

sources" for "Use of Armed Forces facilities" in item 5011, and added item 5011A.

1979—Pub. L. 96-22, title III, §301(c), June 13, 1979, 93 Stat. 61, substituted "ACQUISITION AND OPERATION OF MEDICAL FACILITIES" for "PROVISIONS RELATING TO HOSPITALS AND HOMES" in heading for subchapter I, substituted "Definitions" for "Hospital and domiciliary facilities" in item 5001, "Acquisition of medical facilities" for "Construction and repair of buildings" in item 5002, "Authority to construct and alter, and acquire sites for, medical facilities" for "Use of Armed Forces facilities" in item 5003, "Congressional approval of certain medical facility acquisitions" for "Garages and parking facilities" in item 5004, "Structural requirements" for "Acceptance of certain property" in item 5005, "Construction contracts" for "Property formerly owned by National Home for Disabled Volunteer Soldiers" in item 5006, and "Reports to congressional committees" for "Partial relinquishment of legislative jurisdiction" in item 5007, added items 5008 to 5015, and redesignated former items 5011 to 5014 as 5021 to 5024, respectively.

1977—Pub. L. 95-62, §4(c), July 5, 1977, 91 Stat. 263, substituted "DOMICILIARY, NURSING HOME, AND HOSPITAL CARE" for "NURSING HOME CARE" in heading for subchapter III.

1976—Pub. L. 94-581, title I, §115(b), Oct. 21, 1976, 90 Stat. 2853, substituted "health services development activities carried out under the National Health Planning and Resources Development Act of 1974" for "programs carried out under the Heart Disease, Cancer, and Stroke Amendments of 1965" in item 5056.

1973—Pub. L. 93-82, title III, §302(3), Aug. 2, 1973, 87 Stat. 195, added item 5007.

1966—Pub. L. 89-785, title II, §§201(b), 202(c), 2, Nov. 7, 1966, 80 Stat. 1372, 1373, 1376, substituted "Garages and parking facilities" for "Garages on hospital and domiciliary reservations" in item 5004, inserted "and to negotiate for common services" in item 5012, and added heading for subchapter IV and items 5051 to 5056 and 5075.

1964—Pub. L. 88-450, §4(b), Aug. 19, 1964, 78 Stat. 503, added heading for subchapter III and items 5031 to 5037.

SUBCHAPTER I—ACQUISITION AND OPERATION OF MEDICAL FACILITIES

§ 8101. Definitions

For the purposes of this subchapter:

(1) The term "alter", with respect to a medical facility, means to repair, remodel, improve, or extend such medical facility.

(2) The terms "construct" and "alter", with respect to a medical facility, include such engineering, architectural, legal, fiscal, and economic investigations and studies and such surveys, designs, plans, construction documents, specifications, procedures, and other similar actions as are necessary for the construction or alteration, as the case may be, of such medical facility and as are carried out after the completion of the advanced planning (including the development of project requirements and design development) for such facility.

(3) The term "medical facility" means any facility or part thereof which is, or will be, under the jurisdiction of the Secretary for the provision of health-care services (including hospital, nursing home, or domiciliary care or medical services), including any necessary building and auxiliary structure, garage, parking facility, mechanical equipment, trackage facilities leading thereto, abutting sidewalks, accommodations for attending personnel, and recreation facilities associated therewith.

(4) The term "committee" means the Committee on Veterans' Affairs of the House of Rep-

resentatives or the Committee on Veterans' Affairs of the Senate, and the term "committees" means both such committees.

(Added Pub. L. 96-22, title III, §301(a), June 13, 1979, 93 Stat. 55, §5001; renumbered §8101, Pub. L. 102-40, title IV, §402(b)(1), May 7, 1991, 105 Stat. 238; amended Pub. L. 102-83, §4(b)(1), (2)(E), Aug. 6, 1991, 105 Stat. 404, 405; Pub. L. 104-262, title II, §207(a), Oct. 9, 1996, 110 Stat. 3190.)

AMENDMENTS

1996—Par. (2). Pub. L. 104-262 substituted "construction documents" for "working drawings" and "design development" for "preliminary plans".

1991—Pub. L. 102-40 renumbered section 5001 of this title as this section.

Par. (3). Pub. L. 102-83 substituted "Secretary" for "Administrator".

EFFECTIVE DATE

Pub. L. 96-22, title III, §302, June 13, 1979, 93 Stat. 62, provided that:

"(a) Except as provided in subsection (b) of this section, the amendments made by section 301 [enacting this subchapter, redesignating sections 5011 to 5014 of this title as sections 5021 to 5024 [now 8121 to 8124], respectively, and amending section 5022 [now 8122] of this title as so redesignated] shall take effect on October 1, 1979.

"(b)(1) The amendments made by section 301 shall not apply with respect to the acquisition, construction, or alteration of any medical facility (as defined in section 5001(3) [now 8101(3)] of title 38, United States Code, as amended by section 301(a) of this Act) if such acquisition, construction, or alteration (not including exchange) was approved before October 1, 1979, by the President.

"(2) The provisions of [former] section 5007(a) of title 38, United States Code, as amended by section 301(a) of this Act, shall take effect on the date of the enactment of this Act [June 13, 1979]."

§ 8102. Acquisition of medical facilities

(a) The Secretary shall provide medical facilities for veterans entitled to hospital, nursing home, or domiciliary care or medical services under this title.

(b) No medical facility may be constructed or otherwise acquired or altered except in accordance with the provisions of this subchapter.

(c) In carrying out this subchapter, the Secretary—

(1) shall provide for the construction and acquisition of medical facilities in a manner that results in the equitable distribution of such facilities throughout the United States, taking into consideration the comparative urgency of the need for the services to be provided in the case of each particular facility; and

(2) shall give due consideration to excellence of architecture and design.

(d) In considering the need for any project for the construction, alteration, or acquisition (other than by exchange) of a medical facility which is expected to involve a total expenditure of more than \$2,000,000, the Secretary shall give consideration to the sharing of health-care resources with the Department of Defense under section 8111 of this title as an alternative to all or part of such project.

(Added Pub. L. 96-22, title III, §301(a), June 13, 1979, 93 Stat. 55, §5002; amended Pub. L. 99-576,