

108TH CONGRESS
1ST SESSION

H. R. 1720

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 2003

Mr. SIMMONS (for himself and Mr. SMITH of New Jersey) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To authorize the Secretary of Veterans Affairs to carry out construction projects for the purpose of improving, renovating, establishing, 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 Health Care
5 Facilities Capital Improvement 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 2004, 2005, or 2006 pursuant
8 to section 3. The cost of any such project may not exceed

9 (A) \$100,000,000 in fiscal year 2004;

10 (B) \$125,000,000 in fiscal year 2005; and

11 (C) \$150,000,000 in fiscal year 2006.

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

15 (b) TYPE OF PROJECTS.—A project carried out
16 under subsection (a) may be carried out only at a Depart-
17 ment of Veterans Affairs medical center and only for the
18 purpose of one or more of the following:

19 (1) Improving a patient care facility.

20 (2) Replacing a patient care facility.

21 (3) Renovating a patient care facility.

22 (4) Updating a patient care facility to contem-
23 porary standards.

24 (5) Establishing a new patient care facility at
25 a location where no Department patient care facility
26 exists.

1 (6) 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, update,
7 or establish facilities to achieve one or more of the fol-
8 lowing:

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

12 (2) Fire safety improvements.

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

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

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

22 (A) Blind rehabilitation centers.

23 (B) Inpatient and residential programs for
24 seriously mentally ill veterans, including mental
25 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) The Secretary shall pro-
21 vide that, before a project is submitted to the Secretary
22 with a recommendation that it be approved as a project
23 to be carried out under the authority of this section, the
24 project shall be reviewed by a board within the Depart-
25 ment of Veterans Affairs that is independent of the Vet-

1 erans Health Administration and that is constituted by
2 the Secretary to evaluate capital investment projects. The
3 board shall review such project to determine the project's
4 relevance to the medical care mission of the Department
5 and whether the project improves, renovates, repairs, es-
6 tablishes, or updates facilities of the Department in ac-
7 cordance with this section.

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

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

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

23 (1) \$500,000,000 for fiscal year 2004;

24 (2) \$600,000,000 for fiscal year 2005; and

25 (3) \$700,000,000 for fiscal year 2006.

1 (b) LIMITATION.—Projects may be carried out under
2 section 2 only using funds appropriated pursuant to the
3 authorization of appropriations in subsection (a), except
4 that funds appropriated for advance planning may be used
5 for the purposes for which appropriated in connection with
6 such projects.

7 **SEC. 4. REPORTS.**

8 (a) GAO REPORT.—Not later than April 1, 2005, the
9 Comptroller General shall submit to the Committees on
10 Veterans' Affairs and on Appropriations of the Senate and
11 House of Representatives a report evaluating the advan-
12 tages and disadvantages of congressional authorization for
13 projects of the type described in section 2(b) through gen-
14 eral authorization as provided by section 2(a), rather than
15 through specific authorization as would otherwise be appli-
16 cable under section 8104(a)(2) of title 38, United States
17 Code. Such report shall include a description of the actions
18 of the Secretary of Veterans Affairs during fiscal year
19 2004 to select and carry out projects under section 2.

20 (b) SECRETARY REPORT.—Not later than 120 days
21 after the date on which the site for the final project under
22 section 2 for each such fiscal year is selected, the Sec-
23 retary shall submit to the committees referred to in sub-
24 section (a) a report on the authorization process under

1 section 2. The Secretary shall include in each such report
2 the following:

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

12 (2) An assessment of the utility to the Depart-
13 ment of Veterans Affairs of that authorization proc-
14 ess.

15 (3) Such recommendations as the Secretary
16 considers appropriate for future congressional policy
17 for authorizations of major and minor medical facil-
18 ity construction projects for the Department of Vet-
19 erans Affairs.

20 (4) Any other matter that the Secretary con-
21 siders to be appropriate with respect to oversight by
22 Congress of capital facilities projects of the Depart-
23 ment of Veterans Affairs.

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