

Public Law 102-150
102d Congress

An Act

Oct. 31, 1991

[H.R. 1720]

To amend the Saint Elizabeths Hospital and District of Columbia Mental Health Services Act to permit the Secretary of Health and Human Services to enter into an agreement with the Mayor of the District of Columbia with respect to capital improvements necessary for the delivery of mental health services in the District, and for other purposes.

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

District of
Columbia
Mental Health
Program
Assistance Act
of 1991.

24 USC 225 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "District of Columbia Mental Health Program Assistance Act of 1991".

SEC. 2. CAPITAL IMPROVEMENTS RELATING TO MENTAL HEALTH SERVICES IN THE DISTRICT OF COLUMBIA.

24 USC 225b.

Section 4(f)(2) of the Saint Elizabeths Hospital and District of Columbia Mental Health Services Act (sec. 32-623(f)(2), D.C. Code) is amended—

(1) in subparagraph (A), by striking "and complete" and inserting "and, except as provided under an agreement entered into pursuant to subparagraph (C), complete"; and

(2) by adding at the end the following new subparagraph:
"(C) The Secretary may enter into an agreement with the Mayor under which the Secretary shall provide funds to the Mayor to complete the repairs and renovations described in subparagraph (A) and to make other capital improvements that are necessary for the safe and cost effective delivery of mental health services in the District, except that \$7,500,000 of the funds provided to the Mayor under such an agreement shall be used to make capital improvements to facilities not located at Saint Elizabeths Hospital. Of the \$7,500,000 provided for improvements to facilities not located at the Hospital, not less than \$5,000,000 shall be used to make capital improvements to housing facilities for seriously and chronically mentally ill individuals."

SEC. 3. EXTENSION OF DEADLINE FOR DISTRICT ASSUMPTION OF MENTAL HEALTH FUNCTIONS, RESOURCES, AND PROGRAMS.

24 USC 225,
225b.

(a) IN GENERAL.—The Saint Elizabeths Hospital and District of Columbia Mental Health Services Act (sec. 32-621 et seq., D.C. Code) is amended by striking "October 1, 1991," and inserting "October 1, 1993," each place it appears in section 2(b)(1) and subsections (a)(2) and (f)(2)(A) of section 4.

24 USC 225f.

(b) CONGRESSIONAL AUTHORIZATION OF TRANSFER OF SAINT ELIZABETHS CAMPUS TO DISTRICT; SUBMISSION OF MASTER PLAN FOR USE OF REAL PROPERTY.—Section 8(b) of such Act (sec. 32-627, D.C. Code) is amended—

(1) by striking "October 1, 1991" and inserting "October 1, 1992"; and

(2) by striking "twelve-month" and inserting "2-year".

SEC. 4. BUY AMERICAN PROVISIONS.

The Saint Elizabeths Hospital and District of Columbia Mental Health Services Act (sec. 32-621 et seq., D.C. Code) is amended—

(1) by redesignating section 11 as section 12; and

(2) by inserting after section 10 the following new section:

24 USC 225 note.

“SEC. 11. BUY AMERICAN PROVISIONS.

24 USC 225h.

“(a) The Mayor shall insure that the requirements of the Buy American Act of 1933, as amended, apply to all procurements made under this Act.

“(b) **DETERMINATION BY THE MAYOR.**—(1) If the Mayor, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the United States Trade Representative shall rescind the waiver of the Buy American Act with respect to such types of products produced in that foreign country.

“(2) An agreement referred to in paragraph (1) is any agreement, between the United States and a foreign country pursuant to which the head of an agency of the United States Government has waived the requirements of the Buy American Act with respect to certain products produced in the foreign country.

“(c) **REPORT TO CONGRESS.**—The Mayor shall submit to Congress a report on the amount of purchases from foreign entities under this Act from foreign entities in fiscal years 1992 and 1993. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

“(d) **BUY AMERICAN ACT DEFINED.**—For purposes of this section, the term ‘Buy American Act’ means title III of the Act entitled ‘An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes’, approved March 3, 1933 (41 U.S.C. 10a et seq.).

“(e) **RESTRICTIONS ON CONTRACT AWARDS.**—No contract or sub-contract made with funds authorized under this title may be awarded for the procurement of an article, material, or supply produced or manufactured in a foreign country whose government unfairly maintains in government procurement a significant and persistent pattern or practice of discrimination against United States products or services which results in identifiable harm to United States businesses, as identified by the President pursuant to (g)(1)(A) of section 305 of the Trade Agreements Act of 1979 (19 U.S.C. 2515(g)(1)(A)). Any such determination shall be made in accordance with section 305.

“(f) **PROHIBITION AGAINST FRAUDULENT USE OF ‘MADE IN AMERICA’ LABELS.**—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ‘Made in America’ inscription, or any inscription with the same meaning,

to any product sold in or shipped to the United States that is not made in the United States, that person shall be ineligible to receive any contract or subcontract under this Act, pursuant to the debarment, suspension, and ineligibility procedures in subpart 9.4 of chapter 1 of title 48, Code of Federal Regulations.”.

Approved October 31, 1991.

LEGISLATIVE HISTORY—H.R. 1720:

HOUSE REPORTS: No. 102-91 (Comm. on the District of Columbia).
CONGRESSIONAL RECORD, Vol. 137 (1991):

June 11, considered and passed House.

Oct. 16, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 27 (1991):
Oct. 31, Presidential statement.