

106TH CONGRESS
2D SESSION

S. 2827

To provide for the conveyance of the Department of Veterans Affairs Medical Center at Ft. Lyon, Colorado, to the State of Colorado, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 29, 2000

Mr. ALLARD introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To provide for the conveyance of the Department of Veterans Affairs Medical Center at Ft. Lyon, Colorado, to the State of Colorado, 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 FT. LYON DEPARTMENT OF**
4 **VETERANS AFFAIRS MEDICAL CENTER, COLO-**
5 **RADO, TO THE STATE OF COLORADO.**

6 (a) CONVEYANCE AUTHORIZED.—Notwithstanding
7 any other provision of law and subject to the provisions
8 of this section, the Secretary of Veterans Affairs may con-
9 vey, without consideration, to the State of Colorado all

1 right, title, and interest of the United States in and to
2 a parcel of real property, including improvements thereon
3 other than Kit Carson Chapel, consisting of approximately
4 512 acres and comprising the location of the Ft. Lyon De-
5 partment of Veterans Affairs Medical Center. The purpose
6 of the conveyance is to permit the State of Colorado to
7 utilize the property for purposes of a correctional facility.

8 (b) PUBLIC ACCESS.—(1) The Secretary may not
9 make the conveyance of real property authorized by sub-
10 section (a) unless the State of Colorado agrees to provide
11 appropriate public access to Kit Carson Chapel and the
12 cemetery located on the real property.

13 (2) The State of Colorado may satisfy the condition
14 specified in paragraph (1) with respect to Kit Carson
15 Chapel by relocating the chapel to Fort Lyon National
16 Cemetery, Colorado, or another appropriate location joint-
17 ly selected by the Secretary and the State of Colorado.

18 (c) REPLACEMENT FACILITIES.—The Secretary may
19 not make the conveyance authorized by subsection (a)
20 until the date on which the Secretary opens not less than
21 three health care facilities, and a nursing home care facil-
22 ity, in Veterans Integrated Service Network (VISN) 19,
23 which shall serve as replacement facilities for the Ft. Lyon
24 Department of Veterans Affairs Medical Center.

1 (d) ENVIRONMENTAL RESTORATION.—The Secretary
2 may not make the conveyance authorized by subsection (a)
3 until the Secretary completes the evaluation and perform-
4 ance of any environmental restoration activities required
5 by the Comprehensive Environmental Response, Com-
6 pensation, and Liability Act of 1980 (42 U.S.C. 9601 et
7 seq.), and by any other provision of law.

8 (e) PERSONAL PROPERTY.—As part of the convey-
9 ance authorized by subsection (a), the Secretary may con-
10 vey, without consideration, to the State of Colorado any
11 furniture, fixtures, equipment, and other personal prop-
12 erty associated with the property conveyed under that sub-
13 section that the Secretary determines is not required for
14 purposes of the Department of Veterans Affairs health
15 care facilities to be established by the Secretary in south-
16 ern Colorado or for purposes of Ft. Lyon National Ceme-
17 tery.

18 (f) LEGAL DESCRIPTION.—The exact acreage and
19 legal description of the real property to be conveyed under
20 subsection (a), and of any fixtures and other personal
21 property conveyed under subsection (e), shall be deter-
22 mined by a survey, and by such other methods, as are
23 satisfactory to the Secretary. Any costs associated with
24 activities under this subsection shall be borne by the State
25 of Colorado.

1 (g) ADDITIONAL TERMS AND CONDITIONS.—The
2 Secretary may require such other terms and conditions in
3 connection with the conveyances authorized by subsections
4 (a) and (e) as the Secretary considers appropriate to pro-
5 tect the interests of the United States.

6 **SEC. 2. EFFECT OF CLOSURE OF FT. LYON DEPARTMENT**
7 **OF VETERANS AFFAIRS MEDICAL CENTER ON**
8 **ADMINISTRATION OF HEALTH CARE FOR**
9 **VETERANS.**

10 (a) PAYMENT FOR NURSING HOME CARE.—Notwith-
11 standing any limitation under section 1720 or 1741 of title
12 38, United States Code, the Secretary of Veterans Affairs
13 may pay the State of Colorado, or any private nursing
14 home care facility, for costs incurred in providing nursing
15 home care to any veteran who is relocated from the Ft.
16 Lyon Department of Veterans Affairs Medical Center,
17 Colorado, to the State of Colorado or such private facility,
18 as the case may be, as a result of the closure of the Ft.
19 Lyon Department of Veterans Affairs Medical Center.

20 (b) OBLIGATION TO PROVIDE EXTENDED CARE
21 SERVICES.—Nothing in this Act may be construed to alter
22 or otherwise effect the obligation of the Secretary to meet
23 the requirements of section 1710B(b) of title 38, United
24 States Code, relating to staffing and levels of extended
25 care services in fiscal years after fiscal year 1998.

1 (c) EXTENSION OF VOLUNTARY EARLY RETIREMENT
2 AUTHORITY.—Notwithstanding section 1109(a) of the De-
3 partment of Veterans Affairs Employment Reduction As-
4 sistance Act of 1999 (title XI of Public Law 106–117;
5 113 Stat. 1599; 5 U.S.C. 5597 note), the authority to pay
6 voluntary separation incentive payments under that Act
7 to employees of the Ft. Lyon Department of Veterans Af-
8 fairs Medical Center shall apply to eligible employees (as
9 defined by section 1110 of that Act) at the Ft. Lyon De-
10 partment of Veterans Affairs Medical Center whose sepa-
11 ration occurs before June 30, 2001.

12 (d) REPORT ON VETERANS HEALTH CARE IN
13 SOUTHERN COLORADO.—Not later than one year after the
14 conveyance, if any, authorized by section 1, the Under
15 Secretary for Health of the Department of Veterans Af-
16 fairs, acting through the Director of Veterans Integrated
17 Service Network (VISN) 19, shall submit to the Commit-
18 tees on Veterans' Affairs of the Senate and the House of
19 Representatives a report on the status of the health care
20 system for veterans under the Network in the Southern
21 Colorado. The report shall describe any improvements to
22 the system in Southern Colorado that have been put into
23 effect in the period beginning on the date of the convey-
24 ance and ending on the date of the report.

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