

Calendar No. 184

103D CONGRESS
1ST SESSION

H. R. 490

[Report No. 103-1251]

AN ACT

To provide for the conveyance of certain lands and improvements in Washington, District of Columbia, to the Columbia Hospital for Women to provide a site for the construction of a facility to house the National Women's Health Resource Center.

AUGUST 6 (legislative day, JUNE 30), 1993

Reported without amendment

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IN THE SENATE OF THE UNITED STATES

MARCH 10 (legislative day, MARCH 3), 1993

Received; read twice and referred to the Committee on Governmental Affairs

AUGUST 6 (legislative day, JUNE 30), 1993

Reported by Mr. GLENN, without amendment

AN ACT

To provide for the conveyance of certain lands and improvements in Washington, District of Columbia, to the Columbia Hospital for Women to provide a site for the construction of a facility to house the National Women's Health Resource Center.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. CONVEYANCE OF LAND.**

2 (a) ADMINISTRATOR OF GENERAL SERVICES.—Sub-
3 ject to sections 2 and 4, the Administrator of General
4 Services (hereinafter in this Act referred to as the “Ad-
5 ministrator”) shall convey, for \$12,800,000 to be paid in
6 accordance with the terms set forth in subsection (d)(2)
7 and other consideration required by this Act, to the Co-
8 lumbia Hospital for Women (formerly Columbia Hospital
9 for Women and Lying-in Asylum; hereinafter in this Act
10 referred to as “Columbia Hospital”), located in Washing-
11 ton, District of Columbia, all right, title, and interest of
12 the United States in and to those pieces or parcels of land
13 in the District of Columbia, described in subsection (b),
14 together with all improvements thereon and appurtenances
15 thereto. The purpose of the conveyance is to provide a site
16 for the construction by Columbia Hospital of a facility to
17 house the National Women’s Health Resource Center
18 (hereinafter in this Act referred to as the “Resource Cen-
19 ter”), as described in the Certificate of Need issued for
20 the Resource Center in conformance with District of Co-
21 lumbia law and in effect on the date of conveyance.

22 (b) PROPERTY DESCRIPTION.—The land referred to
23 in subsection (a) was conveyed to the United States of
24 America by deed dated May 2, 1888, from David
25 Fergusson, widower, recorded in liber 1314, folio 102, of
26 the land records of the District of Columbia, and is that

1 portion of square numbered 25 in the city of Washington
2 in the District of Columbia which was not previously con-
3 veyed to such hospital by the Act of June 28, 1952 (Public
4 Law 82-423). Such property is more particularly de-
5 scribed as square 25, lot 803, or as follows: all that piece
6 or parcel of land situated and lying in the city of Washing-
7 ton in the District of Columbia and known as part of
8 square numbered 25, as laid down and distinguished on
9 the plat or plan of said city as follows: beginning for the
10 same at the northeast corner of the square being the cor-
11 ner formed by the intersection of the west line of Twenty-
12 fourth Street Northwest, with the south line of north M
13 Street Northwest and running thence south with the line
14 of said Twenty-fourth Street Northwest for the distance
15 of two hundred and thirty-one feet ten inches, thence run-
16 ning west and parallel with said M Street Northwest for
17 the distance of two hundred and thirty feet six inches and
18 running thence north and parallel with the line of said
19 Twenty-fourth Street Northwest for the distance of two
20 hundred and thirty-one feet ten inches to the line of said
21 M Street Northwest and running thence east with the line
22 of said M Street Northwest to the place of beginning two
23 hundred and thirty feet and six inches together with all
24 the improvements, ways, easements, rights, privileges, and

1 appurtenances to the same belonging or in anywise
2 appertaining.

3 (c) DATE OF CONVEYANCE.—

4 (1) DATE.—The date of the conveyance of
5 property required under subsection (a) shall be the
6 date which is 1 year after the date of receipt by the
7 Administrator of written notification from Columbia
8 Hospital that the hospital needs such property for
9 use as a site to provide housing for the Resource
10 Center.

11 (2) DEADLINE FOR SUBMISSION OF NOTIFICA-
12 TION.—A written notification of need from Columbia
13 Hospital shall not be effective for purposes of sub-
14 section (a) and paragraph (1) unless the notification
15 is received by the Administrator before the date
16 which is 1 year after the date of the enactment of
17 this Act.

18 (d) CONVEYANCE TERMS.—

19 (1) IN GENERAL.—The conveyance of property
20 required under subsection (a) shall be subject to
21 such terms and conditions as may be determined by
22 the Administrator to be necessary to safeguard the
23 interests of the United States. Such terms and con-
24 ditions shall be consistent with the terms and condi-
25 tions set forth in this Act.

1 (2) PAYMENT OF PURCHASE PRICE.—Columbia
2 Hospital shall pay the \$12,800,000 purchase price
3 in full by not later than the date of conveyance
4 under subsection (c).

5 (3) QUITCLAIM DEED.—Any conveyance of
6 property to Columbia Hospital under this Act shall
7 be by quitclaim deed.

8 (e) TREATMENT OF AMOUNTS RECEIVED.—Amounts
9 received by the United States as payment under this Act
10 shall be paid into, administered, and expended as part of
11 the fund established by section 210(f) of the Federal Prop-
12 erty and Administrative Services Act of 1949 (40 U.S.C.
13 490(f)).

14 **SEC. 2. LIMITATION ON CONVEYANCE.**

15 No part of any land conveyed under section 1 may
16 be used, during the 30-year period beginning on the date
17 of conveyance under section 1(c)(1), for any purpose other
18 than to provide a site for a facility to house the Resource
19 Center and any necessary related appurtenances to that
20 facility.

21 **SEC. 3. SATELLITE HEALTH CENTERS.**

22 (a) REQUIREMENT.—

23 (1) IN GENERAL.—Not later than 4 years after
24 the date of the conveyance under section 1, Colum-
25 bia Hospital, after consultation with the District of

1 Columbia Commission of Public Health and the Dis-
2 trict of Columbia State Health Planning and Devel-
3 opment Agency, shall establish, maintain, and oper-
4 ate 3 satellite health centers.

5 (2) PERSONS TO BE SERVED.—One of the sat-
6 ellite health centers shall provide comprehensive
7 health and counseling services exclusively for teenage
8 women and their children. The other 2 satellite
9 health centers shall provide comprehensive health
10 and counseling services for women (including teen-
11 age women) and their children.

12 (3) LOCATION.—The satellite health centers
13 shall be located in areas of the District of Columbia
14 in which the District of Columbia Department of
15 Public Health has determined that the need for com-
16 prehensive health and counseling services provided
17 by the centers is the greatest. In locating such cen-
18 ters, special consideration shall be given to the areas
19 of the District with the highest rates of infant death
20 and births by teenagers.

21 (b) COMPREHENSIVE HEALTH AND COUNSELING
22 SERVICES.—In subsection (a), comprehensive health and
23 counseling services include—

24 (1) examination of women;

1 (2) medical treatment and counseling of women,
2 including prenatal and postnatal services;

3 (3) treatment and counseling of substance
4 abusers and those who are at risk of substance
5 abuse;

6 (4) health promotion and disease prevention
7 services;

8 (5) physician and hospital referral services; and

9 (6) extended and flexible hours of service.

10 (c) REQUIRED CONSIDERATION.—The establishment,
11 operation, and maintenance of satellite health centers by
12 Columbia Hospital in accordance with this section shall
13 be part of the consideration required by this Act for the
14 conveyance under section 1.

15 **SEC. 4. REVERSIONARY INTEREST.**

16 (a) IN GENERAL.—The property conveyed under sec-
17 tion 1 shall revert to the United States—

18 (1) on the date which is 4 years after the date
19 of such conveyance if Columbia Hospital is not oper-
20 ating the Resource Center on such property; and

21 (2) on any date in the 30-year period beginning
22 on the date of such conveyance, on which the prop-
23 erty is used for a purpose other than that referred
24 to in section 2.

1 (b) REPAYMENT.—If property reverts to the United
2 States under subsection (a), the Administrator shall pay
3 to Columbia Hospital, from amounts otherwise appro-
4 priated from the fund established by section 210(f) of the
5 Federal Property and Administrative Services Act of 1949
6 (40 U.S.C. 490(f)), an amount equal to all sums received
7 by the United States as payments for the conveyance
8 under section 1, without interest on such amount.

9 (c) ENFORCING REVERSION.—The Administrator
10 shall perform all acts necessary to enforce any reversion
11 of property to the United States under this section.

12 (d) INVENTORY OF PUBLIC BUILDINGS SERVICE.—
13 Property that reverts to the United States under this sec-
14 tion—

15 (1) shall be under the control of the General
16 Services Administration; and

17 (2) shall be assigned by the Administrator to
18 the inventory of the Public Buildings Service.

19 **SEC. 5. DAMAGES.**

20 (a) DAMAGES.—Subject to subsection (b), for each
21 year in the 26-year period beginning on the date which
22 is 4 years after the date of conveyance under section
23 1(c)(1), in which Columbia Hospital does not operate 3
24 satellite health centers in accordance with section 3 for
25 a period of more than 60 days, the Columbia Hospital

1 shall be liable to the United States for damages in an
2 amount equal to \$200,000, except that this subsection
3 shall not apply after the date of any reversion of property
4 under section 4.

5 (b) LIMITATION IN DAMAGES.—The maximum
6 amount of damages for which Columbia Hospital may be
7 liable under this section shall be \$3,000,000.

8 (c) ADJUSTMENTS FOR INFLATION.—The amount of
9 damages specified in subsection (a) and the maximum
10 amount of damages specified in subsection (b) shall be ad-
11 justed biennially to reflect changes in the consumer price
12 index that have occurred since the date of the enactment
13 of this Act.

14 (d) ASSESSMENT AND WAIVER.—For any failure by
15 Columbia Hospital to operate a satellite health center in
16 accordance with section 3, the Administrator may—

17 (1) seek to recover damages under this section;

18 or

19 (2) waive all or any part of damages recover-
20 able under this section for that failure, if the Admin-
21 istrator—

22 (A) determines the failure is caused by ex-
23 ceptional circumstances; and

24 (B) submits a statement to the District of
25 Columbia Commission of Public Health and the

1 Congress, that sets forth the reasons for the de-
2 termination.

3 (e) CONVEYANCE DOCUMENTS.—The Administrator
4 shall include in the documents for any conveyance under
5 this Act appropriate provisions to—

6 (1) ensure that payment of damages under this
7 section is a contractual obligation of Columbia Hos-
8 pital; and

9 (2) require the Administrator to provide to Co-
10 lumbia Hospital notice and an opportunity to re-
11 spond before the Administrator seeks to recover such
12 damages.

13 **SEC. 6. REPORTS.**

14 During the 5-year period beginning one year after the
15 date of the conveyance under section 1, Columbia Hospital
16 shall submit to the Administrator, the appropriate com-
17 mittees of the Congress, and the Comptroller General of
18 the United States annual reports on the establishment,
19 maintenance, and operation of the Resource Center and
20 the satellite health centers.

21 **SEC. 7. MEMBER INSTITUTES.**

22 The Resource Center should—

23 (1) include among its outreach activities the es-
24 tablishment of formal linkages with no less than 6
25 universities or health centers throughout the Nation,

1 to be known as “member institutes” in furtherance
2 of the purposes of the Resource Center; and

3 (2) provide national notice of the opportunity
4 such entities have to participate in programs and ac-
5 tivities of the Resource Center.

Passed the House of Representatives March 9,
1993.

Attest: DONNALD K. ANDERSON,
Clerk.