

have made the GI Bill a lifetime benefit that can be used at any point in a veteran's lifetime. And, also, if they don't use it, they can transfer it to a spouse or their children. This is a remarkable piece of legislation.

It took cooperation of a minority working in good faith during the last session of Congress, and I think it is a remarkable accomplishment.

Mr. Speaker, I urge all of my colleagues to join me in passing H.R. 4162, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. TAKANO) that the House suspend the rules and pass the bill, H.R. 4162, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. TAKANO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### VA DESIGN-BUILD CONSTRUCTION ENHANCEMENT ACT OF 2019

Mr. TAKANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3996) to amend title 38, United States Code, to provide for certain requirements relating to the use of the design-build construction method for Department of Veterans Affairs construction projects, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3996

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "VA Design-Build Construction Enhancement Act of 2019".

#### SEC. 2. FINDINGS; SENSE OF CONGRESS REGARDING THE DESIGN-BUILD CONSTRUCTION METHOD FOR DEPARTMENT OF VETERANS AFFAIRS CONSTRUCTION PROJECTS.

(a) FINDINGS.—Congress makes the following findings:

(1) The Inspector General of the Department of Veterans Affairs found that, in the Aurora, Colorado, replacement medical center project, the Department decided to change its acquisition strategy from traditional design-bid-build to integrated-design and construct in the fourth year of the project, which was too late for the integrated design-construction firm to provide effective input into the design.

(2) In response to deficiencies in the Department's management of the Aurora, Colorado, replacement medical center project and in order to prevent reoccurrence of such deficiencies in the future, Congress enacted section 8103 of title 38, United States Code, which mandates that an appropriate non-Department Federal entity take over management of future super construction projects of the Department, including project design,

acquisition, construction, and contract changes.

(3) It has been the policy of the Federal Government since the enactment of the Clinger-Cohen Act of 1996 (Public Law 104-106) that design-build shall be used when appropriate circumstances are present.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the unsuccessful use of the integrated-design and construct acquisition method in the Aurora, Colorado, replacement medical center project should not be interpreted to mean that design-build, as described in section 3309 of title 41, United States Code, is unsuitable for construction projects of the Department of Veterans Affairs; and

(2) when used properly by adequately trained acquisition and construction management personnel and in the appropriate circumstances, design-build is an effective construction acquisition method for the Department of Veterans Affairs, which has been demonstrated to reduce change orders, decrease the duration between design completion and beneficial occupancy, and increase warranty protections.

#### SEC. 3. DEPARTMENT OF VETERANS AFFAIRS USE OF DESIGN-BUILD CONSTRUCTION METHOD.

(a) USE OF DESIGN-BUILD SELECTION PROCEDURES.—Section 8106 of title 38, United States Code, is amended by adding at the end the following new subsection:

"(d)(1) If the Secretary seeks to enter into a contract for the design and construction of a building or facility, the Secretary shall use the procedures established in section 3309 of title 41.

"(2) In the case of a super construction project for which a non-Department Federal entity provides project management services under section 8103(e) of this title, the Secretary shall not discourage the entity from using the procedures established in section 3309 of title 41."

(b) COVERED CERTIFICATION PROGRAM.—Section 8103(g)(6)(A) of such title is amended by inserting "including design-build construction" before the period at the end.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. TAKANO) and the gentleman from Tennessee (Mr. DAVID P. ROE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

#### GENERAL LEAVE

Mr. TAKANO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 3996.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3996, the VA Design-Build Construction Enhancement Act of 2019. This bipartisan bill encourages VA to use a method of managing construction projects termed design-build in appropriate circumstances.

In addition, this bill incorporates design-build training into the VA construction management curriculum. There have been multiple internal VA and Government Accountability Office reports that have been very critical,

documenting serious delays in cost overruns in VA facility construction and other projects.

At present, both veterans and taxpayers are suffering from the cumbersome VA construction process. I am confident this piece of legislation will help deliver state-of-the-art facilities to our veterans in a more effective and expeditious manner.

Design-build is a proven way to deliver construction projects in a more efficient and timely manner. This method is widely used in the private sector, and it has been used in parts of the Federal Government for over 20 years.

For those of you who are unfamiliar with this technique, design-build is a delivery method for construction projects that combines the architectural, engineering, and construction services into a single contract. It is an innovation from traditional design-bid-build construction, where design and construction are sequential and performed by different contractors, thus creating costly and lengthy timelines for delivering much-needed sites of care for our veterans.

Over the years, the Department of Veterans Affairs has faced numerous challenges when it comes to managing construction projects. I am aware that some of these challenges are caused by Congress due to the time it takes to authorize and secure funds for new builds. However, a good portion of these construction challenges are self-inflicted.

This committee is intimately aware of the Rocky Mountain Regional VA Medical Center in Aurora, Colorado. Not only was the opening of the new state-of-the-art medical center several years delayed, it was \$1 billion over budget. This is a tragic disservice to our Nation's veterans and taxpayers.

Unfortunately, Aurora, Colorado, is only one of several examples of challenged VA construction projects. The VA is currently facing a multimillion-dollar backlog of construction projects. I am confident that a shift to design-build in appropriate circumstances could tremendously decrease the cost and shorten the length of time for VA construction projects.

Mr. Speaker, I urge all Members to support H.R. 3996, and I reserve the balance of my time.

Mr. DAVID P. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3996, the VA Design-Build Construction Enhancement Act of 2019.

This bill is sponsored by my good friend Congressman JIM BANKS from Indiana. Congressman BANKS is a former chairman and current ranking member of the Subcommittee on Technology Modernization and a tireless advocate for his fellow veterans.

His bill would encourage the use of the design-build construction method in the Department of Veterans Affairs by adding a reference to VA's construction statute, to existing government-

wide design-build construction procedures; prohibiting VA from discouraging other Federal agencies that manage construction projects on VA's behalf from using design-build; and incorporating design-build into VA's construction management training curriculum.

Design-build is a construction delivery method that is characterized by combining architectural, engineering, and construction services into a single contract. Design-build has been used successfully across the Federal Government since the mid-1990s.

When used appropriately, it can accelerate the completion of construction projects, reduce change orders, and increase warranty protections.

However, design-build has been used infrequently by VA, particularly after it was unfairly blamed for the troubles that plagued the replacement medical center construction project in Aurora, Colorado, which is just outside of Denver, despite not being used until 4 years into that project when the majority of the design-build had already been completed.

As the chairman said, that project was \$1 billion over budget. And to put that in perspective for just regular folks like me out there where I live, that is 1,000 million dollars over budget. That is how much a billion is.

□ 1730

I believe that VA could have avoided these excessive change orders and other issues that caused the delays and cost overruns that came to characterize the Denver project had they incorporated design-build principles much earlier.

Moving forward, I hope that the Department learns from the difficult lessons that Denver taught and does not shy away from using the design-build method, when appropriate, to deliver high-quality construction projects to serve our Nation's veterans.

I thank Congressman BANKS for his work on this bill; and while I wish Chairman TAKANO had used regular order to bring it forward, I am pleased to support its passage today.

Mr. Speaker, I reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I have no further speakers. I am prepared to close, and I reserve the balance of my time.

Mr. DAVID P. ROE of Tennessee. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. BANKS), my good friend. I have had a chance to visit his district and VA and talked to many groups in his district. There is no more passionate member of our committee than Congressman BANKS.

Mr. BANKS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in strong support of my legislation, H.R. 3996, the VA Design-Build Construction Enhancement Act.

I first want to thank Mr. PERLMUTTER, my colleague on the other side

of the aisle, for his tireless support and advocacy for veterans in the Denver area and beyond and for cosponsoring this legislation with me.

Design-build has proven itself to be an innovative and effective method for managing construction projects in the private sector and in some key Federal agencies. The most prominent application of design-build was to rebuild the Pentagon after 9/11, which was completed in less than 1 year.

VA has a multibillion-dollar backlog of construction projects but has never made much use of the design-build method, despite it being available for over 20 years. Unfortunately, one of the few times the VA did use a method similar to design-build was during the troubled Aurora, Colorado, replacement medical center project that we have already heard about today.

And as Dr. ROE noted, the VA only involved the construction contractor in the design decisions after the design was already complete. Design-build seems to have been given a bad name in the VA—unfairly—as a result.

My legislation today makes it clear that design-build is available to the VA and encourages the Department to use it when appropriate, as is already stipulated by the law, and incorporates design-build training into the VA construction management curriculum.

Mr. Speaker, I want to make sure that the VA is using every available tool to deliver world-class facilities to our veterans. When used correctly, design-build can speed up construction and minimize costly change orders. That is exactly what we need in the VA, and I am committed to making sure that that happens.

Mr. DAVID P. ROE of Tennessee. Mr. Speaker, I have no further speakers, and I yield myself such time as I may consume.

I think this is commonsense legislation, and certainly we can avoid what happened in Denver. That thousand million dollars could have been spent on veterans' healthcare or benefits or other much-needed projects in the VA. We don't have an endless supply of money.

I certainly appreciate Mr. BANKS' work on this.

Mr. Speaker, I urge all of my colleagues to support this legislation, and I yield back the balance of my time.

Mr. TAKANO. Mr. Speaker, let me just say that, as a former community college trustee that had responsibility for overseeing many projects that were undertaken to build out the community college district, design-build was employed in those instances. And where appropriately used, I agree with the comments by my friends from the other side of the aisle that this can make future VA construction projects more efficient and more cost-effective for our taxpayers.

Mr. Speaker, I urge all of my colleagues to join me in passing H.R. 3996, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. TAKANO) that the House suspend the rules and pass the bill, H.R. 3996.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### FALLEN WARRIOR BATTLEFIELD CROSS MEMORIAL ACT

Mr. TAKANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1424) to amend title 38, United States Code, to ensure the Secretary of Veterans Affairs permits the display of Fallen Soldier Displays in national cemeteries.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1424

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Fallen Warrior Battlefield Cross Memorial Act".

#### SEC. 2. AUTHORIZATION FOR FALLEN SOLDIER DISPLAYS IN NATIONAL CEMETERIES.

Section 2403 of title 38, United States Code, is amended by adding at the end the following new subsection:

"(d)(1) Subject to standards established by the Secretary, the Secretary shall permit the display of a Fallen Soldier Display in any national cemetery.

"(2) In this subsection, the term 'Fallen Soldier Display' means a memorial monument in honor of fallen members of the Armed Forces that may include a replica of an inverted rifle, boots, helmets, and identification tag."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. TAKANO) and the gentleman from Tennessee (Mr. DAVID P. ROE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

#### GENERAL LEAVE

Mr. TAKANO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 1424.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1424, the Fallen Warrior Battlefield Cross Memorial Act, introduced by Representative ANTHONY GONZALEZ of Ohio.

This act permits the Secretary of the VA to allow the Fallen Soldier Display, also known as the Battlefield Cross Memorial, in national cemeteries.

Battlefield crosses honor fallen soldiers using symbols of their service. These symbols have evolved since their