

108TH CONGRESS
1ST SESSION

H. R. 1720

AN ACT

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, to provide by law for the establishment and functions of the Office of Research Oversight in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

108TH CONGRESS
1ST SESSION

H. R. 1720

AN ACT

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, to provide by law for the establishment and functions of the Office of Research Oversight in the Veterans Health Administration of the Department of Veterans Affairs, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “Veterans Health Care Facilities Capital Improvement
4 Act”.

5 (b) **TABLE OF CONTENTS.**—The table of contents for
6 this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Authorization of major medical facility projects for patient care im-
provements.
- Sec. 3. Authorization of major medical facility projects and leases.
- Sec. 4. Authorization of major medical facility projects, former Fitzsimons
Army Medical Center, Aurora, Colorado.
- Sec. 5. Limitation on disposal of Lakeside Division, Department of Veterans
Affairs medical facilities, Chicago, Illinois.
- Sec. 6. Plans for facilities in southern New Jersey and far South Texas.
- Sec. 7. Increase in major medical facility construction cost threshold.
- Sec. 8. Study and report on feasibility of coordination of veterans health care
services in South Carolina with new university medical center.
- Sec. 9. Name of Department of Veterans Affairs health care facility, Chicago,
Illinois.
- Sec. 10. Name of Department of Veterans Affairs outpatient clinic, New Lon-
don, Connecticut.
- Sec. 11. Office of Research Oversight in Veterans Health Administration.

7 **SEC. 2. AUTHORIZATION OF MAJOR MEDICAL FACILITY**
8 **PROJECTS FOR PATIENT CARE IMPROVE-**
9 **MENTS.**

10 (a) **IN GENERAL.**—(1) Subject to paragraph (3), the
11 Secretary of Veterans Affairs is authorized to carry out
12 major medical facility projects in accordance with this sec-
13 tion, using funds appropriated for fiscal year 2004 or
14 2005 pursuant to subsection (e). The cost of any such
15 project may not exceed—

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

17 (B) \$125,000,000 in fiscal year 2005.

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

4 (3) The Secretary may not award a contract by rea-
5 son of the authorization provided by paragraph (1) until
6 after the Secretary has awarded a contract for each con-
7 struction project authorized by section 3(a) and a contract
8 for each lease authorized by section 3(d).

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

13 (1) Improving a patient care facility.

14 (2) Replacing a patient care facility.

15 (3) Renovating a patient care facility.

16 (4) Updating a patient care facility to contem-
17 porary standards.

18 (5) Establishing a new patient care facility at
19 a location where no Department patient care facility
20 exists.

21 (6) Improving, replacing, or renovating a re-
22 search facility or updating such a facility to contem-
23 porary standards.

24 (c) PURPOSE OF PROJECTS.—In selecting medical
25 centers for projects under subsection (a), the Secretary

1 shall select projects to improve, replace, renovate, update,
2 or establish facilities to achieve one or more of the fol-
3 lowing:

4 (1) Seismic protection improvements related to
5 patient safety (or, in the case of a research facility,
6 patient or employee safety).

7 (2) Fire safety improvements.

8 (3) Improvements to utility systems and ancil-
9 lary patient care facilities (including such systems
10 and facilities that may be exclusively associated with
11 research facilities).

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

14 (5) Improvements at patient care facilities to
15 specialized programs of the Department, including
16 the following:

17 (A) Blind rehabilitation centers.

18 (B) Inpatient and residential programs for
19 seriously mentally ill veterans, including mental
20 illness research, education, and clinical centers.

21 (C) Residential and rehabilitation pro-
22 grams for veterans with substance-use dis-
23 orders.

24 (D) Physical medicine and rehabilitation
25 activities.

1 (E) Long-term care, including geriatric re-
2 search, education, and clinical centers, adult
3 day care centers, and nursing home care facili-
4 ties.

5 (F) Amputation care, including facilities
6 for prosthetics, orthotics programs, and sensory
7 aids.

8 (G) Spinal cord injury centers.

9 (H) Traumatic brain injury programs.

10 (I) Women veterans' health programs (in-
11 cluding particularly programs involving privacy
12 and accommodation for female patients).

13 (J) Facilities for hospice and palliative
14 care programs.

15 (d) REVIEW PROCESS.—(1) The Secretary shall pro-
16 vide that, before a project is submitted to the Secretary
17 with a recommendation that it be approved as a project
18 to be carried out under the authority of this section, the
19 project shall be reviewed by a board within the Depart-
20 ment of Veterans Affairs that is independent of the Vet-
21 erans Health Administration and that is constituted by
22 the Secretary to evaluate capital investment projects. The
23 board shall review such project to determine the project's
24 relevance to the medical care mission of the Department
25 and whether the project improves, renovates, repairs, es-

1 tablishes, or updates facilities of the Department in ac-
2 cordance with this section.

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

13 (e) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated to the Secretary of Vet-
15 erans Affairs for the Construction, Major Projects, ac-
16 count for projects under this section—

17 (1) \$167,900,000 for fiscal year 2004; and

18 (2) \$600,000,000 for fiscal year 2005.

19 (f) LIMITATION.—Projects may be carried out under
20 this section only using funds appropriated pursuant to the
21 authorization of appropriations in subsection (e), except
22 that funds appropriated for advance planning may be used
23 for the purposes for which appropriated in connection with
24 such projects.

1 (g) REPORTS.—(1) Not later than April 1, 2005, the
2 Comptroller General shall submit to the Committees on
3 Veterans' Affairs and on Appropriations of the Senate and
4 House of Representatives a report evaluating the advan-
5 tages and disadvantages of congressional authorization for
6 projects of the type described in subsection (b) through
7 general authorization as provided by subsection (a), rather
8 than through specific authorization as would otherwise be
9 applicable under section 8104(a)(2) of title 38, United
10 States Code. Such report shall include a description of the
11 actions of the Secretary of Veterans Affairs during fiscal
12 year 2004 to select and carry out projects under this sec-
13 tion.

14 (2) Not later than 120 days after the date on which
15 the site for the final project under this section for each
16 such fiscal year is selected, the Secretary shall submit to
17 the committees referred to in paragraph (1) a report on
18 the authorization process under this section. The Sec-
19 retary shall include in each such report the following:

20 (A) A listing by project of each such project se-
21 lected by the Secretary under that section, together
22 with a prospectus description of the purposes of the
23 project, the estimated cost of the project, and a
24 statement attesting to the review of the project
25 under subsection (c), and, if that project was not

1 recommended by the board, the Secretary's justifica-
2 tion under subsection (d) for not following the rec-
3 ommendation of the board.

4 (B) An assessment of the utility to the Depart-
5 ment of Veterans Affairs of that authorization proc-
6 ess.

7 (C) Such recommendations as the Secretary
8 considers appropriate for future congressional policy
9 for authorizations of major and minor medical facil-
10 ity construction projects for the Department of Vet-
11 erans Affairs.

12 (D) Any other matter that the Secretary con-
13 siders to be appropriate with respect to oversight by
14 Congress of capital facilities projects of the Depart-
15 ment of Veterans Affairs.

16 **SEC. 3. AUTHORIZATION OF MAJOR MEDICAL FACILITY**
17 **PROJECTS AND LEASES.**

18 (a) PROJECT AUTHORIZATIONS.—The Secretary of
19 Veterans Affairs may carry out the following major med-
20 ical facility projects, with each project to be carried out
21 in the amount specified for that project:

22 (1) Construction of a new bed tower to consoli-
23 date two inpatient sites of care in inner city Chicago
24 at the West Side Division of the Department of Vet-

1 erans Affairs health care system in Chicago, Illinois,
2 in an amount not to exceed \$98,500,000.

3 (2) Seismic corrections to strengthen Medical
4 Center Building 1 of the Department of Veterans
5 Affairs health care system in San Diego, California,
6 in an amount not to exceed \$48,600,000.

7 (3) A project for (A) renovation of all inpatient
8 care wards at the West Haven, Connecticut, facility
9 of the Department of Veterans Affairs health system
10 in Connecticut to improve the environment of care
11 and enhance safety, privacy, and accessibility, and
12 (B) establishment of a consolidated medical research
13 facility at that facility, in an amount not to exceed
14 \$50,000,000.

15 (4) Construction of a medical facility on avail-
16 able Federal land at the Defense Supply Center, Co-
17 lumbus, Ohio, in an amount not to exceed
18 \$90,000,000.

19 (5) Construction of a Department of Veterans
20 Affairs-Department of Navy joint venture, com-
21 prehensive outpatient medical care facility to be built
22 on the grounds of the Pensacola Naval Air Station,
23 Pensacola, Florida, in an amount not to exceed
24 \$45,000,000.

1 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to the Secretary of Veterans
3 Affairs for fiscal year 2004 for the Construction, Major
4 Projects, account \$332,100,000 for the projects author-
5 ized in subsection (a).

6 (c) LIMITATION.—The projects authorized in sub-
7 section (a) may only be carried out using—

8 (1) funds appropriated for fiscal year 2004 pur-
9 suant to the authorization of appropriations in sub-
10 section (b);

11 (2) funds appropriated for Construction, Major
12 Projects, for a fiscal year before fiscal year 2004
13 that remain available for obligation; and

14 (3) funds appropriated for Construction, Major
15 Projects, for fiscal year 2004 for a category of activ-
16 ity not specific to a project.

17 (d) AUTHORIZATION OF MAJOR MEDICAL FACILITY
18 LEASES.—The Secretary of Veterans Affairs may enter
19 into leases as follows:

20 (1) For an outpatient clinic in Charlotte, North
21 Carolina, in an amount not to exceed \$3,000,000.

22 (2) For facilities for a multi-specialty out-
23 patient clinic for the Veterans Health Administra-
24 tion and a satellite office for the Veterans Benefits

1 Administration in Clark County, Nevada, at an annual
2 lease amount not to exceed \$6,500,000.

3 (3) For facilities authorized in section 4 at the
4 site of the former Fitzsimons Army Medical Center,
5 Aurora, Colorado, in an amount not to exceed
6 \$30,000,000.

7 **SEC. 4. AUTHORIZATION OF MAJOR MEDICAL FACILITY**
8 **PROJECTS, FORMER FITZSIMONS ARMY MED-**
9 **ICAL CENTER, AURORA, COLORADO.**

10 (a) AUTHORIZATION.—The Secretary of Veterans Af-
11 fairs may carry out major medical facility projects under
12 section 8104 of title 38, United States Code, at the site
13 of the former Fitzsimons Army Medical Center, Aurora,
14 Colorado. Projects to be carried out at such site shall be
15 selected by the Secretary and may include inpatient and
16 outpatient facilities providing acute, sub-acute, primary,
17 and long-term care services. The cost of projects under
18 this section shall be limited to—

19 (1) an amount not to exceed a total of
20 \$300,000,000 if either direct construction or a com-
21 bination of direct construction and leasing is selected
22 by the Secretary under subsection (b); and

23 (2) no more than \$30,000,000 per year in leas-
24 ing costs if a leasing option is selected by the Sec-
25 retary as the sole option under subsection (b).

1 (b) SELECTION OF OPTION.—The Secretary of Vet-
2 erans shall select the option to carry out the authority pro-
3 vided in subsection (a) of either—

4 (1) direct construction by the Department of
5 Veterans Affairs or a combination of direct construc-
6 tion and leasing; or

7 (2) leasing alone.

8 (c) CONSULTATION WITH SECRETARY OF DE-
9 FENSE.—The Secretary of Veterans Affairs shall consult
10 with the Secretary of Defense in carrying out this section.
11 Such consultation shall include consideration of estab-
12 lishing a Department of Veterans Affairs-Department of
13 Defense joint health-care venture at the site of the project
14 or projects under subsection (a).

15 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
16 authorized to be appropriated to the Secretary of Veterans
17 Affairs for fiscal years 2004, 2005, and 2006 for “Con-
18 struction, Major Projects” for the purposes authorized in
19 subsection (a).

20 (e) LIMITATION.—The projects authorized in sub-
21 section (a) may only be carried out using—

22 (1) funds appropriated for fiscal year 2004,
23 2005, or 2006 pursuant to the authorization of ap-
24 propriations in subsection (a);

1 (2) funds appropriated for Construction, Major
2 Projects, for a fiscal year before fiscal year 2004
3 that remain available for obligation; and

4 (3) funds appropriated for Construction, Major
5 Projects, for fiscal year 2004, 2005, or 2006 for a
6 category of activity not specific to a project.

7 (f) REPORT TO CONGRESSIONAL COMMITTEES.—
8 After complying with applicable provisions of the National
9 Environmental Policy Act of 1969, but not later than one
10 year after the date of the enactment of this Act, the Sec-
11 retary shall submit to the Committees on Appropriations
12 and the Committees on Veterans' Affairs of the Senate
13 and House of Representatives a report on this section. The
14 report shall include the following:

15 (1) Notice of the option selected by the Sec-
16 retary pursuant to subsection (b) to carry out the
17 authority provided by subsection (a).

18 (2) Information on any further planning re-
19 quired to carry out the authority provided in sub-
20 section (a).

21 (3) Other information of assistance to the com-
22 mittees with respect to such authority.

1 **SEC. 5. LIMITATION ON DISPOSAL OF LAKESIDE DIVISION,**
2 **DEPARTMENT OF VETERANS AFFAIRS MED-**
3 **ICAL FACILITIES, CHICAGO, ILLINOIS.**

4 (a) LIMITATION.—The Secretary of Veterans Affairs
5 may not make a final disposal under section 8162 of title
6 38, United States Code, of the Lakeside Division facility
7 of the Department of Veterans Affairs medical facilities
8 in Chicago, Illinois, until the Secretary has entered into
9 a contract for the construction project authorized by sec-
10 tion 3(a)(1).

11 (b) DEFINITION.—For purposes of this section, the
12 term “disposal”, with respect to the Lakeside Division fa-
13 cility, includes entering into a long-term lease or sharing
14 agreement under which a party other than the Secretary
15 has operational control of the facility.

16 **SEC. 6. PLANS FOR FACILITIES IN SOUTHERN NEW JERSEY**
17 **AND FAR SOUTH TEXAS.**

18 (a) PLAN.—(1) The Secretary of Veterans Affairs
19 shall develop—

20 (A) a plan to establish an inpatient facility to
21 meet hospital care needs of veterans who reside in
22 southern New Jersey; and

23 (B) a plan for hospital care needs of veterans
24 who reside in far south Texas.

25 (2) In developing the plans under paragraph (1), the
26 Secretary shall, at a minimum, consider options using the

1 existing authorities of section 8111 and 8153 of title 38,
2 United States Code—

3 (A) to establish a hospital staffed and managed
4 by employees of the Department, either in private or
5 public facilities, including Federal facilities; or

6 (B) to enter into contracts with existing private
7 facilities and private providers for that care.

8 (b) REPORTS.—The Secretary shall submit to the
9 Committees on Veterans' Affairs of the Senate and House
10 of Representatives a report on each plan under subsection
11 (a) not later than January 31, 2004.

12 (c) DEFINITIONS.—In this section:

13 (1) The term “far south Texas” means the fol-
14 lowing counties of the State of Texas: Bee, Calhoun,
15 Crockett, DeWitt, Dimmit, Goliad, Jackson, Vic-
16 toria, Webb, Aransas, Duval, Jim Wells, Kleberg,
17 Nueces, Refugio, San Patricio, Brooks, Cameron,
18 Hidalgo, Jim Hogg, Kenedy, Starr, Willacy, and Za-
19 pata.

20 (2) The term “southern New Jersey” means
21 the following counties of the State of New Jersey:
22 Ocean, Burlington, Camden, Gloucester, Salem,
23 Cumberland, Atlantic, and Cape May.

1 **SEC. 7. INCREASE IN MAJOR MEDICAL FACILITY CON-**
2 **STRUCTION COST THRESHOLD.**

3 Section 8104(a)(3)(A) of title 38, United States
4 Code, is amended by striking “\$4,000,000” and inserting
5 “\$6,000,000”.

6 **SEC. 8. STUDY AND REPORT ON FEASIBILITY OF COORDI-**
7 **NATION OF VETERANS HEALTH CARE SERV-**
8 **ICES IN SOUTH CAROLINA WITH NEW UNI-**
9 **VERSITY MEDICAL CENTER.**

10 (a) **STUDY REQUIRED.**—The Secretary of Veterans
11 Affairs shall conduct a study to examine the feasibility of
12 coordination by the Department of Veterans Affairs of its
13 needs for inpatient hospital, medical care, and long-term
14 care services for veterans with the pending construction
15 of a new university medical center at the Medical Univer-
16 sity of South Carolina, Charleston, South Carolina.

17 (b) **MATTERS TO BE INCLUDED IN STUDY.**—(1) As
18 part of the study under subsection (a), the Secretary shall
19 consider the following:

20 (A) Integration with the Medical University of
21 South Carolina of some or all of the services referred
22 to in subsection (a) through contribution to the con-
23 struction of that university’s new medical facility or
24 by becoming a tenant provider in that new facility.

25 (B) Construction by the Department of Vet-
26 erans Affairs of a new independent inpatient or out-

1 patient facility alongside or nearby the university's
2 new facility.

3 (2) In carrying out paragraph (1), the Secretary shall
4 consider the degree to which the Department of Veterans
5 Affairs and the university medical center would be able
6 to share expensive technologies and scarce specialty serv-
7 ices that would affect any such plans of the Secretary or
8 the university.

9 (3) In carrying out the study, the Secretary shall es-
10 pecially consider the applicability of the authorities under
11 section 8153 of title 38, United States Code (relating to
12 sharing of health care resources between the Department
13 and community provider organizations) to govern future
14 arrangements and relationship between the Department
15 and the Medical University of South Carolina.

16 (c) CONSULTATION WITH SECRETARY OF DE-
17 FENSE.—The Secretary of Veterans Affairs shall consult
18 with the Secretary of Defense in carrying out the study
19 under this section. Such consultation shall include consid-
20 eration of establishing a Department of Veterans Affairs-
21 Department of Defense joint health-care venture at the
22 site referred to in subsection (a).

23 (d) REPORT.—Not later than March 31, 2004, the
24 Secretary shall submit to the Committees on Veterans' Af-
25 fairs of the Senate and House of Representatives a report

1 on the results of the study. The report shall include the
2 Secretary's recommendations with respect to coordination
3 described in subsection (a), including recommendations
4 with respect to each of the matters referred to in sub-
5 section (b).

6 **SEC. 9. NAME OF DEPARTMENT OF VETERANS AFFAIRS**

7 **HEALTH CARE FACILITY, CHICAGO, ILLINOIS.**

8 The Department of Veterans Affairs health care facil-
9 ity located at 820 South Damen Avenue in Chicago, Illi-
10 nois, shall after the date of the enactment of this Act be
11 known and designated as the "Jesse Brown Department
12 of Veterans Affairs Medical Center". Any reference to
13 such facility in any law, map, regulation, document, paper,
14 or other record of the United States shall be considered
15 to be a reference to the Jesse Brown Department of Vet-
16 erans Affairs Medical Center.

17 **SEC. 10. NAME OF DEPARTMENT OF VETERANS AFFAIRS**

18 **OUTPATIENT CLINIC, NEW LONDON, CON-**

19 **NECTICUT.**

20 The Department of Veterans Affairs outpatient clinic
21 located in New London, Connecticut, shall after the date
22 of the enactment of this Act be known and designated as
23 the "John J. McGuirk Department of Veterans Affairs
24 Outpatient Clinic". Any reference to such outpatient clinic
25 in any law, regulation, map, document, record, or other

1 paper of the United States shall be considered to be a ref-
2 erence to the John J. McGuirk Department of Veterans
3 Affairs Outpatient Clinic.

4 **SEC. 11. OFFICE OF RESEARCH OVERSIGHT IN VETERANS**
5 **HEALTH ADMINISTRATION.**

6 (a) STATUTORY CHARTER.—(1) Chapter 73 of title
7 38, United States Code, is amended by inserting after sec-
8 tion 7306 the following new section:

9 **“§ 7307. Office of Research Oversight**

10 “(a) REQUIREMENT FOR OFFICE.—(1) There is in
11 the Veterans Health Administration an Office of Research
12 Oversight (hereinafter in this section referred to as the
13 ‘Office’). The Office shall advise the Under Secretary for
14 Health on matters of compliance and assurance in human
15 subjects protections, animal welfare, research safety, and
16 research impropriety and misconduct. The Office shall
17 function independently of entities within the Veterans
18 Health Administration with responsibility for the conduct
19 of medical research programs.

20 “(2) The Office shall—

21 “(A) monitor, review, and investigate matters of
22 medical research compliance and assurance in the
23 Department with respect to human subjects protec-
24 tions and animal welfare; and

1 “(B) monitor, review, and investigate matters
2 relating to the protection and safety of human sub-
3 jects, research animals, and Department employees
4 participating in medical research in Department pro-
5 grams.

6 “(b) DIRECTOR.—(1) The head of the Office shall be
7 a Director, who shall report directly to the Under Sec-
8 retary for Health (without delegation).

9 “(2) Any person appointed as Director shall be—

10 “(A) an established expert in the field of med-
11 ical research, administration of medical research
12 programs, or similar fields; and

13 “(B) qualified to carry out the duties of the Of-
14 fice based on demonstrated experience and expertise.

15 “(c) FUNCTIONS.—(1) The Director shall report to
16 the Under Secretary for Health on matters relating to pro-
17 tections of human subjects and laboratory animals under
18 any applicable Federal law and regulation, the safety of
19 employees involved in Department medical research pro-
20 grams, and suspected misconduct and impropriety in such
21 programs. In carrying out the preceding sentence, the Di-
22 rector shall consult with employees of the Veterans Health
23 Administration who are responsible for management and
24 conduct of Department medical research programs.

1 “(2) The matters to be reported by the Director to
2 the Under Secretary under paragraph (1) include the fol-
3 lowing:

4 “(A) Lack of required integrity of content, va-
5 lidity of approach, and ethical conduct of employees
6 in Department medical research programs.

7 “(B) Allegations of research impropriety and
8 misconduct by employees engaged in medical re-
9 search programs of the Department.

10 “(3)(A) When the Director determines that such a
11 recommendation is warranted, the Director may rec-
12 ommend to the Under Secretary that a Department re-
13 search activity be terminated, suspended, or restricted, in
14 whole or in part.

15 “(B) In a case in which the Director reasonably be-
16 lieves that activities of a medical research project of the
17 Department place human subjects’ lives or health at immi-
18 nent risk, the Director shall direct that activities under
19 that project be immediately suspended or, as appropriate
20 and specified by the Director, be limited.

21 “(d) GENERAL FUNCTIONS.—(1) The Director shall
22 conduct periodic inspections and reviews, as the Director
23 determines appropriate, of medical research programs of
24 the Department. Such inspections and reviews shall in-
25 clude review of required documented assurances.

1 “(2) The Director shall observe external accreditation
2 activities conducted for accreditation of medical research
3 programs conducted in facilities of the Department.

4 “(3) The Director shall investigate allegations of re-
5 search impropriety and misconduct in medical research
6 projects of the Department.

7 “(4) The Director shall submit to the Under Sec-
8 retary for Health, the Secretary, and the Committees on
9 Veterans’ Affairs of the Senate and House of Representa-
10 tives a report on any suspected lapse, from whatever cause
11 or causes, in protecting safety of human subjects and oth-
12 ers, including employees, in medical research programs.

13 “(5) The Director shall carry out such other duties
14 as the Under Secretary for Health may require.

15 “(e) SOURCE OF FUNDS.—Amounts for the activities
16 of the Office, including its regional offices, shall be derived
17 from amounts appropriated for the Veterans Health Ad-
18 ministration for Medical Care.

19 “(f) ANNUAL REPORT.—Not later than March 15
20 each year, the Director of the Office shall submit to the
21 Committees on Veterans’ Affairs of the Senate and House
22 of Representatives a report on the activities of the Office
23 during the preceding calendar year. Each such report shall
24 include, with respect to that year, the following:

1 “(1) A summary of reviews of individual med-
2 ical research programs of the Department completed
3 by the Office.

4 “(2) Directives and other communications
5 issued by the Office to field activities of the Depart-
6 ment.

7 “(3) Results of any investigations undertaken
8 by the Office during the reporting period consonant
9 with the purposes of this section.

10 “(4) Other information that would be of inter-
11 est to those committees in oversight of the Depart-
12 ment medical research program.

13 “(g) MEDICAL RESEARCH.—For purposes of this sec-
14 tion, the term ‘medical research’ has the meaning given
15 such term in section 7303(a)(2) of this title.”.

16 (2) The table of sections at the beginning of such
17 chapter is amended by inserting after the item relating
18 to section 7306 the following new item:

 “7307. Office of Research Oversight.”.

19 (b) CONFORMING AMENDMENT.—Section 7303 of
20 title 38, United States Code, is amended by striking sub-
21 section (e).

22 (c) COMPTROLLER GENERAL REPORT.—(1) The
23 Comptroller General shall conduct a study to assess—

24 (A) the effects of the establishment by law of
25 the Office of Research Oversight in section 7307 of

1 title 38, United States Code, as added by subsection
2 (a);

3 (B) the effects of the specification by law of the
4 functions of that Office; and

5 (C) improvements in the conduct of ethical
6 medical research in the Veterans Health Administra-
7 tion.

8 (2) Not later than January 1, 2006, the Comptroller
9 General shall submit to the Committees on Veterans' Af-
10 fairs of the House and Senate a report on the study con-
11 ducted under paragraph (1). The Comptroller General
12 shall include in the report such recommendations for legis-
13 lation and administrative action as the Comptroller Gen-
14 eral considers appropriate.

15 (d) REPORT BY SECRETARY OF VETERANS AF-
16 FAIRS.—Not later than 180 days after the date of the en-
17 actment of this Act, the Secretary of Veterans Affairs
18 shall submit to the Committees on Veterans Affairs' of
19 the Senate and House of Representatives a report setting
20 forth the results of the implementation of section 7307

1 of title 38, United States Code, as added by subsection
2 (a).

Passed the House of Representatives October 29,
2003.

Attest:

Clerk.