

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3484
OFFERED BY MR. MILLER OF FLORIDA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Los Angeles Homeless
3 Veterans Leasing Act of 2016”.

**4 SEC. 2. AUTHORITY TO ENTER INTO CERTAIN LEASES AT
5 THE DEPARTMENT OF VETERANS AFFAIRS
6 WEST LOS ANGELES CAMPUS.**

7 (a) IN GENERAL.—The Secretary of Veterans Affairs
8 may carry out leases described in subsection (b) at the
9 Department of Veterans Affairs West Los Angeles Cam-
10 pus in Los Angeles, California (hereinafter in this section
11 referred to as the “Campus”).

12 (b) LEASES DESCRIBED.—Leases described in this
13 subsection are the following:

14 (1) Any enhanced-use lease of real property
15 under subchapter V of chapter 81 of title 38, United
16 States Code, for purposes of providing supportive
17 housing, as that term is defined in section 8161(3)

1 of such title, that principally benefit veterans and
2 their families.

3 (2) Any lease of real property for a term not to
4 exceed 50 years to a third party to provide services
5 that principally benefit veterans and their families
6 and that are limited to one or more of the following
7 purposes:

8 (A) The promotion of health and wellness,
9 including nutrition and spiritual wellness.

10 (B) Education.

11 (C) Vocational training, skills building, or
12 other training related to employment.

13 (D) Peer activities, socialization, or phys-
14 ical recreation.

15 (E) Assistance with legal issues and Fed-
16 eral benefits.

17 (F) Volunteerism.

18 (G) Family support services, including
19 child care.

20 (H) Transportation.

21 (I) Services in support of one or more of
22 the purposes specified in subparagraphs (A)
23 through (H).

24 (3) A lease of real property for a term not to
25 exceed 10 years to The Regents of the University of

1 California, a corporation organized under the laws of
2 the State of California, on behalf of its University of
3 California, Los Angeles (UCLA) campus (herein-
4 after in this section referred to as “The Regents”),
5 if—

6 (A) the lease is consistent with the master
7 plan described in subsection (g);

8 (B) the provision of services to veterans is
9 the predominant focus of the activities of The
10 Regents at the Campus during the term of the
11 lease;

12 (C) The Regents expressly agrees to pro-
13 vide, during the term of the lease and to an ex-
14 tent and in a manner that the Secretary con-
15 sider appropriate, additional services and sup-
16 port (for which The Regents is either not com-
17 pensated by the Secretary or is compensated
18 through an existing medical affiliation agree-
19 ment) that—

20 (i) principally benefit veterans and
21 their families, including veterans that are
22 severely disabled, women, aging, or home-
23 less; and

24 (ii) may consist of activities relating
25 to the medical, clinical, therapeutic, die-

1 tary, rehabilitative, legal, mental, spiritual,
2 physical, recreational, research, and coun-
3 seling needs of veterans and their families
4 or any of the purposes specified in any of
5 subparagraphs (A) through (I) of para-
6 graph (1); and

7 (D) The Regents maintains records docu-
8 menting the value of the additional services and
9 support that The Regents provides pursuant to
10 subparagraph (C) for the duration of the lease
11 and makes such records available to the Sec-
12 retary.

13 (c) LIMITATION ON LAND-SHARING AGREEMENTS.—
14 The Secretary may not carry out any land-sharing agree-
15 ment pursuant to section 8153 of title 38, United States
16 Code, at the Campus unless such agreement—

17 (1) provides additional health-care resources to
18 the Campus; and

19 (2) benefits veterans and their families other
20 than from the generation of revenue for the Depart-
21 ment of Veterans Affairs.

22 (d) REVENUES FROM LEASES AT THE CAMPUS.—
23 Any funds received by the Secretary under a lease de-
24 scribed in subsection (b) shall be credited to the applicable
25 Department medical facilities account and shall be avail-

1 able, without fiscal year limitation and without further ap-
2 propriation, exclusively for the renovation and mainte-
3 nance of the land and facilities at the Campus.

4 (e) EASEMENTS.—

5 (1) IN GENERAL.—Notwithstanding any other
6 provision of law (other than Federal laws relating to
7 environmental and historic preservation), pursuant
8 to section 8124 of title 38, United States Code, the
9 Secretary may grant easements or rights-of-way on,
10 above, or under lands at the Campus to—

11 (A) any local or regional public transpor-
12 tation authority to access, construct, use, oper-
13 ate, maintain, repair, or reconstruct public
14 mass transit facilities, including, fixed guideway
15 facilities and transportation centers; and

16 (B) the State of California, County of Los
17 Angeles, City of Los Angeles, or any agency or
18 political subdivision thereof, or any public util-
19 ity company (including any company providing
20 electricity, gas, water, sewage, or telecommuni-
21 cation services to the public) for the purpose of
22 providing such public utilities.

23 (2) IMPROVEMENTS.—Any improvements pro-
24 posed pursuant to an easement or right-of-way au-
25 thorized under paragraph (1) shall be subject to

1 such terms and conditions as the Secretary considers
2 appropriate.

3 (3) TERMINATION.—Any easement or right-of-
4 way authorized under paragraph (1) shall be termi-
5 nated upon the abandonment or nonuse of the ease-
6 ment or right-of-way and all right, title, and interest
7 in the land covered by the easement or right-of-way
8 shall revert to the United States.

9 (f) PROHIBITION ON SALE OF PROPERTY.—Notwith-
10 standing section 8164 of title 38, United States Code, the
11 Secretary may not sell or otherwise convey to a third party
12 fee simple title to any real property or improvements to
13 real property made at the Campus.

14 (g) CONSISTENCY WITH MASTER PLAN.—The Sec-
15 retary shall ensure that each lease carried out under this
16 section is consistent with the draft master plan approved
17 by the Secretary on January 28, 2016, or successor mas-
18 ter plans.

19 (h) COMPLIANCE WITH CERTAIN LAWS.—

20 (1) LAWS RELATING TO LEASES AND LAND
21 USE.—If the Inspector General of the Department of
22 Veterans Affairs determines, as part of an audit re-
23 port or evaluation conducted by the Inspector Gen-
24 eral, that the Department is not in compliance with
25 all Federal laws relating to leases and land use at

1 the Campus, or that significant mismanagement has
2 occurred with respect to leases or land use at the
3 Campus, the Secretary may not enter into any lease
4 or land-sharing agreement at the Campus, or renew
5 any such lease or land-sharing agreement that is not
6 in compliance with such laws, until the Secretary
7 certifies to the Committee on Veterans' Affairs of
8 the Senate, the Committee on Veterans' Affairs of
9 the House of Representatives, and each Member of
10 the Senate and the House of Representatives who
11 represents the area in which the Campus is located
12 that all recommendations included in the audit re-
13 port or evaluation have been implemented.

14 (2) COMPLIANCE OF PARTICULAR LEASES.—
15 Except as otherwise expressly provided by this sec-
16 tion, no lease may be entered into or renewed under
17 this section unless the lease complies with chapter
18 33 of title 41, United States Code, and all Federal
19 laws relating to environmental and historic preserva-
20 tion.

21 (i) COMMUNITY VETERANS ENGAGEMENT BOARD.—

22 (1) IN GENERAL.—Not later than 180 days
23 after the date of the enactment of this Act, the Sec-
24 retary shall establish a Community Veterans En-
25 gagement Board (in this subsection referred to as

1 the “Board”) for the Campus to coordinate locally
2 with the Department of Veterans Affairs to—

3 (A) identify the goals of the community;
4 and

5 (B) provide advice and recommendations
6 to the Secretary to improve services and out-
7 comes for veterans, members of the Armed
8 Forces, and the families of such veterans and
9 members.

10 (2) MEMBERS.—The Board shall be comprised
11 of a number of members that the Secretary deter-
12 mines appropriate, of which not less than 50 percent
13 shall be veterans. The nonveteran members shall be
14 family members of veterans, veteran advocates, serv-
15 ice providers, or stakeholders.

16 (3) COMMUNITY INPUT.— In carrying out sub-
17 paragraphs (A) and (B) of paragraph (1), the Board
18 shall—

19 (A) provide the community opportunities to
20 collaborate and communicate with the Board,
21 including by conducting public forums on the
22 Campus; and

23 (B) focus on local issues regarding the De-
24 partment that are identified by the community,

1 including with respect to health care, benefits,
2 and memorial services at the Campus.

3 (j) NOTIFICATION AND REPORTS.—

4 (1) CONGRESSIONAL NOTIFICATION.—With re-
5 spect to each lease or land-sharing agreement in-
6 tended to be entered into or renewed at the Campus,
7 the Secretary shall notify the Committee on Vet-
8 erans' Affairs of the Senate, the Committee on Vet-
9 erans' Affairs of the House of Representatives, and
10 each Member of the Senate and the House of Rep-
11 resentatives who represents the area in which the
12 Campus is located of the intent of the Secretary to
13 enter into or renew the lease or land-sharing agree-
14 ment not later than 45 days before entering into or
15 renewing the lease or land-sharing agreement.

16 (2) ANNUAL REPORT.—Not later than one year
17 after the date of the enactment of this Act, and not
18 less frequently than annually thereafter, the Sec-
19 retary shall submit to the Committee on Veterans'
20 Affairs of the Senate, the Committee on Veterans'
21 Affairs of the House of Representatives, and each
22 Member of the Senate and the House of Representa-
23 tives who represents the area in which the Campus
24 is located an annual report evaluating all leases and

1 land-sharing agreements carried out at the Campus,
2 including—

3 (A) an evaluation of the management of
4 the revenue generated by the leases; and

5 (B) the records described in subsection
6 (b)(3)(D).

7 (3) INSPECTOR GENERAL REPORT.—

8 (A) IN GENERAL.—Not later than each of
9 two years and five years after the date of the
10 enactment of this Act, and as determined nec-
11 essary by the Inspector General of the Depart-
12 ment of Veterans Affairs thereafter, the Inspec-
13 tor General shall submit to the Committee on
14 Veterans' Affairs of the Senate, the Committee
15 on Veterans' Affairs of the House of Represent-
16 atives, and each Member of the Senate and the
17 House of Representatives who represents the
18 area in which the Campus is located a report on
19 all leases carried out at the Campus and the
20 management by the Department of the use of
21 land at the Campus, including an assessment of
22 the efforts of the Department to implement the
23 master plan described in subsection (g) with re-
24 spect to the Campus.

1 (B) CONSIDERATION OF ANNUAL RE-
2 PORT.—In preparing each report required by
3 subparagraph (A), the Inspector General shall
4 take into account the most recent report sub-
5 mitted to Congress by the Secretary under
6 paragraph (2).

7 (k) RULE OF CONSTRUCTION.—Nothing in this sec-
8 tion shall be construed as a limitation on the authority
9 of the Secretary to enter into other agreements regarding
10 the Campus that are authorized by law and not incon-
11 sistent with this section.

12 (l) PRINCIPALLY BENEFIT VETERANS AND THEIR
13 FAMILIES DEFINED.—In this section the term “prin-
14 cipally benefit veterans and their families”, with respect
15 to services provided by a person or entity under a lease
16 of property or land-sharing agreement—

17 (1) means services—

18 (A) provided exclusively to veterans and
19 their families; or

20 (B) that are designed for the particular
21 needs of veterans and their families, as opposed
22 to the general public, and any benefit of those
23 services to the general public is ancillary to the
24 intended benefit to veterans and their families;
25 and

1 (2) excludes services in which the only benefit
2 to veterans and their families is the generation of
3 revenue for the Department of Veterans Affairs.

4 (m) CONFORMING AMENDMENTS.—

5 (1) PROHIBITION ON DISPOSAL OF PROP-
6 ERTY.—Section 224(a) of the Military Construction
7 and Veterans Affairs and Related Agencies Appro-
8 priations Act, 2008 (Public Law 110–161; 121 Stat.
9 2272) is amended by striking “The Secretary of
10 Veterans Affairs” and inserting “Except as author-
11 ized under the Los Angeles Homeless Veterans
12 Leasing Act of 2016, the Secretary of Veterans Af-
13 fairs”.

14 (2) ENHANCED-USE LEASES.—Section 8162(c)
15 of title 38, United States Code, is amended by in-
16 serting “, other than an enhanced-use lease under
17 the Los Angeles Homeless Veterans Leasing Act of
18 2016,” before “shall be considered”.

