7 quently than once every three years thereafter until the
8 date that is 12 years after the date of the enactment of
9 this Act, the Comptroller General of the United States
10 shall submit to the appropriate committees of Congress
11 a report reviewing the progress of the Department of Vet-
12 erans Affairs toward meeting the goals, metrics, and other
13 plans of the Department under this Act, including under
14 sections 101, 102, and 202.

15 (b) ELEMENTS.—Each report required by subsection
16 (a) may include the following:

17 (1) A review of the performance of the Depart-
18 ment related to planning, oversight, management of
19 human capital, contracting, and execution of capital
20 asset projects.

21 (2) A review of how the Department is com-
22 plying with the requirements of this Act.

23 (3) Such other topics as the Comptroller Gen-
24 eral considers appropriate.

1 **SEC. 210. REPORTS ON DENTAL AND LONG-TERM CARE**
2 **PHYSICAL INFRASTRUCTURE NEEDS OF DE-**
3 **PARTMENT OF VETERANS AFFAIRS.**

4 Not later than one year after the date of the enact-
5 ment of this Act, the Secretary of Veterans Affairs shall
6 submit to the appropriate committees of Congress—

7 (1) a report, disaggregated by medical center or
8 other relevant health care facility of the Department
9 of Veterans Affairs, on—

10 (A) the physical infrastructure needed
11 (new facilities, renovations, remodels, leases,
12 etc.) to provide dental services to veterans eligi-
13 ble for such services under the laws adminis-
14 tered by the Secretary; and

15 (B) additional physical infrastructure
16 needed to respond to the need for additional ca-
17 pacity to provide dental services if eligibility
18 standards are modified to make a greater num-
19 ber of veterans eligible for such services; and

20 (2) a report identifying the physical infrastruc-
21 ture needs of the Department to support current
22 and future anticipated long-term care needs and
23 models of care for veterans, including—

24 (A) infrastructure needed to support the
25 delivery of long-term care for women veterans,
26 veterans with traumatic brain injury, veterans

1 with memory loss, and other population groups
2 with unique needs; and

3 (B) information regarding the plans of the
4 Department to provide such care as it is build-
5 ing capacity but space is not yet available to
6 meet the demand for such care.

7 **SEC. 211. REPORT ON FEASIBILITY AND ADVISABILITY OF**
8 **USING A DEDICATED BUDGET ACCOUNT FOR**
9 **MAINTENANCE OF CAPITAL ASSETS OF DE-**
10 **PARTMENT OF VETERANS AFFAIRS.**

11 (a) REPORT REQUIRED.—Not later than 180 days
12 after the date of the enactment of this Act, the Secretary
13 of Veterans Affairs shall submit to the appropriate com-
14 mittees of Congress a report on the feasibility and advis-
15 ability of having a dedicated budget account from which
16 the Department of Veterans Affairs would draw funds to
17 pay for maintenance, preventative maintenance, and re-
18 pair of the capital assets of the Department.

19 (b) CONTENTS.—The report required by subsection
20 (a) shall include the following:

21 (1) The best practices in the Federal Govern-
22 ment and private industry relating to planning and
23 budgeting for capital asset maintenance.

24 (2) Relevant formulas and percentages that or-
25 ganizations use to set aside resources in advance to

1 pay for needed and expected maintenance costs
2 based on the size, need, and other requirements of
3 the organization.

4 **SEC. 212. REPORT ON WOMEN VETERANS RETROFIT INITIA-**
5 **TIVE.**

6 Section 5102 of the Deborah Sampson Act of 2020
7 (title V of Public Law 116–315; 38 U.S.C. 8110 note)
8 is amended—

9 (1) by redesignating subsection (c) as sub-
10 section (d); and

11 (2) by inserting after subsection (b) the fol-
12 lowing new subsection (c):

13 “(c) ANNUAL REPORT.—Not later than one year
14 after the date of the enactment of the Build, Utilize, In-
15 vest, Learn, and Deliver for Veterans Act of 2022, and
16 annually thereafter for 10 years, the Secretary shall sub-
17 mit to Congress, the Committee on Veterans’ Affairs of
18 the Senate, and the Committee on Veterans’ Affairs of the
19 House of Representatives a report containing—

20 “(1) an identification of the funding provided to
21 the Department for retrofitting prioritized under
22 subsection (a) for the fiscal year preceding the fiscal
23 year in which the report is submitted;

24 “(2) a list of projects conducted with such
25 funding, including—

1 “(A) amounts obligated for each such
2 project;

3 “(B) the locations of each such project;

4 “(C) a short description of each such
5 project; and

6 “(D) the status of each such project; and

7 “(3) a list of projects for retrofitting prioritized
8 under subsection (a) that remain unfunded and the
9 estimated funding required for those projects to be
10 completed, on a project by project basis.”.

11 **SEC. 213. REPORT ON PHYSICAL INFRASTRUCTURE NEEDS**
12 **OF THE RESEARCH AND DEVELOPMENT FA-**
13 **CILITIES OF DEPARTMENT OF VETERANS AF-**
14 **FAIRS.**

15 (a) **REPORT REQUIRED.**—Not later than one year
16 after the date of the enactment of this Act, the Secretary
17 of Veterans Affairs shall submit to Congress a report on
18 the physical infrastructure needs of the research and de-
19 velopment facilities of the Department of Veterans Affairs.

20 (b) **CONTENTS.**—The report required by subsection
21 (a) shall include the following:

22 (1) Recommendations for new facilities, renova-
23 tions of existing facilities, leasing of facilities and
24 any other such facilities the Department is in need

1 of or currently uses to perform its research and de-
2 velopment function.

3 (2) Detailed information on the information
4 technology resources the Department requires in
5 order to make the research and development facili-
6 ties of the Department functional and high per-
7 forming in the short, medium, and long term, and
8 those needed to enable employees of the Department
9 to perform their research and development in an ef-
10 fective and efficient manner.

11 (c) CONSIDERATIONS.—In preparing the report re-
12 quired by subsection (a), the Secretary may consider the
13 following:

14 (1) The findings of the 2012 final report of the
15 Research Infrastructure Program of the Depart-
16 ment.

17 (2) Current and updated data providing the
18 most accurate and holistic presentation of the phys-
19 ical infrastructure needs of the research and devel-
20 opment program of the Department, including with
21 respect to information technology.

1 **SEC. 214. REVIEW AND REPORT ON PROVISIONS OF LAW**
2 **RELATING TO DEPARTMENT OF VETERANS**
3 **AFFAIRS CONSTRUCTION AND FACILITIES**
4 **MANAGEMENT.**

5 (a) REVIEW.—The Secretary of Veterans Affairs
6 shall review section 312A of title 38, United States Code,
7 and determine whether the provisions of such section, in-
8 cluding the qualifications and responsibilities of the Direc-
9 tor of Construction and Facilities Management set forth
10 in subsections (b) and (c) of such section, respectively, are
11 meaningful, relevant, and reflect the current operational
12 needs, organization structure, and all other requirements
13 for the effective and efficient management of construction
14 and facilities management.

15 (b) REPORT.—Not later than 180 days after the date
16 of the enactment of this Act, the Secretary shall submit
17 to Congress a report regarding whether provisions of sec-
18 tion 312A of title 38, United States Code, or other provi-
19 sions of such title relating to construction and facilities
20 management should be revised to align more closely with
21 current and future operational needs of the Department.

22 (c) CONTENTS.—The report required by subsection
23 (b) shall include the following:

24 (1) An assessment of whether other offices, ad-
25 ministrations, or entities of the Department should
26 be directed to take over certain functions currently

1 assigned to Director of Construction and Facilities
2 Management pursuant to statute so as to match
3 operational realities and needs, improve efficiencies,
4 streamline management and lines of authority and
5 responsibility, or other reasons that would be bene-
6 ficial to the capital asset management and planning
7 and delivery of the Department.

8 (2) An assessment of whether functions of other
9 entities of the Department should be assumed by the
10 Director of Construction and Facilities management
11 to match operational realities and needs, improve ef-
12 ficiencies, streamline management and lines of au-
13 thority and responsibility, or other reasons that
14 would be beneficial to the capital asset management
15 and planning and delivery of the Department.

16 (3) Identification of whether any new offices,
17 structures, or reporting structures should be created
18 or modified in the Department to improve oper-
19 ational effectiveness for capital asset management.

20 (4) Specific reasons for the changes that are
21 recommend in the report or if no changes are nec-
22 essary, a justification for not making any changes.

23 (5) Identification of such legislative or adminis-
24 trative action as the Secretary determines necessary

- 1 to implement the changes necessary to improve cap-
- 2 ital asset management at the Department.

