

107TH CONGRESS  
1ST SESSION

# S. 1280

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.

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## IN THE SENATE OF THE UNITED STATES

JULY 31, 2001

Mr. CLELAND introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

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,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Veterans’ Hospital  
5       Emergency Repair Act”.

1 **SEC. 2. AUTHORIZATION OF MAJOR MEDICAL FACILITY**  
2 **PROJECTS FOR PATIENT CARE IMPROVE-**  
3 **MENTS.**

4 (a) IN GENERAL.—(1) The Secretary of Veterans Af-  
5 fairs is authorized to carry out major medical facility  
6 projects in accordance with this section, using funds ap-  
7 propriated for fiscal year 2002 or fiscal year 2003 pursu-  
8 ant to section 3. The cost of any such project may not  
9 exceed \$25,000,000.

10 (2) Projects carried out under this section are not  
11 subject to section 8104(a)(2) of title 38, United States  
12 Code.

13 (b) PURPOSE OF PROJECTS.—A project carried out  
14 pursuant to subsection (a) may be carried out only at a  
15 Department of Veterans Affairs medical center and only  
16 for the purpose of improving, renovating, and updating to  
17 contemporary standards patient care facilities. In selecting  
18 medical centers for projects under subsection (a), the Sec-  
19 retary shall select projects to improve, renovate, or update  
20 facilities to achieve one or more of the following:

21 (1) Seismic protection improvements related to  
22 patient safety.

23 (2) Fire safety improvements.

24 (3) Improvements to utility systems and ancil-  
25 lary patient care facilities.

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

3           (5) Improvements to facilities carrying out spe-  
4 cialized programs of the Department, including the  
5 following:

6                   (A) Blind rehabilitation centers.

7                   (B) Facilities carrying out inpatient and  
8 residential programs for seriously mentally ill  
9 veterans, including mental illness research, edu-  
10 cation, and clinical centers.

11                   (C) Facilities carrying out residential and  
12 rehabilitation programs for veterans with sub-  
13 stance-use disorders.

14                   (D) Facilities carrying out physical medi-  
15 cine and rehabilitation activities.

16                   (E) Facilities providing long-term care, in-  
17 cluding geriatric research, education, and clin-  
18 ical centers, adult day care centers, and nursing  
19 home care facilities.

20                   (F) Facilities providing amputation care,  
21 including facilities for prosthetics, orthotics pro-  
22 grams, and sensory aids.

23                   (G) Spinal cord injury centers.

24                   (H) Facilities carrying out traumatic brain  
25 injury programs.

1 (I) Facilities carrying out women veterans'  
2 health programs (including particularly pro-  
3 grams involving privacy and accommodation for  
4 female patients).

5 (J) Facilities for hospice and palliative  
6 care programs.

7 (c) REVIEW PROCESS.—(1) Before a project is sub-  
8 mitted to the Secretary with a recommendation that it be  
9 approved as a project to be carried out under the authority  
10 of this section, the project shall be reviewed by an inde-  
11 pendent board within the Department of Veterans Affairs  
12 constituted by the Secretary to evaluate capital investment  
13 projects. The board shall review each such project to de-  
14 termine the project's relevance to the medical care mission  
15 of the Department and whether the project improves, ren-  
16 ovates, and updates patient care facilities of the Depart-  
17 ment in accordance with this section.

18 (2) In selecting projects to be carried out under the  
19 authority of this section, the Secretary shall consider the  
20 recommendations of the board under paragraph (1). In  
21 any case in which the Secretary selects a project to be  
22 carried out under this section that was not recommended  
23 for approval by the board under paragraph (1), the Sec-  
24 retary shall include in the report of the Secretary under  
25 section 4(b) notice of such selection and the Secretary's

1 reasons for not following the recommendation of the board  
2 with respect to the project.

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

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

8 (1) \$250,000,000 for fiscal year 2002; and

9 (2) \$300,000,000 for fiscal year 2003.

10 (b) LIMITATION.—Projects may be carried out under  
11 section 2 only using funds appropriated pursuant to the  
12 authorization of appropriations in subsection (a).

13 **SEC. 4. REPORTS.**

14 (a) GAO REPORT.—Not later than April 1, 2003, the  
15 Comptroller General shall submit to the Committees on  
16 Veterans' Affairs and on Appropriations of the Senate and  
17 House of Representatives a report evaluating the advan-  
18 tages and disadvantages of congressional authorization for  
19 projects of the type described in section 2(b) through gen-  
20 eral authorization as provided by section 2(a), rather than  
21 through specific authorization as would otherwise be appli-  
22 cable under section 8104(a)(2) of title 38, United States  
23 Code. Such report shall include a description of the actions  
24 of the Secretary of Veterans Affairs during fiscal year  
25 2002 to select and carry out projects under section 2.

1 (b) SECRETARY REPORT.—Not later than 120 days  
2 after the date on which the site for the final project under  
3 section 2 is selected, the Secretary shall submit to the  
4 committees referred to in subsection (a) a report on the  
5 authorization process under section 2. The Secretary shall  
6 include in the report the following:

7 (1) A listing by project of each project selected  
8 by the Secretary under that section, together with a  
9 prospectus description of the purposes of the project,  
10 the estimated cost of the project, and a statement  
11 attesting to the review of the project under section  
12 2(c), and, if that project was not recommended by  
13 the board, the Secretary's justification under section  
14 2(d) for not following the recommendation of the  
15 board.

16 (2) An assessment of the utility to the Depart-  
17 ment of Veterans Affairs of the authorization proc-  
18 ess.

19 (3) Such recommendations as the Secretary  
20 considers appropriate for future congressional policy  
21 for authorizations of major and minor medical facil-  
22 ity construction projects for the Department.

23 (4) Any other matter that the Secretary con-  
24 siders to be appropriate with respect to oversight by

- 1 Congress of capital facilities projects of the Depart-
- 2 ment.

