

Union Calendar No. 144

104TH CONGRESS  
1ST SESSION

**H. R. 2353**

[Report No. 104-275]

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## A BILL

To amend title 38, United States Code, to extend certain expiring authorities of the Department of Veterans Affairs relating to delivery of health and medical care, and for other purposes.

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OCTOBER 12, 1995

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 19, 1995

Mr. HUTCHINSON (for himself, Mr. EDWARDS, Mr. STUMP, and Mr. MONTGOMERY) introduced the following bill; which was referred to the Committee on Veterans' Affairs

OCTOBER 12, 1995

Additional sponsors: Mr. FLANAGAN, Mr. BISHOP, Mr. SMITH of New Jersey, Mr. BILIRAKIS, Ms. BROWN of Florida, Mr. WELLER, Mr. CLEMENT, and Mr. BARR of Georgia

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[Omit the part struck through and insert the part printed in italic]

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A BILL

To amend title 38, United States Code, to extend certain expiring authorities of the Department of Veterans Affairs relating to delivery of health and medical care, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. EXTENSION OF EXPIRING AUTHORITIES OF DE-**  
4 **PARTMENT OF VETERANS AFFAIRS.**

5        (a) HOSPITAL CARE AND MEDICAL SERVICES FOR  
6 PERSIAN GULF VETERANS EXPOSED TO TOXIC SUB-  
7 STANCES.—(1) Section 1710(e)(3) of title 38, United  
8 States Code, is amended by striking out “December 31,  
9 1995” and inserting in lieu thereof “December 31, 1998”.

10        (2) Section 1712(a)(1)(D) of such title is amended  
11 by striking out “December 31, 1995” and inserting in lieu  
12 thereof “December 31, 1998”.

13        (b) CONTRACT AUTHORITY FOR ALCOHOL AND DRUG  
14 ABUSE CARE.—Subsection (e) of section 1720A of such  
15 title is amended by striking out “December 31, 1995” and  
16 inserting in lieu thereof “December 31, 1997”.

17        (c) NURSING HOME CARE ALTERNATIVES.—(1) Sec-  
18 tion 1720C(a) of such title is amended by striking out  
19 “September 30, 1995” and inserting in lieu thereof “De-  
20 cember 31, 1997”.

21        (2) The Secretary of Veterans Affairs shall submit  
22 to Congress, not later than March 31, 1997, a report on  
23 the medical efficacy and cost effectiveness, and disadvan-  
24 tages and advantages, associated with the use by the Sec-

1 retary of noninstitutional alternatives to nursing home  
2 care.

3 (d) HEALTH SCHOLARSHIPS PROGRAM.—(1) Section  
4 7618 of such title is amended by striking out “December  
5 31, 1995” and inserting in lieu thereof “December 31,  
6 1997”.

7 (2)(A) The Secretary of Veterans Affairs shall submit  
8 to Congress, not later than March 31, 1997, a report set-  
9 ting forth the results of a study evaluating the operation  
10 of the health professional scholarship program under sub-  
11 chapter II of chapter 76 of title 38, United States Code.  
12 The study shall evaluate the efficacy of the program with  
13 respect to recruitment and retention of health care person-  
14 nel for the Department of Veterans Affairs and shall com-  
15 pare the costs and benefits of the program with the costs  
16 and benefits of alternative methods of ensuring adequate  
17 recruitment and retention of such personnel.

18 (B) The Secretary shall carry out the study under  
19 this paragraph through a private contractor. The report  
20 under subparagraph (A) shall include the report of the  
21 contractor and the comments, if any, of the Secretary on  
22 that report.

23 (e) ENHANCED-USE LEASES OF REAL PROPERTY.—  
24 (1) Section 8169 of such title is amended by striking out

1 “December 31, 1995” and inserting in lieu thereof “De-  
2 cember 31, 1997”.

3 (2) The Secretary of Veterans Affairs shall submit  
4 to Congress, not later than March 31, 1997, a report eval-  
5 uating the operation of the program under subchapter V  
6 of chapter 81 of title 38, United States Code.

7 (f) COMMUNITY-BASED RESIDENTIAL CARE FOR  
8 HOMELESS CHRONICALLY MENTALLY ILL VETERANS.—  
9 Section 115(d) of the Veterans’ Benefits and Services Act  
10 of 1988 (Public Law 100–322; 38 U.S.C. 1712 note) is  
11 amended by striking out “September 30, 1995” and in-  
12 serting in lieu thereof “December 31, 1997”.

13 (g) DEMONSTRATION PROGRAM OF COMPENSATED  
14 WORK THERAPY AND THERAPEUTIC TRANSITIONAL  
15 HOUSING.—Section 7 of Public Law 102–54 (38 U.S.C.  
16 1718 note) is amended—

17 (1) in subsection (a), by striking out “During  
18 fiscal years 1991 through 1995, the Secretary” and  
19 inserting in lieu thereof “The Secretary”; and

20 (2) by adding at the end the following:

21 “(m) SUNSET.—The authority for the demonstration  
22 program under this section expires on December 31,  
23 1997.”.

1 (h) HOMELESS VETERANS PILOT PROGRAM.—The  
2 Homeless Veterans Comprehensive Service Programs Act  
3 of 1992 (Public Law 102–590) is amended as follows:

4 (1) Section 2(a) (38 U.S.C. 7721 note) is  
5 amended by striking out “September 30, 1995” and  
6 inserting in lieu thereof “December 31, 1998”.

7 (2) Section 3(a) (38 U.S.C. 7721 note) is  
8 amended by striking out “, during fiscal years 1993,  
9 1994, and 1995,”.

10 (3) Section 12 (38 U.S.C. 7721 note) is amend-  
11 ed by striking out “each of the fiscal years 1993,  
12 1994, and 1995” and inserting in lieu thereof “each  
13 fiscal year through 1998”.

14 **SEC. 2. REPORTS.**

15 (a) REPORT ON CONSOLIDATION OF CERTAIN PRO-  
16 GRAMS.—The Secretary of Veterans Affairs shall submit  
17 to Congress, not later than March 1, 1997, a report on  
18 the advantages and disadvantages of consolidating into  
19 one program the following three programs:

20 (1) The alcohol and drug abuse contract care  
21 program under section 1720A of title 38, United  
22 States Code.

23 (2) The program to provide community-based  
24 residential care to homeless chronically mentally ill

1 veterans under section 115 of the Veterans' Benefits  
2 and Services Act of 1988 (38 U.S.C. 1712 note).

3 (3) The demonstration program under section 7  
4 of Public Law 102-54 (38 U.S.C. 1718 note).

5 (b) REPORT ON SCIENTIFIC EVIDENCE CONCERNING  
6 HEALTH CONSEQUENCES OF MILITARY SERVICE IN PER-  
7 SIAN GULF WAR.—(1) The Secretary of Veterans Affairs  
8 shall, in consultation with the National Academy of  
9 Sciences and with officials of other appropriate Federal  
10 departments and agencies, review the scientific evidence,  
11 and assess the strength of such evidence, concerning asso-  
12 ciation between military service in the Southwest Asia the-  
13 ater of operations during the Persian Gulf War and any  
14 disease that may be associated with such service.

15 (2) The Secretary shall, not later than March 1,  
16 1998, submit to the Committees on Veterans' Affairs of  
17 the Senate and the House of Representatives a report on  
18 the findings of the review and assessment under para-  
19 graph (1).

20 **SEC. 3. REPEAL OF AUTHORITY TO MAKE GRANTS TO VET-**  
21 **ERANS MEMORIAL MEDICAL CENTER IN THE**  
22 **PHILIPPINES.**

23 (a) REPEAL.—Section 1732 of title 38, United States  
24 Code, is amended—

25 (1) by striking out subsection (b);



1        *vided in subsection (e)), on every day on which the*  
2        *flag of the United States is displayed.”.*

3        *(b) EXCEPTION FOR CERTAIN DEPARTMENT OF VET-*  
4        *ERANS AFFAIRS MEDICAL CENTERS.—Such section is fur-*  
5        *ther amended—*

6            *(1) by redesignating subsection (e) as subsection*  
7            *(f); and*

8            *(2) by inserting after subsection (d) the following*  
9            *new subsection (e):*

10        *“(e) SPECIAL RULE FOR DISPLAY AT DEPARTMENT OF*  
11        *VETERANS AFFAIRS MEDICAL CENTERS.—(1) Upon a de-*  
12        *termination by the director of a Department of Veterans*  
13        *Affairs medical center that the daily display of the POW/*  
14        *MIA flag at that medical center may be detrimental to the*  
15        *treatment of patients at that center, the provisions of sub-*  
16        *section (a)(3) shall be inapplicable with respect to that med-*  
17        *ical center.*

18        *“(2) Whenever the director of a Department of Veter-*  
19        *ans Affairs medical center makes a determination described*  
20        *in paragraph (1), that officer shall submit a report on such*  
21        *determination, including the basis for the determination,*  
22        *to the Under Secretary for Health of the Department of Vet-*  
23        *erans Affairs.”.*

24        ~~(b)~~ *(c) PROCUREMENT AND DISTRIBUTION OF*  
25        *FLAGS.—(1) Subsection (c) of such section is amended by*

1 striking out “Within 30 days after the date of the enact-  
2 ment of this Act, the Administrator” and inserting in lieu  
3 thereof “The Administrator”.

4 (2) The Administrator of General Services shall carry  
5 out subsection (c) of section 1084 of the National Defense  
6 Authorization Act for Fiscal Years 1992 and 1993 (Public  
7 Law 102–190; 36 U.S.C. 189 note) with respect to the  
8 procurement and distribution of POW/MIA flags for the  
9 purposes of paragraph (3) of subsection (a) of such section  
10 (as added by subsection (a) of this section) within 30 days  
11 after the date of the enactment of this Act.

12 **SEC. 5. CONTRACTS FOR UTILITIES, AUDIE L. MURPHY ME-**  
13 **MORIAL HOSPITAL.**

14 (a) **AUTHORITY TO CONTRACT.**—Subject to sub-  
15 section (b), the Secretary of Veterans Affairs may enter  
16 into contracts for the provision of utilities (including  
17 steam and chilled water) to the Audie L. Murphy Memo-  
18 rial Hospital in San Antonio, Texas. Each such contract  
19 may—

20 (1) be for a period not to exceed 35 years;

21 (2) provide for the construction and operation  
22 of a production facility on or near property under  
23 the jurisdiction of the Secretary;

24 (3) require capital contributions by the parties  
25 involved for the construction of such a facility, such

1 contribution to be in the form of cash, equipment,  
2 or other in-kind contribution; and

3 (4) provide for a predetermined formula to  
4 compute the cost of providing such utilities to the  
5 parties for the duration of the contract.

6 (b) FUNDS.—A contract may be entered into under  
7 subsection (a) only to the extent that appropriations are  
8 available.

9 (c) ADDITIONAL TERMS.—The Secretary may include  
10 in a contract under subsection (a) such additional provi-  
11 sions as the Secretary considers necessary to secure the  
12 provision of utilities and to protect the interests of the  
13 United States.

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

15 **MEDICAL CENTER, WALLA WALLA, WASHING-**  
16 **TON.**

17 The Department of Veterans Affairs Medical Center  
18 located at 77 Wainwright Drive, Walla Walla, Washing-  
19 ton, shall after the date of the enactment of this Act be  
20 known and designated as the “Jonathan M. Wainwright  
21 Department of Veterans Affairs Medical Center”. Any ref-  
22 erence to that medical center in any law, regulation, map,  
23 document, paper, or other record of the United States  
24 shall be considered to be a reference to the Jonathan M.

1 Wainwright Department of Veterans Affairs Medical  
2 Center.