

107TH CONGRESS  
1ST SESSION

# H. R. 811

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IN THE SENATE OF THE UNITED STATES

MARCH 28, 2001

Received; read twice and referred to the Committee on Veterans' Affairs

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## AN ACT

To authorize the Secretary of Veterans Affairs to carry out construction projects for the purpose of improving, renovating, and updating patient care facilities at Department of Veterans Affairs medical centers.

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. SHORT TITLE.**

2 This Act may be cited as the “Veterans Hospital  
3 Emergency Repair Act”.

4 **SEC. 2. AUTHORIZATION OF MAJOR MEDICAL FACILITY**  
5 **PROJECTS FOR PATIENT CARE IMPROVE-**  
6 **MENTS.**

7 (a) IN GENERAL.—(1) The Secretary of Veterans Af-  
8 fairs is authorized to carry out major medical facility  
9 projects in accordance with this section, using funds ap-  
10 propriated for fiscal year 2002 or fiscal year 2003 pursu-  
11 ant to section 3. The cost of any such project may not  
12 exceed \$25,000,000, except that up to two projects per  
13 year may be carried out at a cost not to exceed  
14 \$30,000,000 for the purpose stated in subsection (c)(1).

15 (2) Projects carried out under this section are not  
16 subject to section 8104(a)(2) of title 38, United States  
17 Code.

18 (b) TYPE OF PROJECTS.—A project carried out  
19 under subsection (a) may be carried out only at a Depart-  
20 ment of Veterans Affairs medical center and only for the  
21 purpose of—

22 (1) improving a patient care facility;

23 (2) replacing a patient care facility;

24 (3) renovating a patient care facility;

25 (4) updating a patient care facility to contem-  
26 porary standards; or

1           (5) improving, replacing, or renovating a re-  
2           search facility or updating such a facility to contem-  
3           porary standards.

4           (c) PURPOSE OF PROJECTS.—In selecting medical  
5           centers for projects under subsection (a), the Secretary  
6           shall select projects to improve, replace, renovate, or up-  
7           date facilities to achieve one or more of the following:

8                   (1) Seismic protection improvements related to  
9                   patient safety (or, in the case of a research facility,  
10                  patient or employee safety).

11                  (2) Fire safety improvements.

12                  (3) Improvements to utility systems and ancil-  
13                  lary patient care facilities (including such systems  
14                  and facilities that may be exclusively associated with  
15                  research facilities).

16                  (4) Improved accommodation for persons with  
17                  disabilities, including barrier-free access.

18                  (5) Improvements at patient care facilities to  
19                  specialized programs of the Department, including  
20                  the following:

21                           (A) Blind rehabilitation centers.

22                           (B) Inpatient and residential programs for  
23                           seriously mentally ill veterans, including mental  
24                           illness research, education, and clinical centers.

1           (C) Residential and rehabilitation pro-  
2           grams for veterans with substance-use dis-  
3           orders.

4           (D) Physical medicine and rehabilitation  
5           activities.

6           (E) Long-term care, including geriatric re-  
7           search, education, and clinical centers, adult  
8           day care centers, and nursing home care facili-  
9           ties.

10          (F) Amputation care, including facilities  
11          for prosthetics, orthotics programs, and sensory  
12          aids.

13          (G) Spinal cord injury centers.

14          (H) Traumatic brain injury programs.

15          (I) Women veterans' health programs (in-  
16          cluding particularly programs involving privacy  
17          and accommodation for female patients).

18          (J) Facilities for hospice and palliative  
19          care programs.

20          (d) REVIEW PROCESS.—(1) Before a project is sub-  
21          mitted to the Secretary with a recommendation that it be  
22          approved as a project to be carried out under the authority  
23          of this section, the project shall be reviewed by a board  
24          within the Department of Veterans Affairs that is inde-  
25          pendent of the Veterans Health Administration and that

1 is constituted by the Secretary to evaluate capital invest-  
2 ment projects. The board shall review each such project  
3 to determine the project's relevance to the medical care  
4 mission of the Department and whether the project im-  
5 proves, renovates, repairs, or updates facilities of the De-  
6 partment in accordance with this section.

7 (2) In selecting projects to be carried out under the  
8 authority provided by this section, the Secretary shall con-  
9 sider the recommendations of the board under paragraph  
10 (1). In any case in which the Secretary selects a project  
11 to be carried out under this section that was not rec-  
12 ommended for such approval by the board under para-  
13 graph (1), the Secretary shall include in the report of the  
14 Secretary under section 4(b) notice of such selection and  
15 the Secretary's reasons for not following the recommenda-  
16 tion of the board with respect to that project.

17 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

18 (a) IN GENERAL.—There are authorized to be appro-  
19 priated to the Secretary of Veterans Affairs for the Con-  
20 struction, Major Projects, account for projects under sec-  
21 tion 2—

22 (1) \$250,000,000 for fiscal year 2002; and

23 (2) \$300,000,000 for fiscal year 2003.

24 (b) LIMITATION.—Projects may be carried out under  
25 section 2 only using funds appropriated pursuant to the

1 authorization of appropriations in subsection (a), except  
2 that funds appropriated for advance planning may be used  
3 for the purposes for which appropriated in connection with  
4 such projects.

5 **SEC. 4. REPORTS.**

6 (a) GAO REPORT.—Not later than April 1, 2003, the  
7 Comptroller General shall submit to the Committees on  
8 Veterans' Affairs and on Appropriations of the Senate and  
9 House of Representatives a report evaluating the advan-  
10 tages and disadvantages of congressional authorization for  
11 projects of the type described in section 2(b) through gen-  
12 eral authorization as provided by section 2(a), rather than  
13 through specific authorization as would otherwise be appli-  
14 cable under section 8104(a)(2) of title 38, United States  
15 Code. Such report shall include a description of the actions  
16 of the Secretary of Veterans Affairs during fiscal year  
17 2002 to select and carry out projects under section 2.

18 (b) SECRETARY REPORT.—Not later than 120 days  
19 after the date on which the site for the final project under  
20 section 2 is selected, the Secretary shall submit to the  
21 committees referred to in subsection (a) a report on the  
22 authorization process under section 2. The Secretary shall  
23 include in the report the following:

24 (1) A listing by project of each such project se-  
25 lected by the Secretary under that section, together

1 with a prospectus description of the purposes of the  
2 project, the estimated cost of the project, and a  
3 statement attesting to the review of the project  
4 under section 2(c), and, if that project was not rec-  
5 ommended by the board, the Secretary's justification  
6 under section 2(d) for not following the rec-  
7 ommendation of the board.

8 (2) An assessment of the utility to the Depart-  
9 ment of Veterans Affairs of that authorization proc-  
10 ess.

11 (3) Such recommendations as the Secretary  
12 considers appropriate for future congressional policy  
13 for authorizations of major and minor medical facil-  
14 ity construction projects for the Department of Vet-  
15 erans Affairs.

16 (4) Any other matter that the Secretary con-  
17 siders to be appropriate with respect to oversight by  
18 Congress of capital facilities projects of the Depart-  
19 ment of Veterans Affairs.

Passed the House of Representatives March 27,  
2001.

Attest:

JEFF TRANDAHL,

*Clerk.*