

AMENDMENTS TO THE MILITARY CONSTRUCTION, VETERANS AFFAIRS,
AND RELATED AGENCIES APPROPRIATIONS BILL FY2023

Full Committee Markup
House Appropriations Committee
June 23, 2022

#1

ADOPTED VV

MS. WASSERMAN SCHULTZ
MILCON-VA
AMENDMENT #1

Committee on Appropriations
Subcommittee on Military Construction, Veterans Affairs, and Related Agencies
Full Committee Markup

Military Construction, Veterans Affairs, and Related Agencies Bill, 2023

MANAGER'S AMENDMENT

Offered by Ms. Wasserman Schultz of Florida

In the REPORT:

On page 12 of the report, under the paragraph titled, "*Tobyhanna Army Depot (ARD) Microelectronics Development*", in the first sentence, strike the phrase, "manufacturing of microelectronics, including semi-conductors.", and replace with,

" packaging of "digital twins" of microelectronics for replacement in equipment. "

On page 13 of the report, above the account header, "MILITARY CONSTRUCTION, NAVY AND MARINE CORPS", insert the following:

" *Army Responsiveness to Congressional Requests.*—The Committee is concerned with the Army's lack of responsiveness to questions and requests for technical assistance. Overly bureaucratic processes among administrative offices, major commands, and program offices for responding to inquiries from Members and Committees can negatively affect congressional decisions, which ultimately can negatively affect the Army. The Committee directs the Department to immediately and systematically improve these processes and its communications with Congress. "

On page 14 of the report, above the account header, “MILITARY CONSTRUCTION, AIR FORCE”, insert the following:

“ *Defense Support Infrastructure in The Bahamas.*—The Committee is concerned with the state of infrastructure supporting U.S. Navy installations in the Commonwealth of The Bahamas. The Committee recognizes that damage inflicted by Hurricane Dorian has strained local government resources and therefore impedes the ability to rebuild Bahamian-owned structures integral to the Navy’s mission in the region. Therefore, the Committee directs the Department of the Navy to provide a briefing no later than 90 days after the enactment of this Act on the condition of supporting infrastructure for Navy installations in The Bahamas, potential infrastructure projects that may be eligible for the Defense Access Roads Program, and resources available to assist The Bahamas in development of Defense-related support infrastructure. ”

On page 30 of the report, after the paragraph titled, “*Customer Service Standards*”, insert the following:

“ The Committee is aware of reports that Members have had challenges providing casework services to their constituents because the Department’s local offices are lacking staff and strongly encourages VA to ensure sufficient staff, including in-person employees, are available. ”

On page 66 of the report, after the paragraph titled, “*Philanthropic Partnerships*”, insert the following:

“ *Beneficiary Travel.*—The Committee recognizes the Department is currently transitioning to the Beneficiary Travel Self Service System (BTSSS) to consolidate its reimbursement structure. While the Committee applauds this effort, it is concerned about availability for veterans to submit travel pay requests who do not have access to internet or have limited digital literacy. The Committee directs the Department to ensure all VA staff involved in the beneficiary travel program understand that veterans have the option to continue using the paper claim form No. 10-3542 even as VA transitions to BTSSS and further encourages the Department to ensure BTSSS does not negatively affect veterans, especially those in rural areas without reliable internet access. ”

On page 80 of the report, above the paragraph titled, “*Cybersecurity for Electronic Health Records and Blockchain Technology*,” insert the following:

“ *Patient Harm and Transparency*.—The Committee is aware of recent alleged reports of patient harm connected to the rollout of the new electronic health record system at the Mann-Grandstaff VA Medical Center due to thousands of work orders that were “lost” in the system. This information, which is based on leaked draft documents, has not been confirmed but includes concerning allegations that VA leadership has known about incidents of patient harm for many months. The Committee understands that the final Office of Inspector General report is forthcoming and looks forward to receiving the report as soon as possible in order to clarify these issues.

Therefore, the Committee directs VA to provide, no later than 15 days after the filing of this report, a list of any patient harm incidents that were identified at Mann-Grandstaff and any other location that has received the new EHR; a timeline on when VA leadership was notified of any patient harm issues and the issue of lost work orders; and an execution plan and timeline for VA, working with Oracle Cerner, to identify a solution to any remaining issues that could impact patient safety, including issues related to system stability. VA is further directed to provide monthly briefings to the Committee on the status of these outstanding issues with the system, beginning in July 2022, until such time that they have been sufficiently remediated, as determined by the Committee.

Furthermore, the Committee directs VA to provide a report within 90 days of enactment of this Act on the number of orders made in the new EHR system for specialty care, lab work, and other services that did not result in the intended action as well as those that were lost since October 2020; the number of staff hours spent by VA employees addressing these lost orders and the resulting decreased staff productivity and financial impact on VA; and available options for VA to recoup costs from Oracle Cerner for the disruption in patient care.

The Committee strongly urges VA to postpone additional rollouts of the new EHR system until all issues that could contribute to patient safety or harm have been fully resolved and staff training on properly utilizing the system, including any workarounds to prevent lost orders, has been improved. VA is directed to certify to the Committee that there have been no patient harm issues 7 days prior to any new deployment. The Committee supports ongoing and robust oversight of the EHRM program from VA’s Office of Inspector General and directs VA to be transparent with Congress on all aspects of the rollout going forward. ”

#2

NOT ADOPTED
28-30

**AMENDMENT TO MILITARY CONSTRUCTION & VA
APPROPRIATIONS BILL
OFFERED BY MR. TONY GONZALES OF TEXAS**

At the appropriate place in the bill, insert the following:

1 SEC. _____. (a) None of the funds appropriated or
2 otherwise made available in this Act for the Department
3 of Defense may be used to construct, renovate, or expand
4 any facility in the United States or its territories or pos-
5 sessions to house any individual described in subsection
6 (c) for the purpose of the detention or imprisonment of
7 the individual in the custody or under the control of the
8 Department of Defense.

9 (b) The prohibition in subsection (a) shall not apply
10 to the modification of any facility at United States Naval
11 Station, Guantanamo Bay, Cuba.

12 (c) An individual described in this subsection is any
13 individual who, as of June 24, 2009, is located at United
14 States Naval Station, Guantanamo Bay, Cuba, and who—

15 (1) is not a citizen of the United States or a
16 member of the Armed Forces of the United States;
17 and

18 (2) is—

1 (A) in the custody or under the effective
2 control of the Department of Defense; or

3 (B) otherwise under detention at United
4 States Naval Station, Guantanamo Bay, Cuba.

5 SEC. _____. None of the funds made available by
6 the Act may be used to carry out the closure or realign-
7 ment of the United States Naval Station, Guantanamo
8 Bay, Cuba.

