

103D CONGRESS
1ST SESSION

S. 91

To authorize the conveyance to the Columbia Hospital for Women of certain parcels of land in the District of Columbia, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 21 (legislative day, JANUARY 5), 1993

Mr. THURMOND introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To authorize the conveyance to the Columbia Hospital for Women of certain parcels of land in the District of Columbia, 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. CONVEYANCE OF LAND.**

4 (a) ADMINISTRATOR OF GENERAL SERVICES.—Sub-
5 ject to sections 2 and 4, the Administrator of General
6 Services (hereinafter in this Act referred to as the “Ad-
7 ministrator”) shall convey, for \$12,800,000 to be paid in
8 accordance with the terms set forth in subsection (d)(2)
9 and other consideration required by this Act, to the Co-
10 lumbia Hospital for Women (formerly Columbia Hospital

1 for Women and Lying-in Asylum; hereinafter in this Act
2 referred to as “Columbia Hospital”), located in Washing-
3 ton, District of Columbia, all right, title, and interest of
4 the United States in and to those pieces or parcels of land
5 in the District of Columbia, described in subsection (b),
6 together with all improvements thereon and appurtenances
7 thereto. The purpose of the conveyance is to provide a site
8 for the construction by Columbia Hospital of a facility to
9 house the National Women’s Health Resource Center
10 (hereinafter in this Act referred to as the “Resource Cen-
11 ter”), as described in the Certificate of Need issued for
12 the Resource Center in conformance with District of Co-
13 lumbia law and in effect on the date of conveyance.

14 (b) PROPERTY DESCRIPTION.—The land referred to
15 in subsection (a) was conveyed to the United States of
16 America by deed dated May 2, 1888, from David
17 Fergusson, widower, recorded in liber 1314, folio 102, of
18 the land records of the District of Columbia, and is that
19 portion of square numbered 25 in the city of Washington
20 in the District of Columbia which was not previously con-
21 veyed to such hospital by the Act of June 28, 1952 (Public
22 Law 82–423). Such property is more particularly de-
23 scribed as square 25, lot 803, or as follows: all that piece
24 or parcel of land situated and lying in the city of Washing-
25 ton in the District of Columbia and known as part of

1 square numbered 25, as laid down and distinguished on
 2 the plat or plan of said city as follows: beginning for the
 3 same at the northeast corner of the square being the cor-
 4 ner formed by the intersection of the west line of Twenty-
 5 fourth Street Northwest, with the south line of north M
 6 Street Northwest and running thence south with the line
 7 of said Twenty-fourth Street Northwest for the distance
 8 of two hundred and thirty-one feet ten inches, thence run-
 9 ning west and parallel with said M Street Northwest for
 10 the distance of two hundred and thirty feet six inches and
 11 running thence north and parallel with the line of said
 12 Twenty-fourth Street Northwest for the distance of two
 13 hundred and thirty-one feet ten inches to the line of said
 14 M Street Northwest and running thence east with the line
 15 of said M Street Northwest to the place of beginning two
 16 hundred and thirty feet and six inches together with all
 17 the improvements, ways, easements, rights, privileges, and
 18 appurtenances to the same belonging or in anywise apper-
 19 taining.

20 (c) DATE OF CONVEYANCE.—

21 (1) DATE.—The date of the conveyance of
 22 property required under subsection (a) shall be the
 23 date which is 1 year after the date of receipt by the
 24 Administrator of written notification from Columbia
 25 Hospital that the hospital needs such property for

1 use as a site to provide housing for the Resource
2 Center.

3 (2) DEADLINE FOR SUBMISSION OF NOTIFICA-
4 TION.—A written notification of need from Columbia
5 Hospital shall not be effective for purposes of sub-
6 section (a) and paragraph (1) unless the notification
7 is received by the Administrator before the date
8 which is 1 year after the date of the enactment of
9 this Act.

10 (d) CONVEYANCE TERMS.—

11 (1) IN GENERAL.—The conveyance of property
12 required under subsection (a) shall be subject to
13 such terms and conditions as may be determined by
14 the Administrator to be necessary to safeguard the
15 interests of the United States. Such terms and con-
16 ditions shall be consistent with the terms and condi-
17 tions set forth in this Act.

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

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

1 (e) TREATMENT OF AMOUNTS RECEIVED.—Amounts
2 received by the United States as payment under this Act
3 shall be paid into, administered, and expended as part of
4 the fund established by section 210(f) of the Federal Prop-
5 erty and Administrative Services Act of 1949 (40 U.S.C.
6 490(f)).

7 **SEC. 2. LIMITATION ON CONVEYANCE.**

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

14 **SEC. 3. SATELLITE HEALTH CENTERS.**

15 (a) REQUIREMENT.—

16 (1) IN GENERAL.—Not later than 4 years after
17 the date of the conveyance under section 1, Colum-
18 bia Hospital, after consultation with the District of
19 Columbia Commission of Public Health and the Dis-
20 trict of Columbia State Health Planning and Devel-
21 opment Agency, shall establish, maintain, and oper-
22 ate 3 satellite health centers.

23 (2) PERSONS TO BE SERVED.—One of the sat-
24 ellite health centers shall provide comprehensive
25 health and counseling services exclusively for teenage

1 women and their children. The other 2 satellite
2 health centers shall provide comprehensive health
3 and counseling services for women (including teen-
4 age women) and their children.

5 (3) LOCATION.—The satellite health centers
6 shall be located in areas of the District of Columbia
7 in which the District of Columbia Department of
8 Public Health has determined that the need for com-
9 prehensive health and counseling services provided
10 by the centers is the greatest. In locating such cen-
11 ters, special consideration shall be given to the areas
12 of the District with the highest rates of infant death
13 and births by teenagers.

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

17 (1) examination of women;

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

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

23 (4) health promotion and disease prevention
24 services;

25 (5) physician and hospital referral services; and

1 (6) extended and flexible hours of service.

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

7 **SEC. 4. REVERSIONARY INTEREST.**

8 (a) IN GENERAL.—The property conveyed under sec-
9 tion 1 shall revert to the United States—

10 (1) on the date which is 4 years after the date
11 of such conveyance if Columbia Hospital is not oper-
12 ating the Resource Center on such property; and

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

17 (b) REPAYMENT.—If property reverts to the United
18 States under subsection (a), the Administrator shall pay
19 to Columbia Hospital, from amounts otherwise appro-
20 priated from the fund established by section 210(f) of the
21 Federal Property and Administrative Services Act of 1949
22 (40 U.S.C. 490(f)), an amount equal to all sums received
23 by the United States as payments for the conveyance
24 under section 1, without interest on such amount.

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

4 (d) INVENTORY OF PUBLIC BUILDINGS SERVICE.—
5 Property that reverts to the United States under this sec-
6 tion—

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

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

11 **SEC. 5. DAMAGES.**

12 (a) DAMAGES.—Subject to subsection (b), for each
13 year in the 26-year period beginning on the date which
14 is 4 years after the date of conveyance under section
15 1(c)(1), in which Columbia Hospital does not operate 3
16 satellite health centers in accordance with section 3 for
17 a period of more than 60 days, the Columbia Hospital
18 shall be liable to the United States for damages in an
19 amount equal to \$200,000, except that this subsection
20 shall not apply after the date of any reversion of property
21 under section 4.

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

1 (c) ADJUSTMENTS FOR INFLATION.—The amount of
2 damages specified in subsection (a) and the maximum
3 amount of damages specified in subsection (b) shall be ad-
4 justed biennially to reflect changes in the consumer price
5 index that have occurred since the date of the enactment
6 of this Act.

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

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

11 or

12 (2) waive all or any part of damages recover-
13 able under this section for that failure, if the Admin-
14 istrator—

15 (A) determines the failure is caused by ex-
16 ceptional circumstances; and

17 (B) submits a statement to the District of
18 Columbia Commission of Public Health and the
19 Congress, that sets forth the reasons for the de-
20 termination.

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

1 (1) ensure that payment of damages under this
2 section is a contractual obligation of Columbia Hos-
3 pital; and

4 (2) require the Administrator to provide to Co-
5 lumbia Hospital notice and an opportunity to re-
6 spond before the Administrator seeks to recover such
7 damages.

8 **SEC. 6. REPORTS.**

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

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