

110TH CONGRESS
2D SESSION

H. R. 5526

To direct the Secretary of Veterans Affairs to establish the Task Force on Medical Facility Improvements in Puerto Rico, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 4, 2008

Mr. FORTUÑO (for himself and Mr. SERRANO) introduced the following bill;
which was referred to the Committee on Veterans' Affairs

A BILL

To direct the Secretary of Veterans Affairs to establish the Task Force on Medical Facility Improvements in Puerto Rico, and for other purposes.

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. FINDINGS.**

4 Congress makes the following findings:

5 (1) Residents of Puerto Rico have served with
6 honor and distinction in the Armed Forces of the
7 United States in every major war and conflict the
8 Nation has fought since 1917.

9 (2) Puerto Rico consistently ranks alongside the
10 top five States in per capita military service.

1 (3) Numerous residents of Puerto Rico have
2 won the Bronze Star with valor device, the Silver
3 Star, the Distinguished Flying Cross, and the Dis-
4 tinguished Service Medal.

5 (4) Four residents of Puerto Rico have received
6 the Medal of Honor, the highest award given for
7 valor on the battlefield.

8 (5) 18,000 residents of Puerto Rico served in
9 World War I.

10 (6) 65,000 residents of Puerto Rico served in
11 World War II, including 200 Puerto Rican women.

12 (7) 61,000 residents of Puerto Rico served in
13 the Korean War, during which the 65th Infantry
14 Regiment, comprised mostly of Puerto Rican soldiers
15 and known as the Borinqueneers, particularly distin-
16 guished itself for bravery.

17 (8) 48,000 residents of Puerto Rico served in
18 Vietnam, with 430 killed and over 3,000 wounded.

19 (9) 2,600 residents of Puerto Rico were mobi-
20 lized for Operation Desert Shield and Operation
21 Desert Storm.

22 (10) 3,400 residents of Puerto Rico have
23 served, and over 230 have been killed or wounded,
24 in the Nation's current war on terrorism, as part of

1 Operation Enduring Freedom and Operation Iraqi
2 Freedom.

3 (11) Residents of Puerto Rico have always
4 proudly answered the call to defend this nation and
5 to sacrifice for the cause of liberty, notwithstanding
6 the fact that they cannot vote for their commander-
7 in-chief.

8 (12) In section 821 of the Veterans Benefits,
9 Health Care, and Information Technology Act of
10 2006 (Public Law 109–461; 120 Stat. 3448), Con-
11 gress expressed its sense that the need for medical
12 facility improvements in San Juan, Puerto Rico was
13 not being adequately addressed and directed the Sec-
14 retary of Veterans Affairs to “take steps to explore
15 all options for addressing that concern, including the
16 option of a public/private partnership to construct
17 and operate a facility that would replace the current
18 Department of Veterans Affairs medical center in
19 San Juan, Puerto Rico”.

20 (13) Congress directed the Secretary of Vet-
21 erans Affairs to submit a report to the Committees
22 on Veterans’ Affairs of the Senate and House of
23 Representatives “identifying and outlining the var-
24 ious options available to the Department” for retro-

1 fitting and renovating or replacing the current Vet-
2 erans Affairs medical center in San Juan.

3 (14) On June 26, 2007, the Department of
4 Veterans Affairs submitted its “Report to Congress
5 on Options for Medical Facility Improvements in
6 San Juan, Puerto Rico”, in which it identified and
7 outlined four potential options available to the De-
8 partment for medical facility improvements in Puer-
9 to Rico and analyzed the medical, legal, and finan-
10 cial implications associated with each option.

11 (15) In that report, the Department of Vet-
12 erans Affairs affirmed that medical facility improve-
13 ments in Puerto Rico would support the Depart-
14 ment’s strategic goals, including improving the qual-
15 ity of life for veterans with disabilities, ensuring a
16 smooth transition for veterans from active military
17 service to civilian life, and improving the health and
18 socioeconomic well-being of veterans.

19 (16) In that report, the Department also stated
20 that upgrades to the existing medical facility in San
21 Juan were “necessary to ensure the long-term safety
22 of patients and staff”.

1 **SEC. 2. TASK FORCE ON MEDICAL FACILITY IMPROVE-**
2 **MENTS IN PUERTO RICO.**

3 (a) ESTABLISHMENT.—Not later than 60 days after
4 the date of the enactment of this Act, the Secretary of
5 Veterans Affairs shall establish a task force to be known
6 as the Task Force on Medical Facility Improvements in
7 Puerto Rico (hereinafter in this section referred to as the
8 “Task Force”).

9 (b) MEMBERSHIP.—

10 (1) IN GENERAL.—The members of the Task
11 Force shall be appointed by the Secretary of Vet-
12 erans Affairs and shall include—

13 (A) appropriate employees of the Depart-
14 ment of Veterans Affairs;

15 (B) appropriate representatives of vet-
16 erans’ organizations based in Puerto Rico; and

17 (C) appropriate representatives of the gov-
18 ernment of Puerto Rico.

19 (2) NUMBER; TERMS OF SERVICE; PAY AND AL-
20 LOWANCES.—The Secretary shall determine the
21 number, terms of service, and pay and allowances of
22 members of the Task Force appointed by the Sec-
23 retary.

24 (c) RESPONSIBILITIES.—The Task Force shall—

1 (1) consider options to renovate or replace the
2 Department of Veterans Affairs hospital in Puerto
3 Rico, including—

4 (A) the four options outlined in the report
5 of the Department of Veterans Affairs entitled
6 “Report to Congress on Options for Medical
7 Facility Improvements in San Juan, Puerto
8 Rico” submitted pursuant to section 821 of the
9 Veterans Benefits, Health Care, and Informa-
10 tion Technology Act of 2006 (Public Law 109–
11 461; 120 Stat. 3448); and

12 (B) any option not specifically discussed in
13 such report that the Task Force determines is
14 appropriate for consideration, especially any
15 such option involving a public-private partner-
16 ship to renovate or replace the hospital; and

17 (2) make recommendations to the Secretary
18 with respect to which of the options considered
19 under paragraph (1) should be implemented.

20 (d) CONTRACT AUTHORITY.—Upon the request of
21 the Task Force, the Secretary of Veterans Affairs may
22 enter into a contract with an appropriate entity to assist
23 the Task Force in carrying out its responsibilities under
24 this section.

1 (e) STAKEHOLDER INTERESTS AND CONCERNS.—In
2 carrying out the responsibilities under this section, the
3 Task Force shall ensure that the full range of stakeholder
4 interests and concerns are considered.

5 (f) REPORTS.—

6 (1) REPORT TO SECRETARY.—Not later than
7 180 days after the date on which the Task Force is
8 established under subsection (a), the Task Force
9 shall submit to the Secretary of Veterans Affairs a
10 report containing the findings and recommendations
11 of the Task Force under subsection (c).

12 (2) REPORT TO CONGRESS.—Not later than 60
13 days after receiving the report under paragraph (1),
14 the Secretary of Veterans Affairs shall submit to
15 Congress such report together with any rec-
16 ommendations of the Secretary.

17 (g) TERMINATION.—The Task Force shall terminate
18 30 days after the Secretary submits the report under sub-
19 section (f)(2).

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