

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 5099
OFFERED BY MR. WALZ OF MINNESOTA**

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Communities Helping
5 Invest through Property and Improvements Needed for
6 Veterans Act of 2016” or the “CHIP IN for Vets Act of
7 2016”.

8 **SEC. 2. PILOT PROGRAM ON ACCEPTANCE BY THE DEPART-**
9 **MENT OF VETERANS AFFAIRS OF DONATED**
10 **FACILITIES AND RELATED IMPROVEMENTS.**

11 (a) PILOT PROGRAM AUTHORIZED.—

12 (1) IN GENERAL.—Notwithstanding sections
13 8103 and 8104 of title 38, United States Code, the
14 Secretary of Veterans Affairs may carry out a pilot
15 program under which the Secretary may accept do-
16 nations of the following property from entities de-
17 scribed in paragraph (2):

18 (A) Real property (including structures
19 and equipment associated therewith)—

1 (i) that includes a constructed facility;

2 or

3 (ii) to be used as the site of a facility
4 constructed by the entity.

5 (B) A facility to be constructed by the en-
6 tity on real property of the Department of Vet-
7 erans Affairs.

8 (2) ENTITIES DESCRIBED.—Entities described
9 in this paragraph are the following:

10 (A) A State or local authority.

11 (B) An organization that is described in
12 section 501(c)(3) of the Internal Revenue Code
13 of 1986 and is exempt from taxation under sec-
14 tion 501(a) of such Code.

15 (C) A limited liability corporation.

16 (D) A private entity.

17 (E) A donor or donor group.

18 (F) Any other non-Federal Government
19 entity.

20 (3) LIMITATION.—The Secretary may accept
21 not more than five donations of real property and
22 facility improvements under the pilot program and
23 as described in this section.

24 (b) CONDITIONS FOR ACCEPTANCE OF PROPERTY.—

25 The Secretary may accept the donation of a property de-

1 scribed in subsection (a)(1) under the pilot program only
2 if—

3 (1) the property is—

4 (A) a property with respect to which funds
5 have been appropriated for a Department facil-
6 ity project; or

7 (B) a property identified as—

8 (i) meeting a need of the Department
9 as part of the long-range capital planning
10 process of the Department; and

11 (ii) the location for a Department fa-
12 cility project that is included on the Stra-
13 tegic Capital Investment Planning process
14 priority list in the most recent budget sub-
15 mitted to Congress by the President pursu-
16 ant to section 1105(a) of title 31, United
17 States Code; and

18 (2) an entity described in subsection (a)(2) has
19 entered into or is willing to enter into a formal
20 agreement with the Secretary in accordance with
21 subsection (c) under which the entity agrees to inde-
22 pendently donate the real property, improvements,
23 goods, or services, for the Department facility
24 project in an amount acceptable to the Secretary

1 and at no additional cost to the Federal Govern-
2 ment.

3 (c) REQUIREMENT TO ENTER INTO AN AGREE-
4 MENT.—

5 (1) IN GENERAL.—The Secretary may accept
6 real property and improvements donated under the
7 pilot program by an entity described in subsection
8 (a)(2) only if the entity enters into a formal agree-
9 ment with the Secretary that provides for—

10 (A) the donation of real property and im-
11 provements (including structures and equip-
12 ment associated therewith) that includes a con-
13 structed facility; or

14 (B) the construction by the entity of a fa-
15 cility on—

16 (i) real property and improvements of
17 the Department of Veterans Affairs; or

18 (ii) real property and improvements
19 donated to the Department by the entity.

20 (2) CONTENT OF FORMAL AGREEMENTS.—With
21 respect to an entity described in subsection (a)(2)
22 that seeks to enter into a formal agreement under
23 paragraph (1) of this subsection that includes the
24 construction by the entity of a facility, the formal
25 agreement shall provide for the following:

1 (A) The entity shall conduct all necessary
2 environmental and historic preservation due
3 diligence, shall comply with all local zoning re-
4 quirements (except for studies and consulta-
5 tions required of the Department under Federal
6 law), and shall obtain all permits required in
7 connection with the construction of the facility.

8 (B) The entity shall use construction
9 standards required of the Department when de-
10 signing and building the facility, except to the
11 extent the Secretary determines otherwise.

12 (C) The entity shall provide the real prop-
13 erty, improvements, goods, or services in a
14 manner described in subsection (b)(2) sufficient
15 to complete the construction of the facility, at
16 no additional cost to the Federal Government.

17 (d) NO PAYMENT OF RENT OR USAGE FEES.—The
18 Secretary may not pay rent, usage fees, or any other
19 amounts to an entity described in subsection (a)(2) or any
20 other entity for the use or occupancy of real property or
21 improvements donated under this section.

22 (e) FUNDING.—

23 (1) FROM DEPARTMENT.—

24 (A) IN GENERAL.—The Secretary may not
25 provide funds to help the entity finance, design,

1 or construct a facility in connection with real
2 property and improvements donated under the
3 pilot program by an entity described in sub-
4 section (a)(2) that are in addition to the funds
5 appropriated for the facility as of the date on
6 which the Secretary and the entity enter into a
7 formal agreement under subsection (c) for the
8 donation of the real property and improve-
9 ments.

10 (B) TERMS AND CONDITIONS.—The Sec-
11 retary shall provide funds pursuant to subpara-
12 graph (A) under such terms, conditions, and
13 schedule as the Secretary determines appro-
14 priate.

15 (2) FROM ENTITY.—An entity described in sub-
16 section (a)(2) that is donating a facility constructed
17 by the entity under the pilot program shall be re-
18 quired, pursuant to a formal agreement entered into
19 under subsection (c), to provide other funds in addi-
20 tion to the amounts provided by the Department
21 under paragraph (1) that are needed to complete
22 construction of the facility.

23 (f) APPLICATION.—An entity described in subsection
24 (a)(2) that seeks to donate real property and improve-
25 ments under the pilot program shall submit to the Sec-

1 retary an application to address needs relating to facilities
2 of the Department, including health care needs, identified
3 in the Construction and Long-Range Capital Plan of the
4 Department, at such time, in such manner, and containing
5 such information as the Secretary may require.

6 (g) INFORMATION ON DONATIONS AND RELATED
7 PROJECTS.—

8 (1) IN GENERAL.—The Secretary shall include
9 in the budget submitted to Congress by the Presi-
10 dent pursuant to section 1105(a) of title 31, United
11 States Code, information regarding real property
12 and improvements donated under the pilot program
13 during the year preceding the submittal of the budg-
14 et and the status of facility projects relating to that
15 property.

16 (2) ELEMENTS.—Information submitted under
17 paragraph (1) shall provide a detailed status of do-
18 nations of real property and improvements con-
19 ducted under the pilot program and facility projects
20 relating to that property, including the percentage
21 completion of the donations and projects.

22 (h) BIENNIAL REPORT OF COMPTROLLER GENERAL
23 OF THE UNITED STATES.—Not less frequently than once
24 every two years until the termination date set forth in sub-
25 section (i), the Comptroller General of the United States

1 shall submit to Congress a report on the donation agree-
2 ments entered into under the pilot program.

3 (i) TERMINATION.—The authority for the Secretary
4 to accept donations under the pilot program shall termi-
5 nate on the date that is five years after the date of the
6 enactment of this Act.

7 (j) 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 arrangements or
10 agreements that are authorized by law and not incon-
11 sistent with this section.

