



# Naming Department of Veterans Affairs (VA) Facilities

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## Introduction

The Department of Veterans Affairs (VA) operates a large number of facilities across its three major administrations: the Veterans Health Administration (VHA), the Veterans Benefits Administration (VBA), and the National Cemetery Administration (NCA).

Under current law, VA is restricted to naming facilities for the geographic region where the facilities are located.<sup>1</sup> For instance, the VA Medical Center in Washington, DC, is named the “Washington DC VA Medical Center.” According to the Veterans Programs Enhancement Act of 1998 (38 U.S.C. §531; P.L. 105-368, as amended by P.L. 117-137), VA cannot name the facility for an individual without an act of Congress requiring such a name change.

Among Members of Congress, there is often interest in naming VA facilities, such as VA medical centers (VAMCs), hospitals, community-based outpatient clinics (CBOCs), regional offices, and cemeteries to commemorate specific individuals.<sup>2</sup> Since 1998, this has solely been a congressional prerogative accomplished through legislation with rules set by the House and Senate Committees on Veterans’ Affairs (HVAC and SVAC, respectively). This report provides a brief overview of the statutory authority for naming VA facilities, the current process, and recent examples of legislation to name facilities.<sup>3</sup> Laws from the previous Congress can be found in this report’s “Recent Examples of Legislation” section.

## Authority for Naming Facilities

Congress established VA’s naming requirements under the Veterans Programs Enhancement Act of 1998 (38 U.S.C. §531; P.L. 105-368, as amended by P.L. 117-137). Under 38 U.S.C. §531, except as expressly provided by law, a facility, structure, or real property of VA, and a major portion (such as a wing or floor) of any such facility, structure, or real property, may be named by the VA only for the geographic area in which the facility, structure, or real property is located.<sup>4</sup>

Prior to enactment of this law, the VA Secretary’s authority to name facilities and the congressional role in the process was less clear. Based on debate included in the *Congressional Record* during consideration of the Veterans Programs Enhancement Act of 1998, then-Secretary of Veterans Affairs Togo West attempted to name a VA cemetery after Abraham Lincoln without congressional approval, which drew disapproval from then-Representative Ray LaHood:

Mr. Speaker, I rise to address the issue of naming VA facilities. This has been a very frustrating problem for me and my constituents, particularly in Springfield, Illinois.

On April 8 of this year, VA’s Secretary Togo West issued a press release naming the cemetery-in-progress near Joliet, Illinois the “Abraham Lincoln National Cemetery.” In my opinion, Mr. West’s office moved unilaterally without any congressional or Committee on Veterans’ Affairs input whatsoever, disregarding VA’s own policy on naming facilities. Many of my colleagues from down-State Illinois were completely unaware of this.

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<sup>1</sup> 38 U.S.C. §531.

<sup>2</sup> 38 C.F.R. §38.602 provides the Under Secretary for Memorial Affairs with the responsibility of naming features within national cemeteries. The Under Secretary can name features after historically notable persons, places, or events, in addition to geographic locations. For more information, see CRS Report R46813, *Department of Veterans Affairs: Burial Benefits and the National Cemetery Administration*.

<sup>3</sup> For more information on commemorating individuals in general, see CRS Report R43539, *Commemorations in Congress: Options for Honoring Individuals, Groups, and Events*.

<sup>4</sup> 38 U.S.C. §531.

Congress has well-established procedures for naming facilities of all kinds in honor of individuals. The VA chose to step outside its legal authority, ignoring procedures and precedent. VA's own policy clearly states that the naming of VA facilities in honor of individuals can be done only by congressional mandate.

This situation has me very concerned about the VA's apparent lack of regard for procedures. I am pleased that this legislation we are considering today provides a solution. The VA will no longer be able to sidestep proper procedures in naming facilities. Congress' authority to naming facilities in honor of individuals will be codified and, hopefully, no more confusion will exist.<sup>5</sup>

The VA cemetery was ultimately named after President Abraham Lincoln. However, since passage of the act, VA is required to defer to Congress in the naming of federal property in honor of individuals.

## Transferring Facility Names

The Veterans Programs Enhancement Act of 1998 did not grant VA the authority to transfer the name of a facility to another facility. For instance, if VA replaced an aging facility that was already named after an individual via congressional action, the department was limited to naming the new facility for the geographic location of the facility only. The 117<sup>th</sup> Congress enacted legislation amending 38 U.S.C. §531 to allow such a name transfer.<sup>6</sup>

The Secretary is now authorized to transfer the name of a property if

- the original property was designated with that name by law;
- the department no longer offers benefits or services at the original covered property;
- the other property is similar in type and purpose to the original named property; and
- the other property is located at a different location or address but within the same area (i.e., town, city, or other local government area) that was specified in the law that named the original facility.

The Secretary is required to notify the committees of jurisdiction and each Member of Congress representing the state in which the original property and the other property are located of the intent to transfer the name.

## Veterans' Affairs Committee Rules on Facility Naming

The House Veterans Affairs Committee (HVAC) and the Senate Veterans Affairs Committee (SVAC) have established committee rules applicable to the naming of VA facilities. At the start of each new Congress, the committees decide their respective committee rules of procedure, which historically include a rule for renaming facilities after a deceased individual.<sup>7</sup> In the 119<sup>th</sup>

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<sup>5</sup> Rep. Ray H. LaHood, "Veterans' Benefits Enhancement Act of 1998," remarks in the House, *Congressional Record*, daily edition, vol. 144, part 142 (October 10, 1998), p. H10374.

<sup>6</sup> P.L. 117-137.

<sup>7</sup> For the HVAC rules of procedure, see <https://www.congress.gov/119/meeting/house/117776/documents/BILLS-1192rth.pdf>. For the SVAC rules of procedure, see <https://www.veterans.senate.gov/committee-rules>.

Congress, both veterans committees' rules outline similar requirements for facility or property renaming.<sup>8</sup> These committee rules prohibit naming a VA facility after an individual unless the individual is deceased and meets at least one of the following criteria:

- A veteran who was
  - involved in the construction of the facility;
  - a recipient of the Medal of Honor;
  - determined by the chairman and ranking minority member to have performed military service of an extraordinarily distinguished character; or
- a Member of the U.S. House of Representatives or Senate with direct association to the facility or property; or
- an Administrator of Veterans Affairs, Secretary of Veterans Affairs, Secretary of Defense or of a service branch, or a military or other federal civilian official of comparable or higher rank; or
- an individual determined by the chair and ranking minority member to have performed outstanding service for veterans.

In addition, each member of the congressional delegation representing the state where the designated facility or property is located must indicate, in writing, such member's support of the proposal to name such a facility or property after such an individual. Finally, the pertinent state department or chapter of each congressionally chartered veterans' organization with a national membership of at least 500,000 must indicate, in writing, its support of the bill.<sup>9</sup>

Both committees' rules allow for any of the above criteria to be waived by unanimous consent.

## Recent Examples of Legislation

Legislation to name VA facilities is frequently considered in Congress. Typically, legislation to name VA facilities to commemorate an individual highlights the individual's accomplishments that merit such an honor in the legislative text. In addition, the legislative text identifies the location of the facility and the new name (see **text box** for a detailed example).

### Selected Example of Enacted Legislation

To designate the clinic of the Department of Veterans Affairs in Mishawaka, Indiana, as the "Jackie Walorski VA Clinic." (P.L. 117-179).

The first clause includes findings, which briefly describe Jackie Walorski's life, including her ties to the area in which the facility is located:

- (1) Jackie Walorski was born August 17, 1963, in South Bend, Indiana.
- (2) Jackie Walorski grew up in South Bend raised by her parents, Martha, who worked at a local grocery store, and Raymond, an Air Force veteran and firefighter who owned an appliance store.
- (3) Jackie Walorski graduated from James Whitcomb Riley High School in 1981 and is an alumna of Taylor University.

<sup>8</sup> The HVAC rules of procedure include the phrase "facility or property." The SVAC rules of procedure only use the term "facility."

<sup>9</sup> According to HCAC and SVAC committee rules, under certain circumstances, the committee may grant a waiver to accept written support from pertinent chapters or posts of a chartered veterans' organization in lieu of the pertinent state department. For more information on congressionally chartered veterans' organizations, see CRS Report R47236, *Title 36 Charters: The History and Evolution of Congressional Practices*.

(4) Upon her graduation, Jackie Walorski worked as a reporter for a television station in South Bend and later worked for local chapters of the Humane Society and Chamber of Commerce as well as served as a development officer for area universities.

(5) In 2000, she and her husband Dean Swihart moved to Romania and founded Impact International, a nonprofit foundation that provided medical supplies and attention to impoverished children while they served as missionaries there for four years.

(6) In 2004, she was elected to the Indiana House of Representatives and subsequently reelected to that office every two years where she served three full terms in office.

(7) In 2012, she was elected to the United States House of Representatives and subsequently reelected to that office until her death in a tragic car accident in 2022.

(8) During her service in the United States House of Representatives, she was a passionate advocate for all her constituents, but especially veterans in the area.

(9) During her service in the United States House of Representatives, she served on the Committee on Veterans' Affairs for two terms, during that time authoring the Veterans Mobility Safety Act of 2016 (P.L. 114-256).

(10) In 2017, through her persistent advocacy for area veterans, the Department of Veterans Affairs completed construction of a medical clinic in St. Joseph County, Indiana, to meet the needs of Michiana area veterans.

The second clause identifies the facility to be named after the individual and specifies the name:

The clinic of the Department of Veterans Affairs located in Mishawaka, Indiana, shall after the date of the enactment of this Act be known and designated as the “Jackie Walorski VA Clinic.”

The third clause specifies that “any reference in any law, regulation, map, document, paper, or other record of the United States” to the facility shall be deemed to be a reference to the new name.

Examples of VA naming legislation enacted in the 118<sup>th</sup> Congress are listed below. This list is not comprehensive.<sup>10</sup> CRS did not identify any resolutions that were enacted in the 118<sup>th</sup> Congress. An example of a resolution providing support for facility names during the 118<sup>th</sup> Congress is H.Res. 851. Unlike bills, such resolutions do not authorize facilities to be designated by particular names.

## 118<sup>th</sup> Congress

### *Examples of Enacted Legislation*

- P.L. 118-259, To name the Department of Veterans Affairs community-based outpatient clinic in Auburn, California, as the “Louis A. Conter VA Clinic.”
- P.L. 118-251, To rename the community-based outpatient clinic of the Department of Veterans Affairs in Cadillac, Michigan, as the “Duane E. Dewey VA Clinic.”
- P.L. 118-215, To name the community-based outpatient clinic of the Department of Veterans Affairs in Monroeville, Pennsylvania, as the “Henry Parham VA Clinic.”
- P.L. 118-214, U.S. Congressman Sam Johnson Memorial VA Clinic Act.
- P.L. 118-208, A bill to designate the medical center of the Department of Veterans Affairs in Tulsa, Oklahoma, as the James Mountain Inhofe VA Medical Center.

<sup>10</sup> CRS searched Congress.gov for proposals with the phrase *department of veterans affairs* in the bill title and at least one of the following terms in the bill titles: designate, name, naming, redesignate, rename, redesignating, designating, renaming. The search results can be viewed at <https://www.congress.gov/u/NNyuGwFW9W87ckbxEGcLT>. CRS limited the search to public laws in the 118<sup>th</sup> Congress and selected examples to share in the report.

- P.L. 118-200, A bill to designate the community-based outpatient clinic of the Department of Veterans Affairs in Lynchburg, Virginia, as the “Private First Class Desmond T. Doss VA Clinic.”
- P.L. 118-128, To name the Department of Veterans Affairs medical center in West Palm Beach, Florida, as the “Thomas H. Corey VA Medical Center.”
- P.L. 118-76, A bill to rename the community-based outpatient clinic of the Department of Veterans Affairs in Butte, Montana, as the “Charlie Dowd VA Clinic.”
- P.L. 118-75, A bill to designate the outpatient clinic of the Department of Veterans Affairs in Wyandotte County, Kansas City, Kansas, as the “Captain Elwin Shopteese VA Clinic.”
- P.L. 118-12, To designate the clinic of the Department of Veterans Affairs in Indian River, Michigan, as the “Pfc. Justin T. Paton Department of Veterans Affairs Clinic.”

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