

# ***In the House of Representatives, U. S.,***

*July 28, 2017.*

*Resolved*, That the bill from the Senate (S. 114) entitled “An Act to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report regarding performance awards and bonuses awarded to certain high-level employees of the Department of Veterans Affairs.”, do pass with the following

## **AMENDMENTS:**

Strike out all after the enacting clause and insert:

**1    *SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

**2            (a) *SHORT TITLE.*—*This Act may be cited as the “VA***  
**3    *Choice and Quality Employment Act of 2017”.***

**4            (b) *TABLE OF CONTENTS.*—*The table of contents for***  
**5    *this Act is as follows:***

*Sec. 1. Short title; table of contents.*

***TITLE I—APPROPRIATION OF AMOUNTS FOR VETERANS CHOICE  
PROGRAM***

*Sec. 101. Appropriation of amounts for Veterans Choice Program.*

***TITLE II—PERSONNEL MATTERS***

*Sec. 201. Modification to annual determination of staffing shortages in Veterans  
Health Administration.*

*Sec. 202. Establishment of Department of Veterans Affairs Executive Management  
Fellowship Program.*

*Sec. 203. Accountability of leaders for managing the Department of Veterans Af-  
fairs.*

*Sec. 204. Reemployment of former employees at Department of Veterans Affairs.*

*Sec. 205. Promotional opportunities for technical experts at Department of Vet-  
erans Affairs.*

*Sec. 206. Employment of students and recent graduates by Department of Vet-  
erans Affairs.*

*Sec. 207. Encouragement of transition of military medical professionals into employment with Veterans Health Administration.*

*Sec. 208. Recruiting database at Department of Veterans Affairs.*

*Sec. 209. Training for human resources professionals of Veterans Health Administration on recruitment and retention.*

*Sec. 210. Plan to hire directors of medical centers of Department of Veterans Affairs.*

*Sec. 211. Exit surveys at Department of Veterans Affairs.*

*Sec. 212. Requirement that physician assistants employed by the Department of Veterans Affairs receive competitive pay.*

*Sec. 213. Expansion of direct-hiring authority for Department of Veterans Affairs in case of shortage of highly qualified candidates.*

*Sec. 214. Comptroller General of the United States assessment of succession planning at Department of Veterans Affairs.*

### **TITLE III—MAJOR MEDICAL FACILITY LEASES**

*Sec. 301. Authorization of certain major medical facility leases of the Department of Veterans Affairs.*

*Sec. 302. Authorization of appropriations for medical facility leases.*

### **TITLE IV—OTHER MATTERS**

*Sec. 401. Extension of reduction in amount of pension furnished by Department of Veterans Affairs for certain veterans covered by medicaid plans for services furnished by nursing facilities.*

*Sec. 402. Extension of requirement for collection of fees for housing loans guaranteed by Secretary of Veterans Affairs.*

*Sec. 403. Extension of authority to use income information.*

# **1 TITLE I—APPROPRIATION OF 2 AMOUNTS FOR VETERANS 3 CHOICE PROGRAM**

## **4 SEC. 101. APPROPRIATION OF AMOUNTS FOR VETERANS 5 CHOICE PROGRAM.**

6 (a) *IN GENERAL.*—There is authorized to be appro-  
7 priated, and is appropriated, to the Secretary of Veterans  
8 Affairs, out of any funds in the Treasury not otherwise ap-  
9 propriated, \$2,100,000,000 to be deposited in the Veterans  
10 Choice Fund under section 802 of the Veterans Access,  
11 Choice, and Accountability Act of 2014 (Public Law 113–  
12 146; 38 U.S.C. 1701 note).

1       (b) *AVAILABILITY*.—*The amount appropriated under*  
 2 *subsection (a) shall remain available until expended.*

## 3       ***TITLE II—PERSONNEL MATTERS***

### 4       ***SEC. 201. MODIFICATION TO ANNUAL DETERMINATION OF*** 5                       ***STAFFING SHORTAGES IN VETERANS HEALTH*** 6                       ***ADMINISTRATION.***

7       Section 7412(a) of title 38, United States Code, is  
 8 amended—

9               (1) by striking “the five occupations” and insert-  
 10       ing “at a minimum, the five clinical occupations and  
 11       the five nonclinical occupations”; and

12              (2) by striking “throughout the Department”  
 13       and inserting “with respect to each medical center of  
 14       the Department,”.

### 15       ***SEC. 202. ESTABLISHMENT OF DEPARTMENT OF VETERANS*** 16                       ***AFFAIRS EXECUTIVE MANAGEMENT FELLOW-*** 17                       ***SHIP PROGRAM.***

18       (a) *FELLOWSHIP PROGRAM*.—Chapter 7 of title 38,  
 19 United States Code, is amended by adding at the end the  
 20 following new subchapter:

1     “SUBCHAPTER III—EXECUTIVE MANAGEMENT  
 2                                   *FELLOWSHIP PROGRAM*

3     “§ 741. *Executive Management Fellowship Program*

4             “(a) *FELLOWSHIP PROGRAM.*—*There is in the Depart-*  
 5     *ment an Executive Management Fellowship Program. The*  
 6     *purpose of the program shall be to provide—*

7                     “(1) *eligible employees of the Veterans Benefits*  
 8     *Administration and the Veterans Health Administra-*  
 9     *tion with training and experience in the private sec-*  
 10    *tor; and*

11                    “(2) *eligible employees of a private-sector entity*  
 12    *with training and experience in the Department of*  
 13    *Veterans Affairs.*

14             “(b) *FELLOWSHIP.*—(1) *A fellowship provided under*  
 15    *this section is a 1-year fellowship during which—*

16                    “(A) *with respect to a Department participant,*  
 17    *the participant receives training and experience at a*  
 18    *private-sector entity that is engaged in the adminis-*  
 19    *tration and delivery of health care or other services*  
 20    *similar to the benefits administered by the Secretary;*  
 21    *and*

22                    “(B) *with respect to a private-sector participant,*  
 23    *the participant receives training and experience at*  
 24    *the Veterans Benefits Administration or the Veterans*  
 25    *Health Administration.*

1       “(2) *The Secretary shall enter into such agreements*  
 2 *with private-sector entities as are necessary to carry out*  
 3 *this section.*

4       “(c) *SELECTION OF RECIPIENTS.—(1) In August of*  
 5 *each year, the Secretary shall select—*

6               “(A) *not fewer than 18 and not more than 30 el-*  
 7 *igible employees of the Veterans Benefits Administra-*  
 8 *tion and the Veterans Health Administration to re-*  
 9 *ceive a fellowship under this section; and*

10              “(B) *not fewer than 18 and not more than 30 el-*  
 11 *igible employees of private-sector entities to receive a*  
 12 *fellowship under this section.*

13       “(2) *To the extent practicable, the Secretary shall select*  
 14 *eligible employees under subparagraphs (A) and (B) of*  
 15 *paragraph (1) from among eligible employees who are vet-*  
 16 *erans in a manner that is reflective of the demographics*  
 17 *of the veteran population of the United States and that*  
 18 *whenever practicable provides a preference to such employ-*  
 19 *ees who represent or service rural areas.*

20       “(d) *ELIGIBLE EMPLOYEES.—For the purposes of this*  
 21 *section, an eligible employee is—*

22              “(1) *with respect to an employee of the Veterans*  
 23 *Benefits Administration or the Veterans Health Ad-*  
 24 *ministration, an employee who—*

1           “(A) is compensated at a rate of basic pay  
 2           not less than the minimum rate of basic pay  
 3           payable for grade GS–14 of the General Schedule  
 4           and not more than either the minimum rate of  
 5           basic pay payable to a member of the Senior Ex-  
 6           ecutive Service under section 5382 of title 5 or  
 7           the minimum rate of basic pay payable pursu-  
 8           ant to chapter 74 of this title, as the case may  
 9           be;

10           “(B) enters into an agreement with the Sec-  
 11           retary under subsection (e); and

12           “(C) submits to the Secretary an applica-  
 13           tion containing such information and assurances  
 14           as the Secretary may require; and

15           “(2) with respect to an employee of a private-sec-  
 16           tor entity, an employee who—

17           “(A) is employed in a position whose duties  
 18           and responsibilities are commensurate with an  
 19           employee of the Department described in para-  
 20           graph (1);

21           “(B) enters into an agreement with the Sec-  
 22           retary under subsection (e); and

23           “(C) submits to the Secretary an applica-  
 24           tion containing such information and assurances  
 25           as the Secretary may require.

1       “(e) *AGREEMENTS.—(1) An agreement between the*  
 2 *Secretary and a Department participant shall be in writ-*  
 3 *ing, shall be signed by the participant, and shall include*  
 4 *the following provisions:*

5               “(A) *The Secretary’s agreement to provide the*  
 6 *participant with a fellowship under this section;*

7               “(B) *The participant’s agreement—*

8                       “(i) *to accept the fellowship;*

9                       “(ii) *after completion of the fellowship, to*  
 10 *serve as a full-time employee in the Veterans*  
 11 *Benefits Administration or the Veterans Health*  
 12 *Administration for at least 2 years as specified*  
 13 *in the agreement; and*

14                      “(iii) *that, during the 2-year period begin-*  
 15 *ning on the last day of the fellowship, the partic-*  
 16 *ipant will not accept employment in the same*  
 17 *industry as the industry of the private-sector en-*  
 18 *tity at which the participant accepts the fellow-*  
 19 *ship.*

20               “(C) *A provision that any financial obligation of*  
 21 *the United States arising out of an agreement entered*  
 22 *into under this subchapter, and any obligation of the*  
 23 *participant which is conditioned on such agreement,*  
 24 *is contingent upon funds being appropriated.*

1           “(D) *A statement of the damages to which the*  
 2           *United States is entitled under this subchapter for the*  
 3           *participant’s breach of the agreement.*

4           “(E) *Such other terms as the Secretary deter-*  
 5           *mines are required to be included in the agreement.*

6           “(2) *An agreement between the Secretary and a pri-*  
 7           *vate-sector participant shall be in writing, shall be signed*  
 8           *by the participant, and shall include the following provi-*  
 9           *sions:*

10           “(A) *The Secretary’s agreement to provide the*  
 11           *participant with a fellowship under this section.*

12           “(B) *The participant’s agreement to accept the*  
 13           *fellowship.*

14           “(C) *Such other terms as the Secretary deter-*  
 15           *mines are required to be included in the agreement.*

16           “(f) *TREATMENT OF RECIPIENTS.—(1) A Department*  
 17           *participant shall be considered an employee of the Depart-*  
 18           *ment for all purposes, including for purposes of receiving*  
 19           *a salary and benefits, and shall remain eligible for all pro-*  
 20           *motion and incentive programs otherwise available to such*  
 21           *an employee.*

22           “(2) *A private-sector participant shall be considered*  
 23           *an employee of the private-sector entity that employs the*  
 24           *participant for all purposes, including for purposes of re-*



1 *ceiving a salary and benefits, and during the fellowship*  
 2 *shall be treated as a contractor of the Department.*

3       “(g) *REPORTS.*—(1) *Not later than 60 days after com-*  
 4 *pleting a fellowship under this section, a recipient of the*  
 5 *fellowship shall submit to the Secretary a report on the fel-*  
 6 *lowship.*

7       “(2) *Each such report shall describe the duties of the*  
 8 *recipient during the fellowship and any recommendations*  
 9 *of the recipient for the application by the Secretary of in-*  
 10 *dustry processes, technologies, and best practices.*

11       “(3) *Not later than 7 days after receiving each such*  
 12 *report, the Secretary shall submit to the Committees on Vet-*  
 13 *erans’ Affairs of the Senate and House of Representatives*  
 14 *such report without change.*

15       “(h) *DEFINITIONS.*—*In this section:*

16               “(1) *The term ‘Department participant’ means*  
 17 *an employee of the Veterans Benefits Administration*  
 18 *or the Veterans Health Administration who is par-*  
 19 *ticipating in the fellowship under this section.*

20               “(2) *The term ‘private-sector entity’ includes an*  
 21 *entity operating under a public-private partnership.*

22               “(3) *The term ‘private-sector participant’ means*  
 23 *an employee of a private-sector entity who is partici-*  
 24 *pating in the fellowship under this section.”.*

1       (b) *DEADLINE FOR IMPLEMENTATION.*—Not later than  
 2 1 year after the date of the enactment of this Act, the Sec-  
 3 retary of Veterans Affairs shall implement the Executive  
 4 Management Fellowship Program required under section  
 5 741 of title 38, United States Code, as added by subsection  
 6 (a).

7       (c) *CLERICAL AMENDMENT.*—The table of sections at  
 8 the beginning of chapter 7 of title 38, United States Code,  
 9 is amended by adding at the end the following new items:

“SUBCHAPTER III—EXECUTIVE MANAGEMENT FELLOWSHIP PROGRAM  
 “741. Executive Management Fellowship Program.”.

10 **SEC. 203. ACCOUNTABILITY OF LEADERS FOR MANAGING**  
 11 **THE DEPARTMENT OF VETERANS AFFAIRS.**

12       (a) *IN GENERAL.*—Subchapter I of chapter 7 of title  
 13 38, United States Code, is amended by adding at the end  
 14 the following new section:

15 **“§ 725. Annual performance plan for political ap-**  
 16 **pointees**

17       “(a) *IN GENERAL.*—The Secretary shall conduct an  
 18 annual performance plan for each political appointee of the  
 19 Department that is similar to the annual performance plan  
 20 conducted for an employee of the Department who is ap-  
 21 pointed as a career appointee (as that term is defined in  
 22 section 3132(a) of title 5) within the Senior Executive Serv-  
 23 ice at the Department.

1       “(b) *ELEMENTS OF PLAN.*—Each annual performance  
 2   *plan conducted under subsection (a) with respect to a polit-*  
 3   *ical appointee of the Department shall include an assess-*  
 4   *ment of whether the appointee is meeting the following*  
 5   *goals:*

6               “(1) *Recruiting, selecting, and retaining well-*  
 7       *qualified individuals for employment at the Depart-*  
 8       *ment.*

9               “(2) *Engaging and motivating employees.*

10              “(3) *Training and developing employees and*  
 11       *preparing those employees for future leadership roles*  
 12       *within the Department.*

13              “(4) *Holding each employee of the Department*  
 14       *that is a manager accountable for addressing issues*  
 15       *relating to performance, in particular issues relating*  
 16       *to the performance of employees that report to the*  
 17       *manager.*

18       “(c) *DEFINITION OF POLITICAL APPOINTEE.*—In this  
 19   *section, the term ‘political appointee’ means an employee*  
 20   *of the Department who holds—*

21              “(1) *a position which has been excepted from the*  
 22       *competitive service by reason of its confidential, pol-*  
 23       *icy-determining, policy-making, or policy-advocating*  
 24       *character; or*

1           “(2) a position in the Senior Executive Service  
2           as a noncareer appointee (as such term is defined in  
3           section 3132(a) of title 5).”.

4           (b) *CLERICAL AMENDMENT.*—The table of sections at  
5           the beginning of chapter 7 of such title is amended by in-  
6           serting after the item relating to section 723 the following  
7           new item:

          “725. Annual performance plan for political appointees.”.

8           **SEC. 204. REEMPLOYMENT OF FORMER EMPLOYEES AT DE-**  
9                                   **PARTMENT OF VETERANS AFFAIRS.**

10          (a) *IN GENERAL.*—Notwithstanding sections 3309  
11          through 3318 of title 5, United States Code, the Secretary  
12          of Veterans Affairs may noncompetitively appoint a quali-  
13          fied former career or career conditional employee to any  
14          position within the competitive service at the Department  
15          of Veterans Affairs that is one grade or equivalent higher  
16          than the grade or equivalent of the position at the Depart-  
17          ment most recently occupied by the employee.

18          (b) *LIMITATION.*—The Secretary may not appoint a  
19          qualified former employee to a position that is more than  
20          one grade (or equivalent) higher than the position at the  
21          Department most recently occupied by the employee.

22          (c) *DEFINITION OF QUALIFIED FORMER EMPLOYEE.*—  
23          For purposes of this section, the term “qualified former em-  
24          ployee” means any individual who—

1           (1) *formerly occupied any career or career condi-*  
 2           *tional position at the Department of Veterans Affairs*  
 3           *within 2 years before applying for reemployment at*  
 4           *the Department;*

5           (2) *voluntarily left such position, or was subject*  
 6           *to a reduction in force, and had a satisfactory per-*  
 7           *formance record while occupying such position; and*

8           (3) *since leaving such position has maintained*  
 9           *licensing requirements, related to the position, if any,*  
 10          *and gained skill, knowledge, or other factors related to*  
 11          *the position.*

12   **SEC. 205. PROMOTIONAL OPPORTUNITIES FOR TECHNICAL**  
 13                           **EXPERTS AT DEPARTMENT OF VETERANS AF-**  
 14                           **FAIRS.**

15          *Not later than one year after the date of the enactment*  
 16          *of this Act, the Secretary of Veterans Affairs shall establish*  
 17          *a promotional track system for employees of the Department*  
 18          *of Veterans Affairs that the Secretary determines are tech-*  
 19          *nical experts pursuant to regulations prescribed by the Sec-*  
 20          *retary for purposes of carrying out this section. Such system*  
 21          *shall—*

22               (1) *provide any such employee the opportunity*  
 23               *to advance within the Department without being re-*  
 24               *quired to transition to a management position; and*

1           (2) *for purposes of achieving career advance-*  
 2       *ment—*

3                   (A) *provide for the establishment of new po-*  
 4       *sitions within the Department; and*

5                   (B) *notwithstanding any other provision of*  
 6       *law, provide for increases in pay for any such*  
 7       *employee.*

8   **SEC. 206. EMPLOYMENT OF STUDENTS AND RECENT GRAD-**  
 9                   **UATES BY DEPARTMENT OF VETERANS AF-**  
 10                  **FAIRS.**

11       (a) *IN GENERAL.—The Secretary of Veterans Affairs*  
 12       *shall prescribe regulations to allow for excepted service ap-*  
 13       *pointments of students and recent graduates leading to con-*  
 14       *version to career or career conditional employment of a stu-*  
 15       *dent or recent graduate of a qualifying educational institu-*  
 16       *tion, as defined by the Department.*

17       (b) *APPLICABILITY.—The conversion authority de-*  
 18       *scribed in subsection (a) shall be applicable to individuals*  
 19       *in good standing who—*

20                   (1) *are employed in a qualifying internship or*  
 21       *fellowship program at the Department;*

22                   (2) *are employed in the Department in a volun-*  
 23       *teer capacity and performing substantive duties com-*  
 24       *parable to those of individuals in internship or fel-*

1        *lowship programs and meet the required number of*  
 2        *hours for conversion;*

3            *(3) are employed in the Department under a*  
 4        *contract or agreement with an external nonprofit or-*  
 5        *ganization and performing substantive duties com-*  
 6        *parable to those of individuals in internship or fel-*  
 7        *lowship programs;*

8            *(4) have received educational assistance under*  
 9        *chapter 33 of title 38, United States Code; or*

10           *(5) graduated from a qualifying educational in-*  
 11        *stitution, as defined by the Department, and have not*  
 12        *reached 30 years of age.*

13        *(c) UNIFORMITY.—For the purposes of paragraphs (2)*  
 14        *and (3) of subsection (b), hours of work performed by an*  
 15        *individual employed shall be considered equal to those per-*  
 16        *formed by an individual employed in a qualifying intern-*  
 17        *ship or fellowship program by the Department.*

18        **SEC. 207. ENCOURAGEMENT OF TRANSITION OF MILITARY**  
 19                                **MEDICAL PROFESSIONALS INTO EMPLOY-**  
 20                                **MENT WITH VETERANS HEALTH ADMINISTRA-**  
 21                                **TION.**

22        *The Secretary of Veterans Affairs shall establish a pro-*  
 23        *gram to encourage an individual who serves in the Armed*  
 24        *Forces with a military occupational specialty relating to*  
 25        *the provision of health care to seek employment with the*

1 *Veterans Health Administration when the individual has*  
 2 *been discharged or released from service in the Armed*  
 3 *Forces or is contemplating separating from such service.*

4 **SEC. 208. RECRUITING DATABASE AT DEPARTMENT OF VET-**  
 5 **ERANS AFFAIRS.**

6 (a) *ESTABLISHMENT.*—*The Secretary of Veterans Af-*  
 7 *airs shall establish a single database that lists—*

8 (1) *each vacant position in the Department of*  
 9 *Veterans Affairs that the Secretary determines is crit-*  
 10 *ical to the mission of the Department, difficult to fill,*  
 11 *or both; and*

12 (2) *each vacant position in the Department of*  
 13 *Veterans Affairs for a mental health professional.*

14 (b) *QUALIFIED APPLICANT.*—*If the Secretary deter-*  
 15 *mines that an applicant for a vacant position listed in the*  
 16 *database established under subsection (a) is qualified for*  
 17 *such position but does not select the applicant for such posi-*  
 18 *tion, the Secretary, at the election of the applicant, may*  
 19 *consider the applicant for other similar vacant positions*  
 20 *listed in the database for which the applicant is qualified.*

21 (c) *PROLONGED VACANCIES.*—*If the Secretary does not*  
 22 *fill a vacant position listed in the database established*  
 23 *under subsection (a) after a period determined appropriate*  
 24 *by the Secretary, the Secretary—*



1           (1) *may ensure that applicants described in sub-*  
 2           *section (b) are considered for such position; and*

3           (2) *may use the database established under sub-*  
 4           *section (a) to assist in filling such position.*

5           (d) *REPORT.*—*Not later than one year after the date*  
 6           *of the enactment of this Act, the Secretary shall submit to*  
 7           *Congress a report on the use and efficacy of the database*  
 8           *established under subsection (a).*

9   **SEC. 209. TRAINING FOR HUMAN RESOURCES PROFES-**  
 10                   **SIONALS OF VETERANS HEALTH ADMINISTRA-**  
 11                   **TION ON RECRUITMENT AND RETENTION.**

12          (a) *IN GENERAL.*—*The Secretary of Veterans Affairs*  
 13           *shall provide to human resources professionals of the Vet-*  
 14           *erans Health Administration training on how to best re-*  
 15           *cruit and retain employees of the Veterans Health Adminis-*  
 16           *tration, including with respect to any recruitment and re-*  
 17           *tention matters that are unique to the Veterans Health Ad-*  
 18           *ministration pursuant to chapter 74 of title 38, United*  
 19           *States Code, or other provisions of law.*

20          (b) *VIRTUAL TRAINING.*—*Training provided under*  
 21           *this section shall be provided virtually.*

22          (c) *AMOUNT OF TRAINING.*—*The Secretary shall ensure*  
 23           *that each human resources professional of the Veterans*  
 24           *Health Administration receives the training described in*  
 25           *subsection (a)—*

1           (1) *as soon as practicable after being hired by*  
 2       *the Secretary as a human resources professional; and*

3           (2) *annually thereafter.*

4       (d) *CERTIFICATION.*—*The Secretary shall require that*  
 5       *each human resources professional of the Veterans Health*  
 6       *Administration, upon the completion of the training de-*  
 7       *scribed in subsection (a), certifies that the professional re-*  
 8       *ceived the training and understands the information pro-*  
 9       *vided by the training.*

10       (e) *ANNUAL REPORT.*—*Not less frequently than annu-*  
 11       *ally, the Secretary shall submit to the Committee on Vet-*  
 12       *erans' Affairs of the Senate and the Committee on Veterans'*  
 13       *Affairs of the House of Representatives a report on the*  
 14       *training described in subsection (a), including the cost of*  
 15       *providing such training and the number of human re-*  
 16       *sources professionals who received such training during the*  
 17       *year covered by the report.*

18       **SEC. 210. PLAN TO HIRE DIRECTORS OF MEDICAL CENTERS**

19                       **OF DEPARTMENT OF VETERANS AFFAIRS.**

20       (a) *PLAN.*—*Not later than 120 days after the date of*  
 21       *the enactment of this Act, the Secretary of Veterans Affairs*  
 22       *shall develop and implement a plan to hire highly qualified*  
 23       *directors for each medical center of the Department of Vet-*  
 24       *erans Affairs that lacks a permanent director as of the date*  
 25       *of the plan.*

1       (b) *PRIORITY.*—*The Secretary shall prioritize under*  
2 *the plan developed under subsection (a) the hiring of direc-*  
3 *tors for medical centers that have not had a permanent di-*  
4 *rector for the longest periods.*

5       (c) *MATTERS INCLUDED.*—*The plan developed under*  
6 *subsection (a) shall include the following:*

7           (1) *A deadline to hire directors of medical cen-*  
8 *ters of the Department as described in such sub-*  
9 *section.*

10          (2) *Identification of the possible impediments to*  
11 *such hiring.*

12          (3) *Identification of opportunities to promote*  
13 *and train candidates from within the Department to*  
14 *senior executive positions in the Department, includ-*  
15 *ing as directors of medical centers.*

16       (d) *SUBMITTAL OF PLAN.*—*Not later than 120 days*  
17 *after the date of the enactment of this Act, the Secretary*  
18 *shall submit to the Committee on Veterans' Affairs of the*  
19 *Senate and the Committee on Veterans' Affairs of the House*  
20 *of Representatives the plan developed under subsection (a).*

21       (e) *SEMIANNUAL REPORTS.*—*Not later than 180 days*  
22 *after the date of the enactment of this Act, and not later*  
23 *than 180 days thereafter, the Secretary shall submit to the*  
24 *Committee on Veterans' Affairs of the Senate and the Com-*  
25 *mittee on Veterans' Affairs of the House of Representatives*

1 *a report containing a list of each medical center of the De-*  
 2 *partment that lacks a permanent director as of the date*  
 3 *of the report.*

4 **SEC. 211. EXIT SURVEYS AT DEPARTMENT OF VETERANS AF-**  
 5 **FAIRS.**

6 *(a) EXIT SURVEYS REQUIRED.—*

7 *(1) IN GENERAL.—The Secretary of Veterans Af-*  
 8 *fairs shall develop and carry out a standardized exit*  
 9 *survey to be voluntarily completed by career and non-*  
 10 *career employees and executives of the Department of*  
 11 *Veterans Affairs who voluntarily separate from the*  
 12 *Department.*

13 *(2) CONSULTATION.—Such exit survey shall be*  
 14 *developed in consultation with an appropriate non-*  
 15 *Department entity with experience developing such*  
 16 *surveys.*

17 *(b) SURVEY CONTENT.—The survey shall include, at*  
 18 *a minimum, the following:*

19 *(1) Reasons for leaving the Department.*

20 *(2) Efforts made by the supervisor of the em-*  
 21 *ployee to retain the individual.*

22 *(3) The extent of job satisfaction and engagement*  
 23 *during the employment.*

1           (4) *The intent of employee to either remain em-*  
 2           *ployed within the Federal Government or to leave em-*  
 3           *ployment with the Federal Government.*

4           (5) *Such other matters as the Secretary deter-*  
 5           *mines appropriate.*

6           (c) *ANONYMITY OF SURVEY CONTENT.—The Secretary*  
 7           *shall ensure that data collected under subsection (a)—*

8                 (1) *is anonymized, including through the use of*  
 9                 *a location that allows for privacy;*

10                (2) *is not directly visible by another employee;*  
 11                *and*

12                (3) *does not require the departing employee to*  
 13                *input any personally identifiable data.*

14           (d) *SHARING OF SURVEY DATA.—The Secretary shall*  
 15           *ensure that the results of the survey required by subsection*  
 16           *(a) are—*

17                 (1) *aggregated at the Veterans Integrated Service*  
 18                 *Network level; and*

19                 (2) *shared on an annual basis with directors and*  
 20                 *managers of facilities of the Department and the Vet-*  
 21                 *erans Integrated Service Networks.*

22           (e) *ANNUAL REPORT.—*

23                 (1) *IN GENERAL.—Not later than one year after*  
 24                 *the date of the enactment of this Act and not less fre-*  
 25                 *quently than once each year thereafter, the Secretary*

1      *shall submit to the Committee on Veterans' Affairs of*  
 2      *the Senate and the Committee on Veterans' Affairs of*  
 3      *the House of Representatives a report containing the*  
 4      *aggregate results of the exit survey under subsection*  
 5      *(a) covering the year prior to the report.*

6            (2) *CONTENTS.—Each report submitted under*  
 7      *paragraph (1) shall include, for the period covered by*  
 8      *the report, the following:*

9            (A) *An analysis of the most common rea-*  
 10      *sons employees choose to leave the Department.*

11          (B) *The steps the Secretary is taking to im-*  
 12      *prove retention, particularly for mission-critical*  
 13      *occupations.*

14          (C) *The demographic characteristics of em-*  
 15      *ployees choosing to leave the Department.*

16          (D) *Any legislative barriers to improving*  
 17      *employee retention.*

18          (E) *The total number of employees who vol-*  
 19      *untarily separated from the Department and the*  
 20      *number and percentage of whom took the exit*  
 21      *survey under subsection (a).*

1 **SEC. 212. REQUIREMENT THAT PHYSICIAN ASSISTANTS EM-**  
 2 **PLOYED BY THE DEPARTMENT OF VETERANS**  
 3 **AFFAIRS RECEIVE COMPETITIVE PAY.**

4 *Section 7451(a)(2) of title 38, United States Code, is*  
 5 *amended—*

6 *(1) by redesignating subparagraph (B) as sub-*  
 7 *paragraph (C);*

8 *(2) by inserting after subparagraph (A) the fol-*  
 9 *lowing new subparagraph (B):*

10 *“(B) Physician assistant.”; and*

11 *(3) in subparagraph (C), as redesignated by*  
 12 *paragraph (1), by striking “and registered nurse”*  
 13 *and inserting “registered nurse, and physician assist-*  
 14 *ant”.*

15 **SEC. 213. EXPANSION OF DIRECT-HIRING AUTHORITY FOR**  
 16 **DEPARTMENT OF VETERANS AFFAIRS IN**  
 17 **CASE OF SHORTAGE OF HIGHLY QUALIFIED**  
 18 **CANDIDATES.**

19 *Section 3304(a)(3)(B) of title 5, United States Code,*  
 20 *is amended by inserting “(or, with respect to the Depart-*  
 21 *ment of Veterans Affairs, that there exists a severe shortage*  
 22 *of highly qualified candidates)” after “severe shortage of*  
 23 *candidates”.*

1 **SEC. 214. COMPTROLLER GENERAL OF THE UNITED STATES**  
2 **ASSESSMENT OF SUCCESSION PLANNING AT**  
3 **DEPARTMENT OF VETERANS AFFAIRS.**

4 (a) *ASSESSMENT.*—

5 (1) *IN GENERAL.*—*The Comptroller General of*  
6 *the United States shall assess the extent to which key*  
7 *succession planning policies and guidance at the De-*  
8 *partment of Veterans Affairs, including the Veterans*  
9 *Health Administration, the Veterans Benefits Admin-*  
10 *istration, and the National Cemetery Administration,*  
11 *are consistent with leading practices for succession*  
12 *and workforce planning identified by Comptroller*  
13 *General.*

14 (2) *ADDITIONAL MATTERS.*—*In carrying out the*  
15 *assessment required by paragraph (1), the Comp-*  
16 *troller General may assess such other matters as the*  
17 *Comptroller General considers appropriate.*

18 (b) *REPORT.*—*Not later than two years after the date*  
19 *of the enactment of this Act, the Comptroller General shall*  
20 *submit to the Committee on Veterans' Affairs of the Senate*  
21 *and the Committee on Veterans' Affairs of the House of Rep-*  
22 *resentatives a report on the assessment carried out under*  
23 *subsection (a).*

24 (c) *SENSE OF CONGRESS ON STUDY ON COMPLIANCE*  
25 *WITH POLICIES AND GUIDANCE.*—*It is the sense of Con-*  
26 *gress that—*



1           (1) *the Comptroller General should conduct a*  
 2           *study to examine the extent to which a sampling of*  
 3           *installations of the Department of Veterans Affairs*  
 4           *are complying with policies and guidance of the De-*  
 5           *partment, as well as applicable leading practices; and*

6           (2) *the scope and timeframe of a study conducted*  
 7           *as described in paragraph (1) may be dependent upon*  
 8           *the findings of the Comptroller General with respect*  
 9           *to the assessment carried out under subsection (a).*

### 10           ***TITLE III—MAJOR MEDICAL*** 11           ***FACILITY LEASES***

#### 12           ***SEC. 301. AUTHORIZATION OF CERTAIN MAJOR MEDICAL*** 13           ***FACILITY LEASES OF THE DEPARTMENT OF*** 14           ***VETERANS AFFAIRS.***

15           *The Secretary of Veterans Affairs may carry out the*  
 16           *following major medical facility leases at the locations spec-*  
 17           *ified and in an amount for each lease not to exceed the*  
 18           *amount specified for such location (not including any esti-*  
 19           *mated cancellation costs):*

20           (1) *For a replacement outpatient clinic, Ann*  
 21           *Arbor, Michigan, an amount not to exceed \$4,247,000.*

22           (2) *For a new outpatient mental health clinic,*  
 23           *Birmingham, Alabama, an amount not to exceed*  
 24           *\$6,649,000.*

1           (3) *For new research space, Boston, Massachu-*  
2           *setts, an amount not to exceed \$6,224,000.*

3           (4) *For a replacement research space, Charleston,*  
4           *South Carolina, an amount not to exceed \$7,274,000.*

5           (5) *For a replacement outpatient clinic, Corpus*  
6           *Christi, Texas, an amount not to exceed \$6,556,000.*

7           (6) *For a replacement outpatient clinic, Daytona*  
8           *Beach, Florida, an amount not to exceed \$12,198,000.*

9           (7) *For a replacement Chief Business Office Pur-*  
10          *chased Care office space, Denver, Colorado, an*  
11          *amount not to exceed \$14,784,000.*

12          (8) *For a replacement outpatient clinic, Fred-*  
13          *ericksburg, Virginia, an amount not to exceed*  
14          *\$45,015,000.*

15          (9) *For a new outpatient clinic, Gainesville,*  
16          *Florida, an amount not to exceed \$7,891,000.*

17          (10) *For an outpatient mental health clinic,*  
18          *Gainesville, Florida, an amount not to exceed*  
19          *\$4,320,000.*

20          (11) *For a replacement outpatient clinic, Hamp-*  
21          *ton Roads, Virginia, an amount not to exceed*  
22          *\$18,141,000.*

23          (12) *For a replacement outpatient clinic, Indi-*  
24          *anapolis, Indiana, an amount not to exceed*  
25          *\$7,876,000.*

1           (13) *For a replacement outpatient clinic, Jack-*  
2           *sonville, Florida, an amount not to exceed*  
3           *\$18,623,000.*

4           (14) *For a replacement outpatient clinic, Mis-*  
5           *soula, Montana, an amount not to exceed \$6,942,000.*

6           (15) *For a replacement outpatient mental health*  
7           *clinic, Northern Colorado, Colorado, an amount not*  
8           *to exceed \$8,904,000.*

9           (16) *For a replacement outpatient clinic, Ocala,*  
10          *Florida, an amount not to exceed \$5,026,000.*

11          (17) *For a new outpatient clinic, Oxnard, Cali-*  
12          *fornia, an amount not to exceed \$5,274,000.*

13          (18) *For a new outpatient clinic, Pike County,*  
14          *Georgia, an amount not to exceed \$5,565,000.*

15          (19) *For a new outpatient clinic, Pittsburgh,*  
16          *Pennsylvania, an amount not to exceed \$6,247,000.*

17          (20) *For a replacement outpatient clinic, Port-*  
18          *land, Maine, an amount not to exceed \$6,808,000.*

19          (21) *For a replacement outpatient clinic, Ra-*  
20          *leigh, North Carolina, an amount not to exceed*  
21          *\$21,870,000.*

22          (22) *For a replacement outpatient clinic, phase*  
23          *II, Rochester, New York, an amount not to exceed*  
24          *\$3,645,000.*

1           (23) *For a replacement research space, San*  
 2           *Diego, California, an amount not to exceed*  
 3           *\$4,852,000.*

4           (24) *For a new outpatient clinic, Santa Rosa,*  
 5           *California, an amount not to exceed \$6,922,000.*

6           (25) *For a replacement mental health clinic,*  
 7           *Tampa, Florida, an amount not to exceed*  
 8           *\$13,387,000.*

9           (26) *For a replacement outpatient clinic, Lake-*  
 10          *land, Tampa, Florida, an amount not to exceed*  
 11          *\$10,760,000.*

12          (27) *For a replacement outpatient clinic, Terre*  
 13          *Haute, Indiana, an amount not to exceed \$4,102,000.*

14          (28) *For a replacement outpatient clinic, Rapid*  
 15          *City, South Dakota, an amount not to exceed*  
 16          *\$4,532,000.*

17   **SEC. 302. AUTHORIZATION OF APPROPRIATIONS FOR MED-**  
 18                           **ICAL FACILITY LEASES.**

19          *There is authorized to be appropriated to the Secretary*  
 20          *of Veterans Affairs for fiscal year 2018 or the year in which*  
 21          *funds are appropriated for the Medical Facilities account*  
 22          *\$274,634,000 for the major medical facility leases author-*  
 23          *ized in section 301.*

1       ***TITLE IV—OTHER MATTERS***

2       ***SEC. 401. EXTENSION OF REDUCTION IN AMOUNT OF PEN-***  
 3                   ***SION FURNISHED BY DEPARTMENT OF VET-***  
 4                   ***ERANS AFFAIRS FOR CERTAIN VETERANS***  
 5                   ***COVERED BY MEDICAID PLANS FOR SERVICES***  
 6                   ***FURNISHED BY NURSING FACILITIES.***

7       *Section 5503(d)(7) of title 38, United States Code, is*  
 8       *amended by striking “September 30, 2024” and inserting*  
 9       *“September 30, 2027”.*

10       ***SEC. 402. EXTENSION OF REQUIREMENT FOR COLLECTION***  
 11                   ***OF FEES FOR HOUSING LOANS GUARANTEED***  
 12                   ***BY SECRETARY OF VETERANS AFFAIRS.***

13       *Section 3729(b)(2) of title 38, United States Code, is*  
 14       *amended—*

15               *(1) in subparagraph (A)—*

16                   *(A) in clause (iii), by striking “September*  
 17                   *30, 2024” and inserting “September 30, 2027”;*  
 18                   *and*

19                   *(B) in clause (iv), by striking “September*  
 20                   *30, 2024” and inserting “September 30, 2027”;*

21               *(2) in subparagraph (B)—*

22                   *(A) in clause (i), by striking “September*  
 23                   *30, 2024” and inserting “September 30, 2027”;*  
 24                   *and*

1           (B) in clause (ii), by striking “September  
2           30, 2024” and inserting “September 30, 2027”;  
3           (3) in subparagraph (C)—

4           (A) in clause (i), by striking “September  
5           30, 2024” and inserting “September 30, 2027”;  
6           and

7           (B) in clause (ii), by striking “September  
8           30, 2024” and inserting “September 30, 2027”;  
9           and  
10          (4) in subparagraph (D)—

11          (A) in clause (i), by striking “September  
12          30, 2024” and inserting “September 30, 2027”;  
13          and

14          (B) in clause (ii), by striking “September  
15          30, 2024” and inserting “September 30, 2027”.

16 **SEC. 403. EXTENSION OF AUTHORITY TO USE INCOME IN-**  
17 **FORMATION.**

18          Section 5317(g) of title 38, United States Code, is  
19 amended by striking “September 30, 2024” and inserting  
20 “September 30, 2027”.

Amend the title so as to read: “An Act to authorize appropriations and to appropriate amounts for the Veterans Choice Program of the Department of Veterans Affairs, to improve hiring authorities of the Department, to authorize major medical facility leases, and for other purposes.”.

Attest:

*Clerk.*

115TH CONGRESS  
1ST SESSION

# S. 114

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## AMENDMENTS