301, §1, 37 Stat. 312, related to payment of pensions of inmates of National Home for Disabled Volunteer Soldiers.

Section 139, act July 1, 1902, ch. 1351, §1, 32 Stat. 564, related to disposition of balance of pension money due deceased inmates of National Home for Disabled Volunteer Soldiers.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits.

SUBCHAPTER V—BATTLE MOUNTAIN SANITARIUM RESERVE

§151. Battle Mountain Sanitarium Reserve; establishment; rights to lands, not affected

There are reserved from settlement, entry, sale, or other disposal all those certain tracts, pieces, or parcels of land lying and being situated in the State of South Dakota and within the boundaries particularly described as follows: Beginning at the southwest corner of section 18, township 7 south, range 6 east, Black Hills meridian; thence east to the southeast corner of said section 18; thence south to the southwest corner of the northwest quarter of section 20; thence east to the southeast corner of the northeast quarter of section 21; thence north to the northeast corner of the southeast quarter of section 9; thence west to the center of section 7; thence south to the southwest corner of the southeast quarter of section 7; thence west to the northwest corner of section 18; thence south to the place of beginning, all in township 7 south, range 6 east, Black Hills meridian, in Fall River County, South Dakota: *Provided*, That nothing herein contained shall be construed to affect any valid rights acquired in connection with any of the lands embraced within the limits of said reserve.

(Mar. 22, 1906, ch. 1127, §1, 34 Stat. 83.)

§152. Name; control, rules and regulations

Said reserve shall be known as the Battle Mountain Sanitarium Reserve, and shall be under the exclusive control of the Secretary of Veterans Affairs in connection with the Battle Mountain Sanitarium at Hot Springs, South Dakota, whose duty it shall be to prescribe such rules and regulations and establish such service as the Secretary may consider necessary for the care and management of the same.

(Mar. 22, 1906, ch. 1127, §2, 34 Stat. 83; Pub. L. 102–54, §13(i)(2), June 13, 1991, 105 Stat. 276.)

AMENDMENTS

1991—Pub. L. 102–54 substituted ''Secretary of Veterans Affairs'' for ''Board of Managers of the National Home for Disabled Volunteer Soldiers'' and ''as the Secretary may consider necessary'' for ''as they may deem necessary''.

§153. Perfecting bona fide claims to lands; exchange of private lands

In all cases of unperfected bona fide claims lying within the said boundaries of said reserve, which claims have been properly initiated prior to September 2, 1902, said claims may be perfected upon compliance with the requirements of the laws respecting settlement, residence, improvements, and so forth, in the same manner in all respects as claims are perfected to other Government lands: *Provided*, That to the extent that the lands within said reserve are held in private ownership the Secretary of the Interior is authorized in his discretion to exchange therefor public lands of like area and value, which are surveyed, vacant, unappropriated, not mineral, not timbered, and not required for reservoir sites or other public uses or purposes. The private owners must, at their expense and by appropriate instruments of conveyance, surrender to the Government a full and unencumbered right and title to the private lands included in any exchange before patents are issued for or any rights attached to the public lands included therein, and no charge of any kind shall be made for issuing such patents. Upon completion of any exchange the lands surrendered to the Government shall become a part of said reserve in a like manner as if they had been public lands at the time of the establishment of said reserve. Nothing contained in this section shall be construed to authorize the issuance of any land scrip, and the State of South Dakota is granted the privilege of selecting from the public lands in said State an equal quantity of land in lieu of such portions of section sixteen included within said reserve as have not been sold or disposed of by said State and are not covered by an unperfected bona fide claim as above mentioned.

(Mar. 22, 1906, ch. 1127, §3, 34 Stat. 83.)

§154. Unlawful intrusion, or violation of rules and regulations

All persons who shall unlawfully intrude upon said reserve, or who shall without permission appropriate any object therein or commit unauthorized injury or waste in any form whatever upon the lands or other public property therein, or who shall violate any of the rules and regulations prescribed hereunder, shall, upon conviction, be fined in a sum not more than $1,000, or be imprisoned for a period not more than twelve months, or shall suffer both fine and imprisonment, in the discretion of the court.

(Mar. 22, 1906, ch. 1127, §4, 34 Stat. 83.)

CHAPTER 4—SAINT ELIZABETHS HOSPITAL

SUBCHAPTER I—ESTABLISHMENT AND MANAGEMENT; PENSIONS, MONEYS, AND APPROPRIATIONS

Sec.
161 to 168a. Repealed or Omitted.
168b. Computation of maximum amount available from Federal sources.
169 to 170. Repealed.
170a. Maximum amount available from Federal sources.
171 to 185. Repealed.

SUBCHAPTER II—INMATES; BURDEN OF EXPENSES THEREOF; DETENTION OF INSANE

191 to 222. Repealed or Omitted.

SUBCHAPTER III—MENTAL HEALTH SERVICE FOR DISTRICT OF COLUMBIA

225. Findings and purposes.
225a. Definitions.
225b. Development of plan for mental health system for the District.

Sec.
225c. Congressional review of system implementation plan.
225d. Transition provisions for employees of Hospital.
225e. Conditions of employment for former employees of Hospital.
225f. Property transfer.
225g. Financing provisions.
225h. Buy American provisions.

SUBCHAPTER I—ESTABLISHMENT AND MANAGEMENT; PENSIONS, MONEYS, AND APPROPRIATIONS

§ 161. Repealed. Pub. L. 98–621, § 10(a), Nov. 8, 1984, 98 Stat. 3379

Section, R.S. § 4838; July 1, 1916, ch. 209, 39 Stat. 309; 1946 Reorg. Plan No. 3, § 201, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1098, related to establishment of Saint Elizabeths Hospital.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§§ 162, 163. Repealed. Pub. L. 89–554, § 8(a), Sept. 6, 1966, 80 Stat. 632

Section 162, R.S. § 4840; July 1, 1916, ch. 209, § 1, 39 Stat. 309, related to appointment of Board of Visitors for St. Elizabeths Hospital.

Section 163, R.S. § 4841, related to selection of president of Board of Visitors for St. Elizabeths Hospital.

§§ 164, 165. Repealed. Pub. L. 98–621, § 10(a), Nov. 8, 1984, 98 Stat. 3379

Section 164, R.S. § 4842; July 1, 1916, ch. 209, 39 Stat. 309; Reorg. Plan No. IV of 1940, § 11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236, along with sections 162 and 163 of this title, provided for the appointment, powers and duties of Board of Visitors of Saint Elizabeths Hospital.

Section 165, R.S. § 4839; Feb. 2, 1909, ch. 58, § 1, 35 Stat. 592; Mar. 4, 1911, ch. 285, 36 Stat. 1422; Aug. 17, 1912, ch. 301, 37 Stat. 312; July 1, 1916, ch. 209, 39 Stat. 309; 1940 Reorg. Plan No. IV, § 11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; 1946 Reorg. Plan No. 2, § 9, eff. July 16, 1946, 11 F.R. 7875, 60 Stat. 1096; 1953 Reorg. Plan No. 1, § 5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; June 6, 1972, Pub. L. 92–310, title II, § 228(b), 86 Stat. 207; Dec. 19, 1977, Pub. L. 95–215, § 9, 91 Stat. 1508; Oct. 17, 1979, Pub. L. 96–88, title V, § 509(b), 93 Stat. 695, related to superintendent, disbursing agent, and pension money of inmates of Saint Elizabeths Hospital.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 165a. Omitted

CODIFICATION

Section, Pub. L. 98–139, title II, Oct. 31, 1983, 97 Stat. 881, provided that superintendent of Saint Elizabeths Hospital may reside off premises of hospital, notwithstanding section 165 of this title.

§ 166. Repealed. Pub. L. 98–621, § 10(b), Nov. 8, 1984, 98 Stat. 3379

Section, acts June 5, 1920, ch. 235, 41 Stat. 920; June 6, 1972, Pub. L. 92–310, title II, § 228(c), 86 Stat. 207, related to appointment and powers of deputy disbursing agent.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 167. Repealed. Pub. L. 89–554, § 8(a), Sept. 6, 1966, 80 Stat. 644

Section, act July 19, 1919, ch. 24, 41 Stat. 205, authorized Secretary of the Interior to adjust compensation of officers and employees of Saint Elizabeths Hospital.

§ 168. Repealed. Pub. L. 98–621, § 10(c), Nov. 8, 1984, 98 Stat. 3379

Section, acts Mar. 6, 1920, ch. 94, 41 Stat. 513; June 10, 1921, ch. 18, title III, § 304, 42 Stat. 24; 1940 Reorg. Plan No. IV, § 11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; 1953 Reorg. Plan No. 1, § 5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, § 509(b), 93 Stat. 695, related to readjustment of salaries and credit to accounts of disbursing agent of Saint Elizabeths Hospital.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 168a. Repealed. Pub. L. 98–621, § 10(d)(1), Nov. 8, 1984, 98 Stat. 3379

Section, act Aug. 4, 1947, ch. 478, § 2, 61 Stat. 751; 1970 Reorg. Plan No. 2, § 102, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085, related to payment by executive departments for care of patients of Saint Elizabeths Hospital for whom they were responsible.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 168b. Computation of maximum amount available from Federal sources

Amounts chargeable to and available from Federal sources for inpatient and outpatient services provided through Saint Elizabeths Hospital as authorized by 24 U.S.C. 191, 196, 211, 212, 222, 253,[1] and 324; 31 U.S.C. 1535; and 42 U.S.C. 249 and 251 shall not exceed the estimated total cost of such services as computed using only the proportionate amount of the direct Federal subsidy appropriated under this heading.

(Pub. L. 100–436, title II, Sept. 20, 1988, 102 Stat. 1693.)

REFERENCES IN TEXT

Sections 191, 196, 211, 212, and 222 of this title, referred to in text, were repealed by Pub. L. 98–621, § 10(a), (f)(2), (m), Nov. 8, 1984, 98 Stat. 3379, 3380.

Section 253 of this title, referred to in text, does not exist.

This heading, referred to in text, refers to the headings "ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION" and "FEDERAL SUBSIDY FOR SAINT ELIZABETHS HOSPITAL" of title II, "Department of Health and Human Services", of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriation Act, 1989, Pub. L. 100–436.

CODIFICATION

Section is from the appropriation act cited as the credit to this section.

SIMILAR PROVISIONS

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 100–202, § 101(h) [title II], Dec. 22, 1987, 101 Stat. 1329–256, 1329–268.

[1] See References in Text note below.

Pub. L. 99–500, § 101(i) [H.R. 5233, title II], Oct. 18, 1986, 100 Stat. 1783–287, and Pub. L. 99–591, § 101(i) [H.R. 5233, title II], Oct. 30, 1986, 100 Stat. 3341–287.
Pub. L. 99–178, title II, Dec. 12, 1985, 99 Stat. 1113.
Pub. L. 98–619, title II, Nov. 8, 1984, 98 Stat. 3314.
Pub. L. 98–139, title II, Oct. 31, 1983, 97 Stat. 881.
Pub. L. 97–377, title I, § 101(e)(1) [title II], Dec. 21, 1982, 96 Stat. 1878, 1887.

§§ 169, 169a. Repealed. Pub. L. 98–621, § 10(d)(1), Nov. 8, 1984, 98 Stat. 3379

Section 169, act Aug. 4, 1947, ch. 478, § 3, 61 Stat. 751, related to disposition of money paid for care of patients at Saint Elizabeths Hospital. Similar provisions were contained in the following acts:
July 8, 1947, ch. 210, title II, 61 Stat. 272.
July 26, 1946, ch. 672, title II, 60 Stat. 693.
July 3, 1945, ch. 263, title II, 59 Stat. 372.
June 28, 1944, ch. 302, title II, 58 Stat. 561.
July 12, 1943, ch. 221, title II, 57 Stat. 509.
July 2, 1942, ch. 475, title II, 56 Stat. 585.
July 1, 1941, ch. 269, title II, 55 Stat. 493.
June 18, 1940, ch. 395, 54 Stat. 460.
May 10, 1939, ch. 119, 53 Stat. 737.
May 9, 1938, ch. 187, 52 Stat. 341.
Aug. 9, 1937, ch. 570, 50 Stat. 615.
June 22, 1936, ch. 691, 49 Stat. 1802.
May 9, 1935, ch. 101, 49 Stat. 215.
Mar. 2, 1934, ch. 38, 48 Stat. 394.
Feb. 17, 1933, ch. 98, 47 Stat. 856.
Apr. 22, 1932, ch. 125, 47 Stat. 131.
Feb. 14, 1931, ch. 187, 46 Stat. 1159.
May 14, 1930, ch. 273, 46 Stat. 324.
Mar. 4, 1929, ch. 705, 45 Stat. 1605.
Mar. 7, 1928, ch. 137, 45 Stat. 242.
Jan. 12, 1927, ch. 27, 44 Stat. 970.
May 10, 1926, ch. 277, 44 Stat. 494.
Mar. 3, 1925, ch. 462, 43 Stat. 1183.
June 5, 1924, ch. 264, 43 Stat. 429.

Section 169a, acts Aug. 4, 1947, ch. 478, § 4, 61 Stat. 751; 1953 Reorg. Plan No. 1, § 5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, § 509(b), 93 Stat. 695, related to facilities at Saint Elizabeths Hospital for feeding employees and others and disposition of proceeds.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 170. Repealed. Pub. L. 98–621, § 10(a), Nov. 8, 1984, 98 Stat. 3379

Section, R.S. § 4858; July 1, 1916, ch. 209, 39 Stat. 309; 1940 Reorg. Plan No. IV, § 11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; 1953 Reorg. Plan No. 1, § 5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, § 509(b), 93 Stat. 695, related to disbursement of appropriations for support of Saint Elizabeths Hospital.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 170a. Maximum amount available from Federal sources

In fiscal year 1989 and thereafter, the maximum amount available to Saint Elizabeths Hospital from Federal sources shall not exceed the total of the following amounts: the appropriations made under this heading, amounts billed to Federal agencies and entities by the District of Columbia for services provided at Saint Elizabeths Hospital, and amounts authorized by titles XVIII and XIX of the Social Security Act [42 U.S.C. 1395 et seq., 1396 et seq.]. This maximum amount shall not include Federal funds appropriated to the District of Columbia under ''Federal Payment to the District of Columbia'' and payments made pursuant to section 9(c) of Public Law 98–621.

(Pub. L. 100–436, title II, Sept. 20, 1988, 102 Stat. 1693.)

REFERENCES IN TEXT

The appropriations made under this heading, referred to in text, refers to appropriations under the headings ''ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION'' and ''FEDERAL SUBSIDY FOR SAINT ELIZABETHS HOSPITAL'' of title II, ''Department of Health and Human Services'', of the Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriation Act, 1989, Pub. L. 100–436.

The Social Security Act, referred to in text, is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended. Titles XVIII and XIX of the Act are classified generally to subchapters XVIII (§ 1395 et seq.) and XIX (§ 1396 et seq.), respectively, of chapter 7 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

Section 9(c) of Public Law 98–621, referred to in text, is section 9(c) of Pub. L. 98–621, Nov. 8, 1984, 98 Stat. 3378, par. (1) of which is classified to section 225g(c) of this title.

CODIFICATION

Section is from the appropriation act cited as the credit to this section.

SIMILAR PROVISIONS

Similar provisions were contained in the following prior appropriation acts:
Pub. L. 100–202, § 101(h) [title II], Dec. 22, 1987, 101 Stat. 1329–256, 1329–267.
Pub. L. 99–500, § 101(i) [H.R. 5233, title II], Oct. 18, 1986, 100 Stat. 1783–287, and Pub. L. 99–591, § 101(i) [H.R. 5233, title II], Oct. 30, 1986, 100 Stat. 3341–287.
Pub. L. 99–178, title II, Dec. 12, 1985, 99 Stat. 1113.

§ 171. Repealed. Pub. L. 98–621, § 10(e), Nov. 8, 1984, 98 Stat. 3379

Section, acts Aug. 24, 1912, ch. 355, 37 Stat. 461; July 1, 1916, ch. 209, 39 Stat. 309, related to determining per capita costs of patients at Saint Elizabeths Hospital.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 172. Repealed. Pub. L. 98–621, § 10(f)(1), Nov. 8, 1984, 98 Stat. 3380

Section, act Aug. 7, 1882, ch. 433, 22 Stat. 330, related to sale of surplus products and waste materials of Saint Elizabeths Hospital.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§§ 173, 174. Repealed. June 30, 1949, ch. 288, title VI, § 602(a)(20), (21), formerly title V, § 602(a)(20), (21), 63 Stat. 400, 401, eff. July 1, 1949; renumbered Sept. 5, 1950, ch. 849, § 6(a), (b), 64 Stat. 583

Section 173, act Aug. 1, 1914, ch. 223, 38 Stat. 649, related to sale or exchange of typewriter machines and other equipment.

Section 174, act June 12, 1917, ch. 27, 40 Stat. 153, related to exchange of laundry machines and other equipment.

§ 175. Repealed. Pub. L. 98–621, § 10(g), Nov. 8, 1984, 98 Stat. 3380

Section, act Apr. 17, 1917, ch. 3, 40 Stat. 19, related to rental payments for system of telephones at Saint Elizabeths Hospital.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 176. Repealed. Pub. L. 98–621, § 10(c), Nov. 8, 1984, 98 Stat. 3379

Section, acts Mar. 6, 1920, ch. 94, 41 Stat. 513; 1940 Reorg. Plan No. IV, § 11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; 1953 Reorg. Plan No. 1, § 5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, § 509(b), 93 Stat. 695, related to disposition of articles made by patients of Saint Elizabeths Hospital.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 177. Repealed. Pub. L. 98–621, § 10(h), Nov. 8, 1984, 98 Stat. 3380

Section, acts June 30, 1906, ch. 3914, 34 Stat. 730; Feb. 2, 1909, ch. 58, § 1, 35 Stat. 592; July 1, 1916, ch. 209, 39 Stat. 309; 1940 Reorg. Plan No. IV, § 11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; 1953 Reorg. Plan No. 1, § 5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, § 509(b), 93 Stat. 695, related to disposition of money belonging to deceased inmates of Saint Elizabeths Hospital and claims thereto.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 178. Repealed. Oct. 31, 1951, ch. 654, § 1(46), 65 Stat. 703

Section, act Oct. 6, 1917, ch. 79, 40 Stat. 373, related to revocable permit to hospital to use certain lands.

§ 179. Repealed. Aug. 7, 1946, ch. 770, § 1(59), 60 Stat. 871

Section, acts June 4, 1880, ch. 121, 21 Stat. 156; July 1, 1916, ch. 209, 39 Stat. 309, related to annual report of Superintendent to Congress.

Prior to this repeal, 1940 Reorg. Plan No. IV, § 11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236, set out in the Appendix to Title 5, Government Organization and Employees, directed that the annual report required by this section be submitted through the Federal Security Administrator.

§ 180. Repealed. Pub. L. 98–621, § 10(i), Nov. 8, 1984, 98 Stat. 3380

Section, acts May 9, 1941, ch. 101, 55 Stat. 186; 1953 Reorg. Plan No. 1, § 5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, § 509(b), 93 Stat. 695, related to American Red Cross buildings on Saint Elizabeths Hospital reservation.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§§ 181 to 184. Repealed. Pub. L. 98–621, § 10(j), Nov. 8, 1984, 98 Stat. 3380

Section 181, acts Nov. 7, 1941, ch. 469, § 1, 55 Stat. 760; 1953 Reorg. Plan No. 1, § 5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, § 509(b), 93 Stat. 695, related to acceptance of gifts by Secretary of Health and Human Services for Saint Elizabeths Hospital.

Section 182, act Nov. 7, 1941, ch. 469, § 2, 55 Stat. 760, related to deposit, investment, and use of gifts accepted for Saint Elizabeths Hospital.

Section 183, act Nov. 7, 1941, ch. 469, § 3, 55 Stat. 761, related to deposit and liquidation of, and expenditure of income from gifts of intangible property accepted under section 181 of this title.

Section 184, acts Nov. 7, 1941, ch. 469, § 4, 55 Stat. 761; 1953 Reorg. Plan No. 1, § 5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, § 509(b), 93 Stat. 695, related to use, lease, liquidation, etc. of gifts of realty or tangible personalty accepted under section 181 of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 185. Repealed. Pub. L. 98–621, § 10(d)(1), Nov. 8, 1984, 98 Stat. 3379

Section, acts Aug. 4, 1947, ch. 478, § 5, 61 Stat. 751; 1953 Reorg. Plan No. 1, § 5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, § 509(b), 93 Stat. 695, related to availability for various expenditures of appropriations for care of persons in Saint Elizabeths Hospital.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

SUBCHAPTER II—INMATES; BURDEN OF EXPENSES THEREOF; DETENTION OF INSANE

§ 191. Repealed. Pub. L. 98–621, § 10(a), Nov. 8, 1984, 98 Stat. 3379

Section, R.S. § 4843; Feb. 9, 1900, ch. 13, 31 Stat. 7; Aug. 24, 1912, ch. 391, § 3, 37 Stat. 591; Oct. 15, 1966, Pub. L. 89–670, § 6(b), 80 Stat. 938, related to admission to Saint Elizabeths Hospital of insane persons from the Army, Navy, Air Force, Marine Corps, and Coast Guard.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 191a. Repealed. Pub. L. 86–571, § 10(a), July 5, 1960, 74 Stat. 310

Section, act Oct. 29, 1941, ch. 462, 55 Stat. 756, authorized admission to Saint Elizabeths Hospital of Foreign Service personnel adjudged insane in a foreign country. See section 321 et seq. of this title.

EFFECTIVE DATE OF REPEAL

Section 10 of Pub. L. 86–571 provided that the repeal of this section and section 196a of this title is effective upon the date of enactment of legislation appropriating funds for carrying out section 321 et seq. of this title.

§ 192. Repealed. Pub. L. 98–621, § 10(k), Nov. 8, 1984, 98 Stat. 3380

Section, acts July 1, 1916, ch. 209, 39 Stat. 309; Aug. 29, 1916, ch. 417, 39 Stat. 558; Oct. 6, 1917, ch. 79, 40 Stat. 373,

related to admission to Saint Elizabeths Hospital of insane prisoners of war and interned persons.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 193. Repealed. July 1, 1944, ch. 373, title XIII, § 1313, 58 Stat. 714

Section, acts Mar. 3, 1875, ch. 156, § 5, 18 Stat. 486; July 1, 1902, ch. 1370, § 1, 32 Stat. 712; Aug. 14, 1912, ch. 288, § 1, 37 Stat. 309; July 1, 1916, ch. 209, 39 Stat. 309; July 1, 1918, ch. 113, 40 Stat. 644; 1939 Reorg. Plan No. I, §§ 201, 205, eff. July 1, 1939, 4 F.R. 2728, 2729, 53 Stat. 1424, 1425; 1940 Reorg. Plan No. IV, § 11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236, provided for admission of insane patients of Public Health Service to Saint Elizabeths Hospital. See section 222 of Title 42, The Public Health and Welfare.

RENUMBERING OF REPEALING ACT

For renumbering of act July 1, 1944, which repealed this section, see note set out under sections 1, 2 of this title.

§ 194. Repealed. Pub. L. 98–621, § 10(*l*), Nov. 8, 1984, 98 Stat. 3380

Section, acts July 7, 1884, ch. 332, 23 Stat. 213; July 1, 1916, ch. 209, 39 Stat. 309, related to admission to Saint Elizabeths Hospital of insane inmates of Soldiers' and Airmen's Home.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 195. Repealed. Pub. L. 98–621, § 10(f)(2), Nov. 8, 1984, 98 Stat. 3380

Section, acts Aug. 7, 1882, ch. 433, 22 Stat. 330; Feb. 20, 1905, ch. 593, 33 Stat. 731; July 1, 1916, ch. 209, 39 Stat. 309; July 3, 1930, ch. 863, § 2, 46 Stat. 1016, related to admission to Saint Elizabeths Hospital of insane inmates of the National Home for Disabled Volunteer Soldiers.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 195a. Repealed. Pub. L. 98–621, § 10(d)(1), Nov. 8, 1984, 98 Stat. 3379

Section, acts Aug. 4, 1947, ch. 478, § 1, 61 Stat. 751; 1953 Reorg. Plan No. 1, § 5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, § 509(b), 93 Stat. 695, related to admission to Saint Elizabeths Hospital of beneficiaries of the Bureau of Indian Affairs.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 196. Repealed. Pub. L. 98–621, § 10(m), Nov. 8, 1984, 98 Stat. 3380

Section, acts June 12, 1917, ch. 27, 40 Stat. 179; 1940 Reorg. Plan No. IV, § 11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; 1953 Reorg. Plan No. 1, § 5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 18, 1962, Pub. L. 87–845, § 6, 76A Stat. 699; Oct. 17, 1979, Pub. L. 96–88, title V, § 509(b), 93 Stat. 695, related to transfer to Saint Elizabeths Hospital of American citizens adjudged insane in Canal Zone.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 196a. Repealed. Pub. L. 86–571, § 10(b), July 5, 1960, 74 Stat. 310

Section, acts Mar. 2, 1929, ch. 509, 45 Stat. 1495; June 25, 1936, ch. 804, 49 Stat. 1921, authorized transfer to Saint Elizabeths Hospital of American citizens adjudged insane in Canada. See section 321 et seq. of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective upon the date of enactment of legislation appropriating funds for carrying out section 321 et seq. of this title, see Effective Date of Repeal note set out under section 191a of this title.

§ 196b. Repealed. Pub. L. 98–621, § 10(n), Nov. 8, 1984, 98 Stat. 3380

Section, acts July 18, 1940, ch. 638, 54 Stat. 766; July 18, 1950, ch. 464, § 1, 64 Stat. 343; 1953 Reorg. Plan No. 1, § 5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, § 509(b), 93 Stat. 695, related to transfer to Saint Elizabeths Hospital of persons adjudged insane in Virgin Islands.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 197. Repealed. Pub. L. 98–621, § 10(*o*), Nov. 8, 1984, 98 Stat. 3380

Section, acts Mar. 3, 1901, ch. 853, 31 Stat. 1163; July 1, 1916, ch. 209, 39 Stat. 309; Sept. 2, 1958, Pub. L. 85–857, § 13(b), 72 Stat. 1264, related to contracts for care, maintenance, and treatment of insane members of Army.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 198. Repealed. Pub. L. 98–621, § 10(p), Nov. 8, 1984, 98 Stat. 3381

Section, acts May 11, 1908, ch. 163, 35 Stat. 122; July 1, 1916, ch. 209, 39 Stat. 309, related to care of insane natives of Philippine Islands serving in Army.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§§ 199, 200. Repealed. Pub. L. 98–621, § 10(k)(2), Nov. 8, 1984, 98 Stat. 3380

Section 199, act Oct. 6, 1917, ch. 79, 40 Stat. 373, related to transfer of insane patients from military hospitals to nearest public hospitals.

Section 200, acts Oct. 6, 1917, ch. 79, 40 Stat. 373; 1940 Reorg. Plan No. IV, § 11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; 1953, Reorg. Plan No. 1, § 5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, § 509(b), 93 Stat. 695, related to transfer of part of appropriations for support of patients at Saint Elizabeths Hospital to public hospitals for patient support.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 201. Repealed. Pub. L. 98–621, § 10(a), Nov. 8, 1984, 98 Stat. 3379

Section, R.S. § 4844; act July 1, 1916, ch. 209, 39 Stat. 309, provided for admission of indigent insane persons of the District of Columbia.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 202. Repealed. Pub. L. 98–621, § 10(u), Nov. 8, 1984, 98 Stat. 3381

Section, acts Mar. 3, 1877, ch. 105, 19 Stat. 347; July 1, 1916, ch. 209, 39 Stat. 309, related to expense of indigent insane admitted from District of Columbia.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 203. Repealed. Pub. L. 98–621, § 10(v), Nov. 8, 1984, 98 Stat. 3381

Section, acts Mar. 3, 1879, ch. 182, 20 Stat. 395; July 1, 1916, ch. 209, 39 Stat. 309, related to payment of part of expense from appropriations for District of Columbia.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 204. Repealed. Pub. L. 98–621, § 10(a), Nov. 8, 1984, 98 Stat. 3379

Section, R.S. §§ 4853, 4854; act July 1, 1916, ch. 209, 39 Stat. 309, related to private patients from the District of Columbia.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 205. Repealed. Pub. L. 88–597, § 19(d), Sept. 15, 1964, 78 Stat. 953

Section, R.S. § 4849; act July 1, 1916, ch. 209, 39 Stat. 309, related to insane persons from District of Columbia having property. Prior to repeal, section was set out as D.C. Code, § 21–319.

§ 206. Repealed. Pub. L. 98–621, § 10(a), Nov. 8, 1984, 98 Stat. 3379

Section, R.S. § 4850, related to admission of nonresidents of District of Columbia.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§ 207. Omitted

CODIFICATION

Section, acts Jan. 31, 1899, ch. 78, § 7, 30 Stat. 811; July 1, 1916, ch. 209, 39 Stat. 309, related to return of nonresident indigent insane in District of Columbia.

Section, which had been set out as section 17 of Title 16 of the 1929 edition of the D.C. Code, was omitted from the 1940 edition of the D.C. Code as superseded by section 8 of act Aug. 9, 1939, ch. 620, 53 Stat. 1297 (D.C. Code, § 21–317). The act of Aug. 9, 1939, was repealed by Pub. L. 88–597, § 19(a), Sept. 15, 1964, 78 Stat. 953.

§§ 208 to 210h. Repealed. Pub. L. 89–183, § 8, Sept. 14, 1965, 79 Stat. 784, 785, 787

Section 208, acts Mar. 3, 1903, ch. 1006, 32 Stat. 1043; Feb. 23, 1905, ch. 738, § 1, 33 Stat. 740, related to proceedings to determine mental conditions of insane persons in the District of Columbia.

Section 209, act Feb. 23, 1905, ch. 738, § 1, 33 Stat. 740, related to a jury trial in proceedings to determine mental conditions of insane persons in the District of Columbia.

Section 210, acts Feb. 23, 1905, ch. 738, § 2, 33 Stat. 740; July 1, 1916, ch. 209, 39 Stat. 309; June 25, 1936, ch. 804, 49 Stat. 1921, related to discharge of insane person from District of Columbia institution as cured.

Section 210a, acts Oct. 11, 1949, ch. 672, § 1, 63 Stat. 759; Aug. 30, 1964, Pub. L. 88–505, 78 Stat. 638, related to commitment of certain persons suspected of mental illness, found in areas in Virginia and Maryland under exclusive or concurrent jurisdiction.

Section 210b, act Oct. 11, 1949, ch. 672, § 2, 63 Stat. 760, related to power of apprehension and detention of certain persons suspected of mental illness.

Section 210c, act Oct. 11, 1949, ch. 672, § 3, 63 Stat. 761, related to admission upon application and release.

Section 210d, act Oct. 11, 1949, ch. 672, § 4, 63 Stat. 761, related to authorization to receive persons for observation and diagnosis.

Section 210e, act Oct. 11, 1949, ch. 672, § 5, 63 Stat. 761, related to examination, proceedings for adjudication, and expense of care and treatment.

Section 210f, act Oct. 11, 1949, ch. 672, § 6, 63 Stat. 761, related to transfer of military personnel apprehended or detained.

Section 210g, act Oct. 11, 1949, ch. 672, § 7, 63 Stat. 761, related to persons entitled to care and treatment in a Veterans' Administration facility.

Section 210h, act Oct. 11, 1949, ch. 672, § 8, 63 Stat. 761, related to payment of expenses of transfer to state hospitals or to the custody of relatives.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 1, 1966, see section 7 of Pub. L. 89–183.

§§ 211 to 211b. Repealed. Pub. L. 98–621, § 10(a), Nov. 8, 1984, 98 Stat. 3379

Section 211, R.S. § 4851; July 1, 1916, ch. 209, 39 Stat. 309; 1940 Reorg. Plan No. IV, § 11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; 1953 Reorg. Plan No. 1, § 5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, § 509(b), 93 Stat. 695, related to admission to Saint Elizabeths Hospital of insane persons accused of crimes.

Section 211a, R.S. § 4852; July 1, 1916, ch. 209, 39 Stat. 309, related to admission to Saint Elizabeths Hospital of insane convicts.

Section 211b, R.S. § 4855; July 1, 1916, ch. 209, 39 Stat. 309, related to insane persons in Saint Elizabeths Hospital who are accused of crimes and their delivery to court upon restoration of sanity.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§§ 212 to 214. Repealed. Pub. L. 98–621, § 10(q), Nov. 8, 1984, 98 Stat. 3381

Section 212, acts June 23, 1874, ch. 465, § 1, 18 Stat. 251; Aug. 7, 1882, ch. 433, 22 Stat. 330; July 1, 1916, ch. 209, 39 Stat. 309; 1940 Reorg. Plan No. IV, § 11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; 1953 Reorg. Plan No. 1, § 5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, § 509(b), 93 Stat. 695, related to transfer to Saint Elizabeths Hospital of insane prisoners.

Section 213, acts June 23, 1874, ch. 465, § 2, 18 Stat. 251; July 1, 1916, ch. 209, 39 Stat. 309, related to accommoda-

tion of insane convicts in State asylums and compensation therefor.

Section 214, act June 23, 1874, ch. 465, §3, 18 Stat. 252, related to return of transferred insane convicts and prisoners to prison on restoration of their sanity.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

§§215 to 220. Repealed. Pub. L. 88–597, §19(c), Sept. 15, 1964, 78 Stat. 953

Section 215, act Apr. 27, 1904, ch. 1618, §1, 33 Stat. 316, related to apprehension and detention of certain insane persons in District of Columbia.

Section 216, act Apr. 27, 1904, ch. 1618, §2, 33 Stat. 317, related to arrest at other than public places in District of Columbia.

Section 217, acts Apr. 27, 1904, ch. 1618, §3, 33 Stat. 317; July 1, 1916, ch. 209, 39 Stat. 309, related to temporary detention of alleged insane persons found in District of Columbia.

Section 218, acts Apr. 27, 1904, ch. 1618, §4, 33 Stat. 317; July 1, 1916, ch. 209, 39 Stat. 309, related to temporary commitment of persons found in District of Columbia to other hospital, or detention in police station.

Section 219, acts Apr. 27, 1904, ch. 1618, §5, 33 Stat. 318; Aug. 14, 1912, ch. 288, §1, 37 Stat. 309, related to certificate by physician as to sanity or insanity found in District of Columbia.

Section 220, act Apr. 27, 1904, ch. 1618, §6, 33 Stat. 318, related to making false affidavit or certificate.

§§221, 222. Repealed. Pub. L. 98–621, §10(a), Nov. 8, 1984, 98 Stat. 3379

Section 221, R.S. §4856; June 25, 1936, ch. 804, 49 Stat. 1921; June 25, 1948, ch. 646, §32(b), 62 Stat. 991; May 24, 1949, ch. 139, §127, 63 Stat. 107, related to discharge of insane patients on bond.

Section 222, R.S. §4857, provided that no insane person not charged with any breach of the peace should ever be confined in the United States jail in the District of Columbia.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title.

SUBCHAPTER III—MENTAL HEALTH SERVICE FOR DISTRICT OF COLUMBIA

§225. Findings and purposes

(a) The Congress makes the following findings:

(1) Governmentally administered mental health services in the District of Columbia are currently provided through two separate public entities, the federally administered Saint Elizabeths Hospital and the Mental Health Services Administration of the District of Columbia Department of Human Resources.

(2) The District of Columbia has a continuing responsibility to provide mental health services to its residents.

(3) The Federal Government, through its operation of a national mental health program at Saint Elizabeths Hospital, has for over 100 years assisted the District of Columbia in carrying out that responsibility.

(4) Since its establishment by Congress in 1855, Saint Elizabeths Hospital has developed into a respected national mental health hospital and study, training, and treatment center, providing a range of quality mental health and related services, including—

(i) acute and chronic inpatient psychiatric care;

(ii) outpatient psychiatric and substance abuse clinical and related services;

(iii) Federal court system forensic psychiatry referral, evaluation, and patient treatment services for prisoners, and for individuals awaiting trial or requiring post-trial or post-sentence psychiatric evaluation;

(iv) patient care and related services for designated classes of individuals entitled to mental health benefits under Federal law, such as certain members and employees of the United States Armed Forces and the Foreign Service, and residents of American overseas dependencies;

(v) District of Columbia court system forensic psychiatry referral, evaluation, and patient treatment services for prisoners, and for individuals awaiting trial or requiring post-trial or postsentence psychiatric evaluation;

(vi) programs for special populations such as the mentally ill deaf;

(vii) support for basic and applied clinical psychiatric research and related patient services conducted by the National Institute of Mental Health and other institutions; and

(viii) professional and paraprofessional training in the major mental health disciplines.

(5) The continuation of the range of services currently provided by federally administered Saint Elizabeths Hospital must be assured, as these services are integrally related to—

(i) the availability of adequate mental health services to District of Columbia residents, nonresidents who require mental health services while in the District of Columbia, individuals entitled to mental health services under Federal law, and individuals referred by both Federal and local court systems; and

(ii) the Nation's capacity to increase our knowledge and understanding about mental illness and to facilitate and continue the development and broad availability of sound and modern methods and approaches for the treatment of mental illness.

(6) The assumption of all or selected functions, programs, and resources of Saint Elizabeths Hospital from the Federal Government by the District of Columbia, and the integration of those functions, resources, and programs into a comprehensive mental health care system administered solely by the District of Columbia, will improve the efficiency and effectiveness of the services currently provided through those two separate entities by shifting the primary focus of care to an integrated community-based system.

(7) Such assumption of all or selected functions, programs, and resources of Saint Elizabeths Hospital by the District of Columbia would further the principle of home rule for the District of Columbia.

(b) It is the intent of Congress that—

(1) the District of Columbia have in operation no later than October 1, 1993, an inte-

grated coordinated mental health system in the District which provides—

(A) high quality, cost-effective, and community-based programs and facilities;

(B) a continuum of inpatient and outpatient mental health care, residential treatment, and support services through an appropriate balance of public and private resources; and

(C) assurances that patient rights and medical needs are protected;

(2) the comprehensive District mental health care system be in full compliance with the Federal court consent decree in Dixon v. Heckler;

(3) the District and Federal Governments bear equitable shares of the costs of a transition from the present system to a comprehensive District mental health system;

(4) the transition to a comprehensive District mental health system provided for by this subchapter be carried out with maximum consideration for the interests of employees of the Hospital and provide a right-of-first-refusal to such employees for employment at comparable levels in positions created under the system implementation plan;

(5) the Federal Government have the responsibility for the retraining of Hospital employees to prepare such employees for the requirements of employment in a comprehensive District mental health system;

(6) the Federal Government continue high quality mental health research, training, and demonstration programs at Saint Elizabeths Hospital;

(7) the District government establish and maintain accreditation and licensing standards for all services provided in District mental health facilities which assure quality care consistent with appropriate Federal regulations and comparable with standards of the Joint Commission on Accreditation of Hospitals; and

(8) the comprehensive mental health system plan include a component for direct services for the homeless mentally ill.

(Pub. L. 98–621, § 2, Nov. 8, 1984, 98 Stat. 3369; Pub. L. 102–150, § 3(a), Oct. 31, 1991, 105 Stat. 980.)

REFERENCES IN TEXT

This subchapter, referred to in subsec. (b)(4), was in the original ''this Act'', meaning Pub. L. 98–621, Nov. 8, 1984, 98 Stat. 3369, known as the Saint Elizabeths Hospital and District of Columbia Mental Health Services Act. For complete classification of this Act to the Code, see Short Title note below and Tables.

AMENDMENTS

1991—Subsec. (b)(1). Pub. L. 102–150 substituted ''October 1, 1993'' for ''October 1, 1991''.

EFFECTIVE DATE

Section 12, formerly § 11, of Pub. L. 98–621, renumbered § 12, Pub. L. 102–150, § 4(1), Oct. 31, 1991, 105 Stat. 981, provided that:

''(a) Except as provided in subsection (b), this Act [see Short Title note below] shall take effect on October 1, 1985.''

''(b) Section 10 [amending section 324 of this title and repealing sections 161, 164 to 166, 168, 168a, 169, 169a, 170 to 172, 175 to 177, 180 to 185, 191, 192, 194, 195, 195a, 196, 196b, 197 to 204, 206, 211 to 214, 221, and 222 of this title and section 300aa–3 of Title 42, The Public Health and Welfare] shall take effect on October 1, 1987.''

SHORT TITLE OF 1991 AMENDMENT

Section 1 of Pub. L. 102–150 provided that: ''This Act [enacting section 225h of this title, amending this section and sections 225b and 225f of this title, and renumbering provisions set out as a note under this section] may be cited as the 'District of Columbia Mental Health Program Assistance Act of 1991'.''

SHORT TITLE

Section 1 of Pub. L. 98–621 provided that: ''This Act [enacting this subchapter, amending section 324 of this title, repealing sections 161, 164 to 166, 168, 168a, 169, 169a, 170 to 172, 175 to 177, 180 to 185, 191, 192, 194, 195, 195a, 196, 196b, 197 to 204, 206, 211 to 214, 221, and 222 of this title and section 300aa–3 of Title 42, The Public Health and Welfare] may be cited as the 'Saint Elizabeths Hospital and District of Columbia Mental Health Services Act'.''

§ 225a. Definitions

For the purpose of this subchapter:

(1) The term ''Hospital'' means the institution in the District of Columbia known as Saint Elizabeths Hospital operated on November 8, 1984, by the Secretary of Health and Human Services.

(2) The term ''Secretary'' means the Secretary of Health and Human Services.

(3) The term ''Mayor'' means the Mayor of the District of Columbia.

(4) The term ''District'' means the District of Columbia.

(5) The term ''Federal court consent decree'' means the consent decree in Dixon v. Heckler, Civil Action No. 74–285.

(6) The term ''service coordination period'' means a period beginning on October 1, 1985, and terminating on October 1, 1987.

(7) The term ''financial transition period'' means a period beginning on October 1, 1985, and terminating on October 1, 1991.

(8) The term ''system implementation plan'' means the plan for a comprehensive mental health system for the District of Columbia to be developed pursuant to this subchapter.

(9) The term ''Council'' means the Council of the District of Columbia.

(Pub. L. 98–621, § 3, Nov. 8, 1984, 98 Stat. 3371.)

§ 225b. Development of plan for mental health system for the District

(a) Responsibility for mental health services; effective date; final system implementation plan; comprehensive mental health program

(1) Subject to subsection (g) of this section and section 225g(b)(1) of this title, effective October 1, 1987, the District shall be responsible for the provision of mental health services to residents of the District.

(2) Not later than October 1, 1993, the Mayor shall complete the implementation of the final system implementation plan reviewed by the Congress and the Council in accordance with the provisions of this subchapter for the establishment of a comprehensive District mental health system to provide mental health services and programs through community mental health facilities to individuals in the District of Columbia.

(b) Mayor; preliminary system implementation plan; final implementation plan; submission to and review by Council and Congressional committees

(1) The Mayor shall prepare a preliminary system implementation plan for a comprehensive mental health system no later than 3 months from October 1, 1985, and a final implementation plan no later than 12 months from October 1, 1985.

(2) The Mayor shall submit the preliminary system implementation plan to the Council no later than 3 months from October 1, 1985. The Council shall review such plan and transmit written recommendations to the Mayor regarding any revisions to such plan no later than 60 days after such submission. The Mayor shall submit the revised preliminary plan to the Committee on the District of Columbia of the House of Representatives and the Committee on Labor and Human Resources and the Committee on Governmental Affairs of the Senate for review and comment in accordance with the provisions of this subchapter.

(3) The final system implementation plan shall be considered by the Council consistent with the provisions of section 422(12) of the District of Columbia Home Rule Act.

(4) After the review of the Council pursuant to paragraph (3), the Mayor shall submit the final implementation plan to the Committee on the District of Columbia of the House of Representatives and the Committee on Labor and Human Resources and the Committee on Governmental Affairs of the Senate for review and comment in accordance with the provisions of this subchapter.

(c) Contents of system implementation plan

The system implementation plan shall—

(1) propose and describe an integrated, comprehensive, and coordinated mental health system for the District of Columbia;

(2) identify the types of treatment to be offered, staffing patterns, and the proposed sites for service delivery within the District of Columbia comprehensive mental health system;

(3) identify mechanisms to attract and retain personnel of appropriate number and quality to meet the objectives of the comprehensive mental health system;

(4) be in full compliance with the Federal court consent decree in Dixon v. Heckler and all applicable District of Columbia statutes and court decrees;

(5) identify those positions, programs, and functions at Saint Elizabeths Hospital which are proposed for assumption by the District, those facilities at Saint Elizabeths Hospital which are proposed for utilization by the District under a comprehensive District mental health system, and the staffing patterns and programs at community facilities to which the assumed functions are to be integrated;

(6) identify any capital improvements to facilities at Saint Elizabeths Hospital and elsewhere in the District of Columbia proposed for delivery of mental health services, which are necessary for the safe and cost effective delivery of mental health services; and

(7) identify the specific real property, buildings, improvements, and personal property to be transferred pursuant to section 225f(a)(1) of this title needed to provide mental health and other services provided by the Department of Human Services under the final system implementation plan.

(d) Consultation; labor-management advisory committee; public comments

(1) The Mayor shall develop the system implementation plan in close consultation with officials of Saint Elizabeths Hospital, through working groups to be established by the Secretary and the Mayor for that purpose.

(2) The Mayor and the Secretary shall establish a labor-management advisory committee, requesting the participation of Federal and District employee organizations affected by this subchapter, to make recommendations on the system implementation plan. The committee shall consider staffing patterns under a comprehensive District mental health care system, retention of Hospital employees under such system, Federal retraining for such employees, and any other areas of concern related to the establishment of a comprehensive District system. In developing the system implementation plan the Mayor shall carefully consider the recommendations of the committee. Such advisory committee shall not be subject to the Federal Advisory Committee Act.

(3) The Mayor and such working groups shall, in developing the plan, solicit comments from the public, which shall include professional organizations, provider agencies and individuals, and mental health advocacy groups in the District of Columbia.

(e) Shift of selected program responsibilities and staff resources; commercial activity proposals; exemption of certain studies

(1) The Mayor and the Secretary may, during the service coordination period, by mutual agreement and consistent with the requirements of the system implementation plan direct the shift of selected program responsibilities and staff resources from Saint Elizabeths Hospital to the District. The Secretary may assign staff occupying positions in affected programs to work under the supervision of the District. The Mayor shall notify the Committee on the District of Columbia of the House of Representatives and the Committee on Labor and Human Resources and the Committee on Governmental Affairs of the Senate in writing of any planned shift in program responsibilites[1] or staff resources not less than 30 days prior to the implementation of such shift.

(2)(A) Except as provided in subparagraph (B), after October 1, 1984, and during the service coordination period, no request for proposals may be issued by the Secretary for any areas of commercial activity at the Hospital pursuant to Office of Management and Budget circular A–76.

(B) The limitation under subparagraph (A) shall not apply to studies initiated pursuant to such circular prior to October 1, 1984.

[1] So in original. Probably should be ''responsibilities''.

(f) Financial and physical plant audits; repairs and renovations; maintenance of facilities and infrastructure

(1) To assist the Mayor in the development of the system implementation plan, the Secretary shall contract for a financial audit and a physical plant audit of all existing facilities at the Hospital to be completed by January 1, 1986. The financial audit shall be conducted according to generally accepted accounting principles. The physical plant audit shall recognize any relevant national and District codes and estimate the useful life of existing facility support systems.

(2)(A) Pursuant to such physical plant audit, the Secretary shall initiate not later than October 1, 1987, and, except as provided under an agreement entered into pursuant to subparagraph (C), complete not later than October 1, 1993, such repairs and renovations to such physical plant and facility support systems of the Hospital as are to be utilized by the District under the system implementation plan as part of a comprehensive District mental health system, as are necessary to meet any applicable code requirements or standards.

(B) At a minimum until October 1, 1987, the Secretary shall maintain all other facilities and infrastructure of the Hospital not assumed by the District in the condition described in such audit.

(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.

(g) Service coordination period; responsibility for providing services

During the service coordination period, the District of Columbia and the Secretary, to the extent provided in the Federal court consent decree, shall be jointly responsible for providing citizens with the full range and scope of mental health services set forth in such decree and the system implementation plan. No provision of this subchapter or any action or agreement during the service coordination period may be so construed as to absolve or relieve the District or the Federal Government of their joint or respective responsibilities to implement fully the mandates of the Federal court consent decree.

(Pub. L. 98–621, § 4, Nov. 8, 1984, 98 Stat. 3371; Pub. L. 102–150, §§ 2, 3(a), Oct. 31, 1991, 105 Stat. 980; Pub. L. 105–33, title XI, § 11717(b), Aug. 5, 1997, 111 Stat. 786.)

REFERENCES IN TEXT

Section 422 of the District of Columbia Home Rule Act, referred to in subsec. (b)(3), is section 422 of Pub. L. 93–198, title IV, Dec. 24, 1973, 87 Stat. 790, as amended, which is not classified to the Code.

The Federal Advisory Committee Act, referred to in subsec. (d)(2), is Pub. L. 92–463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in Title 5, Appendix, Government Organization and Employees.

AMENDMENTS

1997—Subsec. (b)(3). Pub. L. 105–33 substituted ''District of Columbia Home Rule Act'' for ''District of Columbia Self-Government and Governmental Reorganization Act''.

1991—Subsec. (a)(2). Pub. L. 102–150, § 3(a), substituted ''October 1, 1993'' for ''October 1, 1991''.

Subsec. (f)(2)(A). Pub. L. 102–150, §§ 2(1), 3(a), substituted ''and, except as provided under an agreement entered into pursuant to subparagraph (C), complete'' for ''and complete'' and ''October 1, 1993'' for ''October 1, 1991''.

Subsec. (f)(2)(C). Pub. L. 102–150, § 2(2), added subpar. (C).

CHANGE OF NAME

Committee on Governmental Affairs of Senate changed to Committee on Homeland Security and Governmental Affairs of Senate, effective Jan. 4, 2005, by Senate Resolution No. 445, One Hundred Eighth Congress, Oct. 9, 2004.

Committee on Labor and Human Resources of Senate changed to Committee on Health, Education, Labor, and Pensions of Senate by Senate Resolution No. 20, One Hundred Sixth Congress, Jan. 19, 1999.

EFFECTIVE DATE OF 1997 AMENDMENT

Amendment by Pub. L. 105–33 effective Oct. 1, 1997, except as otherwise provided in title XI of Pub. L. 105–33, see section 11721 of Pub. L. 105–33, set out as a note under section 4246 of Title 18, Crimes and Criminal Procedure.

ABOLITION OF HOUSE COMMITTEE ON THE DISTRICT OF COLUMBIA

Committee on the District of Columbia of House of Representatives abolished by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995. References to Committee on the District of Columbia treated as referring to Committee on Government Reform and Oversight of House of Representatives, see section 1(b) of Pub. L. 104–14, set out as a note preceding section 21 of Title 2, The Congress. Committee on Government Reform and Oversight of House of Representatives changed to Committee on Government Reform of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

TERMINATION OF CLAIMS

Pub. L. 109–396, title I, § 102, Dec. 15, 2006, 120 Stat. 2712, provided that:

''(a) IN GENERAL.—Notwithstanding any other provision of law, the United States is not required to perform, or to reimburse the District of Columbia for the cost of performing, any of the following services:

''(1) Repairs or renovations pursuant to section 4(f) of the Saint Elizabeths Hospital and District of Columbia Mental Health Services Act (24 U.S.C. 225b(f); sec. 44–903(f), D.C. Official Code).

''(2) Preservation, maintenance, or repairs pursuant to a use permit executed on September 30, 1987, under which the United States (acting through the Secretary of Health and Human Services) granted permission to the District of Columbia to use and occupy portions of the Saint Elizabeths Hospital property known as the 'West Campus'.

''(3) Mental health diagnostic and treatment services for referrals as described in section 9(b) of the Saint Elizabeths Hospital and District of Columbia Mental Health Services Act (24 U.S.C. 225g(b); sec. 44–908(b), D.C. Official Code), but only with respect to services provided on or before the date of the enactment of this Act [Dec. 15, 2006].

''(b) EFFECT ON PENDING CLAIMS.—Any claim of the District of Columbia against the United States for the failure to perform, or to reimburse the District of Columbia for the cost of performing, any service described in subsection (a) which is pending as of the date of the enactment of this Act shall be extinguished and terminated.''

§ 225c. Congressional review of system implementation plan

(a) The Committee on the District of Columbia of the House of Representatives and the Committee on Labor and Human Resources and the Committee on Governmental Affairs of the Senate shall review the preliminary system implementation plan transmitted by the Mayor pursuant to section 225b of this title to determine the extent of its compliance with the provisions of section 225(b) of this title and section 225b of this title, and transmit written recommendations regarding any revisions to the preliminary plan to the Mayor not later than 60 days after receipt of such plan.

(b) The Committee on the District of Columbia of the House of Representatives and the Committee on Labor and Human Resources and the Committee on Governmental Affairs of the Senate shall, within 90 days of submission of the final system implementation plan by the Mayor pursuant to section 225b of this title, review such plan to determine the extent to which it is in compliance with the provisions of section 225(b) of this title and section 225b of this title.

(Pub. L. 98–621, § 5, Nov. 8, 1984, 98 Stat. 3374.)

CHANGE OF NAME

Committee on Governmental Affairs of Senate changed to Committee on Homeland Security and Governmental Affairs of Senate, effective Jan. 4, 2005, by Senate Resolution No. 445, One Hundred Eighth Congress, Oct. 9, 2004.

Committee on Labor and Human Resources of Senate changed to Committee on Health, Education, Labor, and Pensions of Senate by Senate Resolution No. 20, One Hundred Sixth Congress, Jan. 19, 1999.

ABOLITION OF HOUSE COMMITTEE ON THE DISTRICT OF COLUMBIA

Committee on the District of Columbia of House of Representatives abolished by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995. References to Committee on the District of Columbia treated as referring to Committee on Government Reform and Oversight of House of Representatives, see section 1(b) of Pub. L. 104–14, set out as a note preceding section 21 of Title 2, The Congress. Committee on Government Reform and Oversight of House of Representatives changed to Committee on Government Reform of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

§ 225d. Transition provisions for employees of Hospital

(a) Retirement opportunity

Employees of the Hospital directly affected by the assumption of programs and functions by the District government who meet the requirements for immediate retirement under the provisions of section 8336(d) of title 5 shall be accorded the opportunity to retire during the 30-day period prior to the assumption of such programs and functions.

(b) Specific number and types of positions; transfer to District employment

(1) The system implementation plan shall prescribe the specific number and types of positions needed by the District government at the end of the service coordination period.

(2) Notwithstanding section 3503 of title 5, employees of the Hospital shall only be transferred to District employment under the provisions of this section.

(c) Retention list; reemployment priority list; right-of-first-refusal; retention registers; employee appeals

(1) While on the retention list or the District or Federal agency reemployment priority list, the system implementation plan shall provide to Hospital employees a right-of-first-refusal to District employment in positions for which such employees may qualify, (A) created under the system implementation plan in the comprehensive District mental health system, (B) available under the Department of Human Services of the District, and (C) available at the District of Columbia General Hospital.

(2) In accordance with Federal regulations, the Secretary shall establish retention registers of Hospital employees and provide such retention registers to the District government. Employment in positions identified in the system implementation plan under subsection (b) of this section shall be offered to Hospital employees by the District government according to each such employee's relative standing on the retention registers.

(3) Employee appeals concerning the retention registers established by the Secretary shall be in accordance with Federal regulations.

(4) Employee appeals concerning employment offers by the District shall be in accordance with the District of Columbia Government Comprehensive Merit Personnel Act of 1978.

(d) Federal agency reemployment priority list; right-of-first-refusal; Department of Health and Human Services; separation; maintenance of lists; District agency reemployment priority list; refusal of employment offer; acceptance of nontemporary employment

(1) Notwithstanding any other provision of law, employees of the Hospital, while on the Federal agency reemployment priority list, shall have a right-of-first-refusal to employment in comparable available positions for which they qualify within the Department of Health and Human Services in the Washington metropolitan area.

(2) If necessary to separate employees of the Hospital from Federal employment, such employees may be separated only under Federal reduction-in-force procedures.

(3) A Federal agency reemployment priority list and a displaced employees program shall be maintained for employees of the Hospital by the Secretary and the Office of Personnel Management in accordance with Federal regulations for Federal employees separated by reduction-in-force procedures.

(4) The Mayor shall create and maintain, in consultation with the Secretary, a District agency reemployment priority list of those em-

ployees of the Hospital on the retention registers who are not offered employment under subsection (c) of this section. Individuals who refuse an offer of employment under subsection (c) of this section shall be ineligible for inclusion on the District agency reemployment priority list. Such reemployment priority list shall be administered in accordance with procedures established pursuant to the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Law 2–139).

(5) Acceptance of nontemporary employment as a result of referral from any retention list or agency reemployment priority list shall automatically terminate an individual's severance pay as of the effective date of such employment.

(e) Contracts; mental health services; preferences

Any contract entered into by the District of Columbia for the provision of mental health services formerly provided by or at the Hospital shall require the contractor or provider, in filling new positions created to perform under the contract, to give preference to qualified candidates on the District agency reemployment priority list created pursuant to subsection (d) of this section. An individual who is offered nontemporary employment with a contractor shall have his or her name remain on the District agency reemployment priority list under subsection (d) of this section for not more than 24 months from the date of acceptance of such employment.

(Pub. L. 98–621, § 6, Nov. 8, 1984, 98 Stat. 3374.)

REFERENCES IN TEXT

The District of Columbia Government Comprehensive Merit Personnel Act of 1978, referred to in subsecs. (c)(4) and (d)(4), is D.C. Law 2–139, Mar. 3, 1979, as amended, which is not classified to the Code.

CONTINUED COVERAGE UNDER CERTAIN FEDERAL EMPLOYEE BENEFITS PROGRAMS FOR CERTAIN EMPLOYEES OF SAINT ELIZABETHS HOSPITAL

For provisions relating to treatment of certain Federal employees of Saint Elizabeths Hospital under certain Federal employee benefit programs, see section 207(*o*) of Pub. L. 99–335, set out as a note under section 8331 of Title 5, Government Organization and Employees.

§ 225e. Conditions of employment for former employees of Hospital

(a) Individuals accepting employment; without service breaks

Each individual accepting employment without a break in service with the District government pursuant to section 225d of this title shall—

(1) except as specifically provided in this subchapter, be required to meet all District qualifications other than licensure requirements for appointment required of other candidates, and shall become District employees in the comparable District service subject to the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, and all other statutes and regulations governing District personnel;

(2) meet all licensure requirements within 18 months of appointment by the District government;

(3) notwithstanding chapter 63 of title 5, transfer accrued annual and sick leave balances pursuant to title XII of the District of Columbia Comprehensive Merit Personnel Act of 1978;

(4) have the grade and rate of pay determined in accordance with regulations established pursuant to title XI of the District of Columbia Comprehensive Merit Personnel Act of 1978, except that no employee shall suffer a loss in the basic rate of pay or in seniority;

(5) if applicable, retain a rate of pay including the physician's comparability allowance under the provisions of section 5948 of title 5, and continue to receive such allowance under the terms of the then prevailing agreement until its expiration or for a period of 2 years from the date of appointment by the District government, whichever occurs later;

(6) be entitled to the same health and life insurance benefits as are available to District employees in the applicable service;

(7) if employed by the Federal Government before January 1, 1984, continue to be covered by the United States Civil Service Retirement System, under chapter 83 of title 5, to the same extent that such retirement system covers District Government[1] employees; and

(8) if employed by the Federal Government on or after January 1, 1984, be subject to the retirement system applicable to District government employees pursuant to title XXVI, Retirement, of the District of Columbia Government Comprehensive Merit Personnel Act of 1978.

(b) Exemption from residency requirements

An individual appointed to a position in the District government without a break in service, from the retention list, or from the District or Federal agency reemployment priority lists shall be exempt from the residency requirements of title VIII of the District of Columbia Government Comprehensive Merit Personnel Act of 1978.

(c) Compensation; work related injuries

An individual receiving compensation for work injuries pursuant to chapter 81 of title 5 shall—

(1) continue to have the claims adjudicated and the related costs paid by the Federal Government until such individual recovers and returns to duty;

(2) if medically recovered and returned to duty, have any subsequent claim for the recurrence of the disability determined and paid under the provisions of title XXIII of the District of Columbia Comprehensive Merit Personnel Act of 1978.

(d) Actions by District against individuals accepting employment

The District government may initiate or continue an action against an individual who accepts employment under section 225d(c) of this title for cause related to events that occur prior to the end of the service coordination period. Any such action shall be conducted in accordance with such Federal laws and regulations

[1] So in original. Probably should not be capitalized.

under which action would have been conducted had the assumption of function by the District not occurred.

(e) Commissioned public health service officers

Commissioned public health service officers detailed to the District of Columbia mental health system shall not be considered employees for purposes of any full-time employee equivalency total of the Department of Health and Human Services.

(f) Former patient employees

For purposes of this section, Hospital employees shall include former patient employees occupying career positions at the Hospital.

(Pub. L. 98–621, § 7, Nov. 8, 1984, 98 Stat. 3375.)

REFERENCES IN TEXT

The District of Columbia Government Comprehensive Merit Personnel Act of 1978, referred to in subsecs. (a)(1), (3), (4), (8), (b), and (c)(2), is D.C. Law 2–139, Mar. 3, 1979, as amended, which is not classified to the Code.

§ 225f. Property transfer

(a) Authority of Secretary; exclusion of certain real property

(1) Except as provided in paragraph (2), on October 1, 1987, the Secretary shall transfer to the District, without compensation, all right, title, and interest of the United States in all real property at Saint Elizabeths Hospital in the District of Columbia together with any buildings, improvements, and personal property used in connection with such property needed to provide mental health and other services provided by the Department of Human Services indentified[1] pursuant to section 225b(c)(7) of this title.

(2) Such real property as is identified by the Secretary by September 30, 1987, as necessary to Federal mental health programs at Saint Elizabeths Hospital under section 225(b)(5) of this title shall not be transferred under this subsection.

(b) Preparation of master plan; consultation; approval; property transfer; exclusion of Oxon Cove Park

On or before October 1, 1992, the Mayor shall prepare, and submit to the Committee on the District of Columbia of the House of Representatives and the Committees on Governmental Affairs and Labor and Human Resources of the Senate, a master plan, not inconsistent with the comprehensive plan for the National Capital, for the use of all real property, buildings, improvements, and personal property comprising Saint Elizabeths Hospital in the District of Columbia not transferred or excluded pursuant to subsection (a) of this section. In developing such plan, the Mayor shall consult with, and provide an opportunity for review by, appropriate Federal, regional, and local agencies. Such master plan submitted by the Mayor shall be approved by a law enacted by the Congress within the 2-year period following the date such plan is submitted to the Committee on the District of Columbia of the House of Representatives and the Committees on Governmental Affairs and Labor and Human Resources of the Senate. Immediately upon the approval of any such law, the Secretary shall transfer to the District, without compensation, all right, title, and interest of the United States in and to such property in accordance with such approved plan. The real property, together with the buildings and other improvements thereon, including personal property used in connection therewith, known as the Oxon Cove Park and operated by the National Park Service, Department of the Interior, shall not be transferred under this subchapter.

(c) Transfer of J.B. Johnson Building and grounds

On October 1, 1985, the Secretary shall transfer to the District, without compensation, all right, title, and interest of the United States to lot 87, square 622, in the subdivision made by the District of Columbia Redevelopment Land Agency, as per plat recorded in the Office of the Surveyor for the District of Columbia, in liber 154 at folio 149 (901 First Street N.W., the J.B. Johnson Building and grounds).

(Pub. L. 98–621, § 8, Nov. 8, 1984, 98 Stat. 3377; Pub. L. 102–150, § 3(b), Oct. 31, 1991, 105 Stat. 980.)

AMENDMENTS

1991—Subsec. (b). Pub. L. 102–150 substituted ''October 1, 1992'' for ''October 1, 1991'' and ''2-year'' for ''twelve-month''.

CHANGE OF NAME

Committee on Governmental Affairs of Senate changed to Committee on Homeland Security and Governmental Affairs of Senate, effective Jan. 4, 2005, by Senate Resolution No. 445, One Hundred Eighth Congress, Oct. 9, 2004.

Committee on Labor and Human Resources of Senate changed to Committee on Health, Education, Labor, and Pensions of Senate by Senate Resolution No. 20, One Hundred Sixth Congress, Jan. 19, 1999.

ABOLITION OF HOUSE COMMITTEE ON THE DISTRICT OF COLUMBIA

Committee on the District of Columbia of House of Representatives abolished by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995. References to Committee on the District of Columbia treated as referring to Committee on Government Reform and Oversight of House of Representatives, see section 1(b) of Pub. L. 104–14, set out as a note preceding section 21 of Title 2, The Congress. Committee on Government Reform and Oversight of House of Representatives changed to Committee on Government Reform of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

§ 225g. Financing provisions

(a) Authorization of appropriations

There are authorized to be appropriated for grants by the Secretary of Health and Human Services to the District of Columbia comprehensive mental health system, $30,000,000 for fiscal year 1988, $24,000,000 for fiscal year 1989, $18,000,000 for fiscal year 1990, and $12,000,000 for fiscal year 1991.

(b) Federal agencies; payments to District of costs for treatment of certain patients; responsibility of U.S. for service costs

(1) Beginning on October 1, 1987, and in each subsequent fiscal year, the appropriate Federal

[1] So in original. Probably should be ''identified''.

agency is directed to pay the District of Columbia the full costs for the provision of mental health diagnostic and treatment services for the following types of patients:

(A) Any individual referred to the system pursuant to a Federal statute or by a responsible Federal agency.

(B) Any individual referred to the system for emergency detention or involuntary commitment after being taken into custody (i) as a direct result of the individual's action or threat of action against a Federal official, (ii) as a direct result of the individual's action or threat of action on the grounds of the White House or of the Capitol, or (iii) under chapter 9 of title 21 of the District of Columbia Code.

(C) Any individual referred to the system as a result of a criminal proceeding in a Federal court (including an individual admitted for treatment, observation, and diagnosis and an individual found incompetent to stand trial or found not guilty by reason of insanity). The preceding provisions of this paragraph apply to any individual referred to the system (or to Saint Elizabeths Hospital) before or after November 8, 1984.

(2) The responsibility of the United States for the cost of services for individuals described in paragraph (1) shall not affect the treatment responsibilities to the District of Columbia under the Interstate Compact on Mental Health.

(c) Financial responsibility during coordination period

(1) During the service coordination and the financial transition periods, the District of Columbia shall gradually assume a greater share of the financial responsibility for the provision of mental health services provided by the system to individuals not described in subsection (b) of this section.

(2) Omitted

(d) Shared responsibility for capital improvements

Subject to section 225b(f)(2) of this title, capital improvements to facilities at Saint Elizabeths Hospital authorized during the service coordination period shall be the shared responsibility of the District and the Federal Government in accordance with Public Law 83–472.

(e) Unassigned liabilities; sole responsibility of Federal Government

Pursuant to the financial audit under section 225b(f) of this title, any unassigned liabilities of the Hospital shall be assumed by and shall be the sole responsibility of the Federal Government.

(f) Audit to determine liability of Federal Government for accrued annual leave balances; authorization of appropriations

(1) After the service coordination period, the Secretary shall conduct an audit, under generally accepted accounting procedures, to identify the liability of the Federal Government for accrued annual leave balances for those employees assumed by the District under the system implementation plan.

(2) There is authorized to be appropriated for payment by the Federal Government to the District an amount equal to the liability identified by such audit.

(g) Authority; District; collection of costs for mental health services

Nothing in this subchapter shall affect the authority of the District of Columbia under any other statute to collect costs billed by the District of Columbia for mental health services, except that payment for the same costs may not be collected from more than one party.

(h) Responsibility of United States for certain claims

The Government of the United States shall be solely responsible for—

(1) all claims and causes of action against Saint Elizabeths Hospital that accrue before October 1, 1987, regardless of the date on which legal proceedings asserting such claims were or may be filed, except that the United States shall, in the case of any tort claim, only be responsible for any such claim against the United States that accrues before October 1, 1987, and the United States shall not compromise or settle any claim resulting in District liability without the consent of the District, which consent shall not be unreasonably withheld; and

(2) all claims that result in a judgment or award against Saint Elizabeths Hospital before October 1, 1987.

(Pub. L. 98–621, § 9, Nov. 8, 1984, 98 Stat. 3377.)

REFERENCES IN TEXT

Public Law 83–472, referred to in subsec. (d), is act July 2, 1954, ch. 457, 68 Stat. 434, as amended, known as the Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1955. Certain provisions of this Act relating to Saint Elizabeths Hospital and appearing at 68 Stat. 443, were repealed by section 10(d)(2) of Pub. L. 98–621 effective Oct. 1, 1987. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Subsec. (c)(2) of this section amended section 502 of the District of Columbia Self-Government and Governmental Reorganization Act (Pub. L. 93–198, title V, Dec. 24, 1973, 87 Stat. 813), which is not classified to the Code.

§ 225h. Buy American provisions

(a) Applicability

The Mayor shall insure that the requirements of the Buy American Act of 1933, as amended [41 U.S.C. 10a et seq.], apply to all procurements made under this subchapter.

(b) Determination by 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 [41 U.S.C. 10a et seq.] with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any agreement,[1] between the United States

[1] So in original. The comma probably should not appear.

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 subchapter 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 [41 U.S.C. 10a et seq.] was waived pursuant to any agreement described in subsection (a)(2) of this section, 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 subcontract made with funds authorized under this subchapter[2] 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[3] (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 subchapter, pursuant to the debarment, suspension, and ineligibility procedures in subpart 9.4 of chapter 1 of title 48, Code of Federal Regulations.

(Pub. L. 98–621, § 11, as added Pub. L. 102–150, § 4(2), Oct. 31, 1991, 105 Stat. 981.)

REFERENCES IN TEXT

The Buy American Act of 1933, and the Buy American Act, referred to in subsecs. (a) to (d), is title III of act Mar. 3, 1933, ch. 212, 47 Stat. 1520, as amended, known as the Buy American Act, which is classified generally to sections 10a, 10b, and 10c of Title 41, Public Contracts. For complete classification of this Act to the Code, see Short Title note set out under section 10a of Title 41 and Tables.

The Trade Agreement Act of 1979, referred to in subsec. (c), probably means the Trade Agreements Act of 1979, Pub. L. 96–39, July 26, 1979, 93 Stat. 144, as amended. For complete classification of this Act to the Code, see References in Text note set out under section 2501 of Title 19, Customs Duties, and Tables.

This subchapter, referred to in subsec. (e), was in the original ''this title'' and was translated as reading ''this Act'', meaning Pub. L. 98–621, which is classified principally to this subchapter, to reflect the probable intent of Congress, because Pub. L. 98–621 does not contain titles.

[2] See References in Text note below.

[3] So in original. Probably should be followed by ''subsection''.

CHAPTER 5—COLUMBIA INSTITUTION FOR THE DEAF

§§ 231 to 250. Omitted

CODIFICATION

Sections 231 to 250, relating to Columbia Institution for the Deaf, were transferred to sections 31–1001 to 31–1020 of the District of Columbia Code and subsequently repealed by acts Aug. 6, 1946, ch. 770, § 1(61), 60 Stat. 871; June 18, 1954, ch. 324, § 9, 68 Stat. 267; Dec. 24, 1970, Pub. L. 91–587, § 5, 84 Stat. 1579. The Columbia Institution for the Deaf was redesignated Gallaudet College by act June 18, 1954, and thereafter redesignated Gallaudet University by Pub. L. 99–371, title I, § 101(a), Aug. 4, 1986, 100 Stat. 781, which is classified to subchapter I (§ 4301 et seq.) of chapter 55 of Title 20, Education.

CHAPTER 6—FREEDMEN'S HOSPITAL

§§ 261 to 264. Omitted

CODIFICATION

Sections 261 to 264 related to Freedmen's Hospital in the District of Columbia, and were also set out as sections 32–317 to 32–320 of the District of Columbia Code. Freedmen's Hospital was transferred to Howard University by Pub. L. 87–262, Sept. 21, 1961, 75 Stat. 542 (20 U.S.C. 124–129), section 7 of which repealed all laws specifically applicable to Freedmen's Hospital effective with the transfer. Sections 32–317 to 32–320 were omitted from the 1981 edition of the District of Columbia Code.

Section 261, R.S. § 2038; act June 23, 1874, ch. 455, 18 Stat. 223, related to direction of and expenditures for Freedmen's Hospital.

Section 262, acts June 26, 1912, ch. 182, § 1, 37 Stat. 172; May 29, 1928, ch. 901, § 1(78), 45 Stat. 992, related to admission of patients to Freedmen's Hospital, charges, and disposition of money collected.

Section 263, acts Mar. 3, 1905, ch. 1483, 33 Stat. 1190, Mar. 16, 1926, ch. 58, 44 Stat. 208, related to authority to contract for the care and treatment of persons from the District admitted to Freedmen's Hospital.

Section 264, act July 1, 1916, ch. 209, 39 Stat. 311, related to disposition of unclaimed money left at Freedmen's Hospital by deceased patients.

CHAPTER 7—NATIONAL CEMETERIES

Sec.
271 to 295. Repealed or Omitted.
295a. Arlington Memorial Amphitheater.
296. Repealed.

TRANSFER OF FUNCTIONS

Section 2 of Ex. Ord. No. 6166, June 10, 1933, as amended by Ex. Ord. No. 6229, July 27, 1934; Ex. Ord. No. 6614, Feb. 26, 1934; Ex. Ord. No. 6690, Apr. 25, 1934, set out as a note to section 901 of Title 5, Government Organization and Employees, transferred all functions of administrator of certain historical national cemeteries located within the continental limits of the United States, including certain cemeteries administered by the War Department to the Director of National Parks,