

114TH CONGRESS  
1ST SESSION

# H. R. 4129

To direct the Secretary of Veterans Affairs to carry out a program under which the Secretary enters into partnership agreements with non-Federal entities for the construction of major construction projects authorized by law, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 30, 2015

Mr. MCNERNEY introduced the following bill; which was referred to the  
Committee on Veterans' Affairs

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## A BILL

To direct the Secretary of Veterans Affairs to carry out a program under which the Secretary enters into partnership agreements with non-Federal entities for the construction of major construction projects authorized by law, 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.**

4        This Act may be cited as the “Jumpstart VA Con-  
5        struction Act”.

6        **SEC. 2. FINDINGS.**

7        Congress makes the following findings:

1           (1) The buildings of the Department of Vet-  
2           erans Affairs have an average age of 60 years.

3           (2) Since 2004, use of Department facilities has  
4           grown from 80 percent to 120 percent, while the  
5           condition of these facilities has eroded from 81 per-  
6           cent to 71 percent over that same period of time.

7           (3) The Department currently manages and  
8           maintains more than 5,600 buildings and almost  
9           34,000 acres of land.

10          (4) More than 3,900 infrastructure gaps remain  
11          that will cost between \$54,000,000,000 and  
12          \$66,000,000,000 to close, including  
13          \$10,000,000,000 in activation costs.

14          (5) The Veterans Health Administration has 21  
15          major construction projects dating to 2007 that have  
16          been only partially funded.

17          (6) The total unobligated amount for all cur-  
18          rently budgeted major construction projects exceeds  
19          \$2,900,000,000.

20          (7) To finish existing projects and to close cur-  
21          rent and future gaps, the Department will need to  
22          invest at least \$23,200,000,000 over the next 10  
23          years.

1           (8) At current requested funding levels, it will  
2           take more than 67 years to complete the 10-year  
3           capital investment plan of the Department.

4 **SEC. 3. PROGRAM FOR THE CONSTRUCTION OF DEPART-**  
5 **MENT OF VETERANS AFFAIRS MAJOR MED-**  
6 **ICAL FACILITY PROJECTS BY NON-FEDERAL**  
7 **ENTITIES UNDER PARTNERSHIP AGREE-**  
8 **MENTS.**

9           (a) IN GENERAL.—The Secretary of Veterans Affairs  
10 shall carry out a program under which the Secretary shall  
11 enter into partnership agreements on a competitive basis  
12 with appropriate non-Federal entities for the construction  
13 of major construction projects authorized by law.

14           (b) SELECTION OF PROJECTS.—The Secretary shall  
15 select major construction projects for completion by non-  
16 Federal entities under the program. Each project selected  
17 shall be a major medical facility project authorized by law  
18 for the construction of a new facility for which—

19                   (1) Congress has appropriated any funds;

20                   (2) the design and development phase is com-  
21           plete; and

22                   (3) construction has not begun, as of the date  
23           of the enactment of this Act.

1 (c) AGREEMENTS.—Each partnership agreement for  
2 a construction project under the program shall provide  
3 that—

4 (1) the non-Federal entity shall obtain any per-  
5 mits required pursuant to Federal and State laws  
6 before beginning to carry out construction; and

7 (2) if requested by the non-Federal entity, the  
8 Secretary shall provide technical assistance for ob-  
9 taining any necessary permits for the construction  
10 project.

11 (d) APPLICATION.—To be eligible to participate in  
12 the program established under subsection (a), a non-Fed-  
13 eral entity shall submit to the Secretary an application  
14 at such time, in such manner, and containing such infor-  
15 mation as the Secretary may require, including the fol-  
16 lowing:

17 (1) A description of the project manager of  
18 each major construction project for which the Sec-  
19 retary enters into a partnership agreement under  
20 the program.

21 (2) A description of the non-Federal contribu-  
22 tions to the project and how future funding will be  
23 secured.

24 (3) A description of the project management  
25 plan that the non-Federal entity will use to ensure

1 concise and consistent communication of all parties  
2 involved in the project.

3 (4) A description of metrics to monitor change  
4 order process times, with the intent of expediting  
5 any change order.

6 (5) Expected costs associated with the project.

7 (6) A description of construction timelines and  
8 milestones association with the project.

9 (7) Such other information as the Secretary  
10 may require.

11 (e) MATCHING FUNDS.—The Department of Vet-  
12 erans Affairs shall provide matching funds under this pro-  
13 gram—

14 (1) IN GENERAL.—For any fiscal year, the Sec-  
15 retary shall provide to a non-Federal entity that en-  
16 ters into a partnership agreement with the Secretary  
17 under the program established under subsection (a)  
18 matching funds in an amount that does not exceed  
19 50 percent of the amount expended by the non-Fed-  
20 eral entity.

21 (2) RULE OF CONSTRUCTION.—Paragraph one  
22 shall not be construed as a limitation on the amount  
23 that may be expended by a non-Federal entity for a  
24 fiscal year for a construction project covered by a  
25 partnership agreement under the program.

1           (f) **COMPTROLLER GENERAL REPORT.**—The Comp-  
2 troller General of the United States shall submit to Con-  
3 gress a biennial report on the partnership agreements en-  
4 tered into under the program.

5           (g) **DEADLINE FOR IMPLEMENTATION.**—The Sec-  
6 retary shall begin implementing the program under this  
7 section by not later than 180 days after the date of the  
8 enactment of this Act.

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