Public Law 103-67
103d Congress

An Act

Aug. 11, 1993
[H.R. 490]

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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONVEYANCE OF LAND.

(a) ADMINISTRATOR OF GENERAL SERVICES.—Subject to sections 2 and 4, the Administrator of General Services (hereinafter in this Act referred to as the "Administrator") shall convey, for $12,800,000 to be paid in accordance with the terms set forth in subsection (d)(2) and other consideration required by this Act, to the Columbia Hospital for Women (formerly Columbia Hospital for Women and Lying-in Asylum; hereinafter in this Act referred to as "Columbia Hospital"), located in Washington, District of Columbia, all right, title, and interest of the United States in and to those pieces or parcels of land in the District of Columbia, described in subsection (b), together with all improvements thereon and appurtenances thereto. The purpose of the conveyance is to provide a site for the construction by Columbia Hospital of a facility to house the National Women's Health Resource Center (hereinafter in this Act referred to as the "Resource Center"), as described in the Certificate of Need issued for the Resource Center in conformance with District of Columbia law and in effect on the date of conveyance.

(b) PROPERTY DESCRIPTION.—The land referred to in subsection (a) was conveyed to the United States of America by deed dated May 2, 1888, from David Fergusson, widower, recorded in liber 1314, folio 102, of the land records of the District of Columbia, and is that portion of square numbered 25 in the city of Washington in the District of Columbia which was not previously conveyed to such hospital by the Act of June 28, 1952 (Public Law 82-423). Such property is more particularly described as square 25, lot 803, or as follows: all that piece or parcel of land situated and lying in the city of Washington in the District of Columbia and known as part of square numbered 25, as laid down and distinguished on the plat or plan of said city as follows: beginning for the same at the northeast corner of the square being the corner formed by the intersection of the west line of Twenty-fourth Street Northwest, with the south line of north M Street Northwest and running thence south with the line of said Twenty-fourth Street Northwest for the distance of two hundred and thirty-one feet ten inches, thence running west and parallel with said M Street

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Northwest for the distance of two hundred and thirty feet six inches and running thence north and parallel with the line of said Twenty-fourth Street Northwest for the distance of two hundred and thirty-one feet ten inches to the line of said M Street Northwest and running thence east with the line of said M Street Northwest to the place of beginning two hundred and thirty feet and six inches together with all the improvements, ways, easements, rights, privileges, and appurtenances to the same belonging or in anywise appertaining.

(c) DATE OF CONVEYANCE.—

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

(2) DEADLINE FOR SUBMISSION OF NOTIFICATION.—A written notification of need from Columbia Hospital shall not be effective for purposes of subsection (a) and paragraph (1) unless the notification is received by the Administrator before the date which is 1 year after the date of the enactment of this Act.

(d) CONVEYANCE TERMS.—

(1) IN GENERAL.—The conveyance of property required under subsection (a) shall be subject to such terms and conditions as may be determined by the Administrator to be necessary to safeguard the interests of the United States. Such terms and conditions shall be consistent with the terms and conditions set forth in this Act.

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

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

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

SEC. 2. LIMITATION ON CONVEYANCE.

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

SEC. 3. SATELLITE HEALTH CENTERS.

(a) REQUIREMENT.—

(1) IN GENERAL.—Not later than 4 years after the date of the conveyance under section 1, Columbia Hospital, after consultation with the District of Columbia Commission of Public Health and the District of Columbia State Health Planning and Development Agency, shall establish, maintain, and operate 3 satellite health centers.

(2) PERSONS TO BE SERVED.—One of the satellite health centers shall provide comprehensive health and counseling services exclusively for teenage women and their children. The other 2 satellite health centers shall provide comprehensive

health and counseling services for women (including teenage women) and their children.

(3) LOCATION.—The satellite health centers shall be located in areas of the District of Columbia in which the District of Columbia Department of Public Health has determined that the need for comprehensive health and counseling services provided by the centers is the greatest. In locating such centers, special consideration shall be given to the areas of the District with the highest rates of infant death and births by teenagers.

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

(1) examination of women;

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

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

(4) health promotion and disease prevention services;

(5) physician and hospital referral services; and

(6) extended and flexible hours of service.

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

SEC. 4. REVERSIONARY INTEREST.

(a) IN GENERAL.—The property conveyed under section 1 shall revert to the United States—

(1) on the date which is 4 years after the date of such conveyance if Columbia Hospital is not operating the Resource Center on such property; and

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

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

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

(d) INVENTORY OF PUBLIC BUILDINGS SERVICE.—Property that reverts to the United States under this section—

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

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

SEC. 5. DAMAGES.

(a) DAMAGES.—Subject to subsection (b), for each year in the 26-year period beginning on the date which is 4 years after the date of conveyance under section 1(c)(1), in which Columbia Hospital does not operate 3 satellite health centers in accordance with section 3 for a period of more than 60 days, the Columbia Hospital shall be liable to the United States for damages in an amount equal

to $200,000, except that this subsection shall not apply after the date of any reversion of property under section 4.

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

(c) ADJUSTMENTS FOR INFLATION.—The amount of damages specified in subsection (a) and the maximum amount of damages specified in subsection (b) shall be adjusted biennially to reflect changes in the consumer price index that have occurred since the date of the enactment of this Act.

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

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

(2) waive all or any part of damages recoverable under this section for that failure, if the Administrator—

(A) determines the failure is caused by exceptional circumstances; and

(B) submits a statement to the District of Columbia Commission of Public Health and the Congress, that sets forth the reasons for the determination.

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

(1) ensure that payment of damages under this section is a contractual obligation of Columbia Hospital; and

(2) require the Administrator to provide to Columbia Hospital notice and an opportunity to respond before the Administrator seeks to recover such damages.

SEC. 6. REPORTS.

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

SEC. 7. MEMBER INSTITUTES.

The Resource Center should—

(1) include among its outreach activities the establishment of formal linkages with no less than 6 universities or health centers throughout the Nation, to be known as "member institutes" in furtherance of the purposes of the Resource Center; and

(2) provide national notice of the opportunity such entities have to participate in programs and activities of the Resource Center.

Approved August 11, 1993.

LEGISLATIVE HISTORY—H.R. 490:

HOUSE REPORTS: No. 103-23, Pt. 1 (Comm. on Public Works and Transportation).
SENATE REPORTS: No. 103-125 (Comm. on Governmental Affairs).
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Mar. 9, considered and passed House.
Aug. 6, considered and passed Senate.