

Public Law 104-110  
104th Congress

An Act

Feb. 13, 1996  
[H.R. 2353]

To amend title 38, United States Code, to extend the authority of the Secretary of Veterans Affairs to carry out certain programs and activities, to require certain reports from the Secretary of Veterans Affairs, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**TITLE I—EXTENSIONS OF AUTHORITY**

**SEC. 101. EXTENSION OF AUTHORITIES UNDER TITLE 38, UNITED STATES CODE.**

(a) **AUTHORITY TO PROVIDE PRIORITY HEALTH CARE FOR CERTAIN VETERANS EXPOSED TO TOXIC SUBSTANCES.**—(1) Section 1710(e)(3) of title 38, United States Code, is amended by striking out “after June 30, 1995,” and all that follows through “December 31, 1995” and inserting in lieu thereof “after December 31, 1996”.

(2) Section 1712(a)(1)(D) of such title is amended by striking out “December 31, 1995,” and inserting in lieu thereof “December 31, 1996.”

(b) **DRUG AND ALCOHOL ABUSE AND DEPENDENCE.**—Section 1720A(e) of such title is amended by striking out “December 31, 1995” and inserting in lieu thereof “December 31, 1997”.

(c) **PILOT PROGRAM FOR NONINSTITUTIONAL ALTERNATIVES TO NURSING HOME CARE.**—Section 1720C(a) of such title is amended by striking out “September 30, 1995,” and inserting in lieu thereof “December 31, 1997.”

(d) **NEGOTIATED INTEREST RATES.**—Section 3703(c)(4) of such title is amended by striking out subparagraph (D).

(e) **MORTGAGES FOR ENERGY EFFICIENT IMPROVEMENTS.**—Section 3710(d) of such title is amended by striking out paragraph (7).

(f) **ENHANCED LOAN ASSET SALE AUTHORITY.**—Section 3720(h)(2) of such title is amended by striking out “December 31, 1995” and inserting in lieu thereof “December 31, 1996”.

(g) **AUTHORITY OF LENDERS OF AUTOMATICALLY GUARANTEED LOANS TO REVIEW APPRAISALS.**—Section 3731(f) of such title is amended by striking out paragraph (3).

(h) **AGREEMENTS FOR HOUSING ASSISTANCE FOR HOMELESS VETERANS.**—Section 3735(c) of such title is amended by striking out “December 31, 1995” and inserting in lieu thereof “December 31, 1997”.

(i) **USE OF DATA ON COMPENSATION FOR CERTIFIED REGISTERED NURSE ANESTHETISTS.**—Section 7451(d)(3)(C)(iii) of such title is

amended by striking out “April 1, 1995” and inserting in lieu thereof “January 1, 1998”.

(j) HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM.—Section 7618 of such title is amended by striking out “December 31, 1995” and inserting in lieu thereof “December 31, 1997”.

(k) ENHANCED-USE LEASES OF REAL PROPERTY.—Section 8169 of such title is amended by striking out “December 31, 1995” and inserting in lieu thereof “December 31, 1997”.

**SEC. 102. EXTENSION OF AUTHORITIES UNDER OTHER PROVISIONS OF LAW.**

(a) AUTHORITY FOR COMMUNITY-BASED RESIDENTIAL CARE FOR HOMELESS CHRONICALLY MENTALLY ILL VETERANS AND OTHER VETERANS.—Section 115(d) of the Veterans’ Benefits and Services Act of 1988 (38 U.S.C. 1712 note) is amended by striking out “September 30, 1995” and inserting in lieu thereof “December 31, 1997”.

(b) DEMONSTRATION PROGRAM OF COMPENSATED WORK THERAPY.—Section 7(a) of Public Law 102-54 (38 U.S.C. 1718 note) is amended by striking out “fiscal years 1991 through 1995” and inserting in lieu thereof “the period beginning on October 1, 1991, and ending on December 31, 1997,”.

(c) SERVICES AND ASSISTANCE TO HOMELESS VETERANS.—The Homeless Veterans Comprehensive Service Programs Act of 1992 (Public Law 102-590; 38 U.S.C. 7721 note) is amended—

(1) in section 2, by striking out “September 30, 1995,” and inserting in lieu thereof “September 30, 1997,”;

(2) in section 3(a)—

(A) by inserting “(1)” before “Subject to”;

(B) by striking out “fiscal years 1993, 1994, and 1995,”;

and

(C) by adding at the end the following new paragraph:

“(2) The authority of the Secretary to make grants under this section expires on September 30, 1997.”; and

(3) in section 12, by striking out “each of the fiscal years 1993, 1994, and 1995” and inserting in lieu thereof “each of fiscal years 1993 through 1997”.

(d) HOMELESS VETERANS’ REINTEGRATION PROJECTS.—(1) Section 738(e)(1) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11448(e)(1)) is amended by adding at the end the following:

“(D) \$10,000,000 for fiscal year 1996.”.

(2) Section 741 of such Act (42 U.S.C. 11450) is amended by striking out “October 1, 1995” and inserting in lieu thereof “December 31, 1997”.

**SEC. 103. RATIFICATION OF ACTIONS TAKEN DURING PERIOD OF EXPIRED AUTHORITY.**

38 USC 1710  
note.

Any action taken by the Secretary of Veterans Affairs before the date of the enactment of this Act under a provision of law amended by this title that was taken during the period beginning on the date on which the authority of the Secretary under that provision of law expired and ending on the date of the enactment of this Act shall be considered to have the same force and effect as if the amendment to that provision of law made by this title had been in effect at the time of that action.

## TITLE II—OTHER PROVISIONS

### SEC. 201. CODIFICATION OF HOUSING REPORTING REQUIREMENTS AND CHANGES IN THEIR FREQUENCY.

(a) CODIFICATION OF HOUSING RELATED REPORTING REQUIREMENTS.—(1) Chapter 37 of title 38, United States Code, is amended by adding after section 3735 the following new section:

#### “§ 3736. Reporting requirements

“The annual report required by section 529 of this title shall include a discussion of the activities under this chapter. Beginning with the report submitted at the close of fiscal year 1996, and every second year thereafter, this discussion shall include information regarding the following:

“(1) Loans made to veterans whose only qualifying service was in the Selected Reserve.

“(2) Interest rates and discount points which were negotiated between the lender and the veteran pursuant to section 3703(c)(4)(A)(i) of this title.

“(3) The determination of reasonable value by lenders pursuant to section 3731(f) of this title.

“(4) Loans that include funds for energy efficiency improvements pursuant to section 3710(a)(10) of this title.

“(5) Direct loans to Native American veterans made pursuant to subchapter V of this chapter.”

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 3735 the following new item:

“3736. Reporting requirements.”

(b) REPEAL OF SUPERSEDED REPORTING REQUIREMENTS.—The Veterans Home Loan Program Amendments of 1992 (Public Law 102-547; 106 Stat. 3633) is amended by striking out sections 2(c), 3(b), 8(d), 9(c), and 10(b).

### SEC. 202. OTHER REPORT REQUIREMENTS.

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

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

(2) The program to provide community-based residential care to homeless chronically mentally ill veterans under section 115 of the Veterans' Benefits and Services Act of 1988 (38 U.S.C. 1712 note).

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

(b) HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM.—(1) The Secretary shall submit to Congress, not later than March 31, 1997, a report setting forth the results of a study evaluating the operation of the health professional scholarship program under subchapter II of chapter 76 of title 38, United States Code. The study shall evaluate the efficacy of the program with respect to recruitment and retention of health care personnel for the Department of Veterans Affairs and shall compare the costs and benefits of the program

33 USC 3702  
note, 3703 note,  
3707 note, 3710  
note, 3761 note,  
38 USC 1720A  
note.

38 USC 7611  
note.

with the costs and benefits of alternative methods of ensuring adequate recruitment and retention of such personnel.

(2) The Secretary shall carry out the study under this paragraph through a private contractor. The report under paragraph (1) shall include the report of the contractor and the comments, if any, of the Secretary on that report.

Contracts.

(c) ENHANCED USE LEASES.—The Secretary shall submit to Congress, not later than March 31, 1997, a report evaluating the operation of the program under subchapter V of chapter 81 of title 38, United States Code.

38 USC 8161  
note.

**SEC. 203. CONTRACTS FOR UTILITIES, AUDIE L. MURPHY MEMORIAL HOSPITAL.**

Texas.

(a) AUTHORITY TO CONTRACT.—Subject to subsection (b), the Secretary of Veterans Affairs may enter into contracts for the provision of utilities (including steam and chilled water) to the Audie L. Murphy Memorial Hospital in San Antonio, Texas. Each such contract may—

- (1) be for a period not to exceed 35 years;
- (2) provide for the construction and operation of a production facility on or near property under the jurisdiction of the Secretary;
- (3) require capital contributions by the parties involved for the construction of such a facility, such contribution to be in the form of cash, equipment, or other in-kind contribution; and
- (4) provide for a predetermined formula to compute the cost of providing such utilities to the parties for the duration of the contract.

(b) FUNDS.—A contract may be entered into under subsection (a) only to the extent as provided for in advance in appropriations Acts.

(c) ADDITIONAL TERMS.—The Secretary may include in a contract under subsection (a) such additional provisions as the Secretary considers necessary to secure the provision of utilities and to protect the interests of the United States.

Approved February 13, 1996.

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**LEGISLATIVE HISTORY—H.R. 2353 (S. 991):**

HOUSE REPORTS: No. 104-275 (Comm. on Veterans' Affairs).

**CONGRESSIONAL RECORD:**

Vol. 141 (1995): Oct. 17, considered and passed House.

Vol. 142 (1996): Jan. 5, considered and passed Senate, amended, in lieu of S. 991.

Jan. 25, House concurred in Senate amendments with amendments.

Jan. 30, Senate concurred in House amendments.