

In the House of Representatives, U. S.,

October 7, 1994.

Resolved, That the House agree to the amendments of the Senate to the bill (H.R. 3313) entitled “An Act to amend title 38, United States Code, to improve health care services of the Department of Veterans Affairs relating to women veterans, to extend and expand authority for the Secretary of Veterans Affairs to provide priority health care to veterans who were exposed to ionizing radiation or to Agent Orange, to expand the scope of services that may be provided to veterans through Vet Centers, and for other purposes”, with the following

AMENDMENTS:

In lieu of the matter proposed to be inserted by said amendment to the text, insert:

1 ***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

2 (a) *SHORT TITLE.*—*This Act may be cited as the “Vet-*
3 *erans Health Programs Extension Act of 1994”.*

4 (b) *TABLE OF CONTENTS.*—*The table of contents of this*
5 *Act is as follows:*

Sec. 1. Short title; table of contents.

Sec. 2. References to title 38, United States Code.

TITLE I—GENERAL MEDICAL AUTHORITIES

Sec. 101. Sexual trauma counseling and services.

Sec. 102. Research relating to women veterans.

Sec. 103. Extension of expiring authorities.

Sec. 104. Facilities in Republic of the Philippines.

Sec. 105. Savings provision.

TITLE II—CONSTRUCTION AUTHORIZATION

Sec. 201. Authorization of major medical facility projects and major medical facility leases.

Sec. 202. Authorization of appropriations.

1 SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

2 *Except as otherwise expressly provided, whenever in*
3 *this Act an amendment or repeal is expressed in terms of*
4 *an amendment to, or repeal of, a section or other provision,*
5 *the reference shall be considered to be made to a section or*
6 *other provision of title 38, United States Code.*

7 **TITLE I—GENERAL MEDICAL**
8 **AUTHORITIES**

9 **SEC. 101. SEXUAL TRAUMA COUNSELING AND SERVICES.**

10 *(a) AUTHORITY TO PROVIDE TREATMENT SERVICES*
11 *FOR SEXUAL TRAUMA; REPEAL OF LIMITATION ON TIME*
12 *TO SEEK SERVICES.—Subsection (a) of section 1720D is*
13 *amended—*

14 *(1) by striking out paragraph (2); and*

15 *(2) by inserting after paragraph (1) the follow-*
16 *ing new paragraph (2):*

17 *“(2) During the period referred to in paragraph (1),*
18 *the Secretary may provide appropriate care and services*
19 *to a veteran for an injury, illness, or other psychological*
20 *condition that the Secretary determines to be the result of*
21 *a physical assault, battery, or harassment referred to in*
22 *that paragraph.”*

1 (b) *EXTENSION OF PERIOD OF AUTHORITY TO PRO-*
2 *VIDE SEXUAL TRAUMA SERVICES.*—Such subsection is fur-
3 *ther amended—*

4 (1) *in paragraph (1), by striking out “December*
5 *31, 1995,” and inserting in lieu thereof “December*
6 *31, 1998,”; and*

7 (2) *in paragraph (3), by striking out “December*
8 *31, 1994,” and inserting in lieu thereof “December*
9 *31, 1998.”*

10 (c) *REPEAL OF LIMITATION ON PERIOD OF RECEIPT*
11 *OF SERVICES.*—Such section is further amended—

12 (1) *by striking out subsection (b); and*

13 (2) *by redesignating subsections (c), (d), and (e)*
14 *as subsections (b), (c), and (d), respectively.*

15 (d) *COORDINATION OF CARE.*—Paragraph (1) of sub-
16 *section (b) of such section, as redesignated by subsection*
17 *(c)(2), is amended to read as follows:*

18 “(1) *The Secretary shall give priority to the establish-*
19 *ment and operation of the program to provide counseling*
20 *and care and services under subsection (a). In the case of*
21 *a veteran eligible for counseling and care and services under*
22 *subsection (a), the Secretary shall ensure that the veteran*
23 *is furnished counseling and care and services under this*
24 *section in a way that is coordinated with the furnishing*
25 *of such care and services under this chapter.”*

1 (e) *INCREASED PRIORITY OF CARE.*—Section 1712(i)
2 *is amended—*

3 (1) *in paragraph (1)—*

4 (A) *by inserting “(A)” after “To a veteran”;*
5 *and*

6 (B) *by inserting “, or (B) who is eligible for*
7 *counseling and care and services under section*
8 *1720D of this title, for the purposes of such coun-*
9 *seling and care and services” before the period at*
10 *the end; and*

11 (2) *in paragraph (2)—*

12 (A) *by striking out “, (B)” and inserting in*
13 *lieu thereof “or (B)”;* *and*

14 (B) *by striking out “, or (C)” and all that*
15 *follows through “such counseling”.*

16 (f) *PROGRAM REVISION.*—(1) *Section 1720D is further*
17 *amended—*

18 (A) *by striking out “woman” in subsection*
19 *(a)(1);*

20 (B) *by striking out “women” in subsection*
21 *(b)(2)(C) and in the first sentence of subsection (c),*
22 *as redesignated by subsection (c); and*

23 (C) *by striking out “women” in subsection*
24 *(c)(2), as so redesignated, and inserting in lieu there-*
25 *of “individuals”.*

1 *ices available under section 1720D of such title) and from*
2 *non-Department agencies or organizations.*

3 *(3) The telephone assistance service shall be operated*
4 *in a manner that protects the confidentiality of persons who*
5 *place calls to the system.*

6 *(4) The Secretary shall ensure that information about*
7 *the availability of the telephone assistance service is visibly*
8 *posted in Department medical facilities and is advertised*
9 *through public service announcements, pamphlets, and*
10 *other means.*

11 *(5) Not later than 18 months after the date of the en-*
12 *actment of this Act, the Secretary shall submit to Congress*
13 *a report on the operation of the telephone assistance service*
14 *required under section 1720D(c)(1) of title 38, United*
15 *States Code (as amended by paragraph (1)). The report*
16 *shall set forth the following:*

17 *(A) The number of persons who sought informa-*
18 *tion during the period covered by the report through*
19 *a toll free telephone number regarding services avail-*
20 *able to veterans relating to sexual trauma, with a sep-*
21 *arate display of the number of such persons arrayed*
22 *by State (as such term is defined in section 101(20)*
23 *of title 38, United States Code).*

24 *(B) A description of the training provided to the*
25 *personnel who provide such assistance.*

1 (C) *The recommendations and plans of the Sec-*
2 *retary for the improvement of the service.*

3 (h) *CONFORMING REPEAL.*—Section 102(b) of the Vet-
4 *erans Health Care Act of 1992 (Public Law 102–585; 106*
5 *Stat. 4946; 38 U.S.C. 1720D note) is repealed.*

6 **SEC. 102. RESEARCH RELATING TO WOMEN VETERANS.**

7 (a) *INCLUSION OF WOMEN AND MINORITIES IN CLINI-*
8 *CAL RESEARCH PROJECTS.*—Section 7303 is amended—

9 (1) *by transferring the text of subsection (c) to*
10 *the end of subsection (a)(1); and*

11 (2) *by striking out “(c)” and inserting in lieu*
12 *thereof the following:*

13 “(c)(1) *In conducting or supporting clinical research,*
14 *the Secretary shall ensure that, whenever possible and ap-*
15 *propriate—*

16 “(A) *women who are veterans are included as*
17 *subjects in each project of such research; and*

18 “(B) *members of minority groups who are veter-*
19 *ans are included as subjects of such research.*

20 “(2) *In the case of a project of clinical research in*
21 *which women or members of minority groups will under*
22 *paragraph (1) be included as subjects of the research, the*
23 *Secretary shall ensure that the project is designed and car-*
24 *ried out so as to provide for a valid analysis of whether*
25 *the variables being tested in the research affect women or*

1 *members of minority groups, as the case may be, differently*
2 *than other persons who are subjects of the research.”*

3 *(b) HEALTH RESEARCH.—(1) Such section is further*
4 *amended by adding after subsection (c), as added by sub-*
5 *section (a), the following new subsection:*

6 *“(d)(1) The Secretary, in carrying out the Secretary’s*
7 *responsibilities under this section, shall foster and encour-*
8 *age the initiation and expansion of research relating to the*
9 *health of veterans who are women.*

10 *“(2) In carrying out this subsection, the Secretary*
11 *shall consult with the following to assist the Secretary in*
12 *setting research priorities:*

13 *“(A) Officials of the Department assigned re-*
14 *sponsibility for women’s health programs and sexual*
15 *trauma services.*

16 *“(B) The members of the Advisory Committee on*
17 *Women Veterans.*

18 *“(C) Members of appropriate task forces and*
19 *working groups within the Department (including the*
20 *Women Veterans Working Group and the Task Force*
21 *on Treatment of Women Who Suffer Sexual Abuse).”*

22 *(2) Section 109 of the Veterans Health Care Act of*
23 *1992 (Public Law 102–585; 38 U.S.C. 7303 note) is re-*
24 *pealed.*

1 (c) *POPULATION STUDY.*—Section 110(a) of the Veter-
2 *ans Health Care Act of 1992 (Public Law 102–585; 106*
3 *Stat. 4948) is amended by adding at the end of paragraph*
4 *(3) the following: “If it is feasible to do so within the*
5 *amounts available for the conduct of the study, the Sec-*
6 *retary shall ensure that the sample referred to in paragraph*
7 *(1) constitutes a representative sampling (as determined by*
8 *the Secretary) of the ages, the ethnic, social and economic*
9 *backgrounds, the enlisted and officer grades, and the*
10 *branches of service of all veterans who are women.”.*

11 ***SEC. 103. EXTENSION OF EXPIRING AUTHORITIES.***

12 (a) *AUTHORITY TO PROVIDE PRIORITY HEALTH CARE*
13 *FOR VETERANS EXPOSED TO TOXIC SUBSTANCES.*—Chap-
14 *ter 17 is amended—*

15 (1) *in section 1710(e)(3)—*

16 (A) *by striking out “June 30, 1994” and*
17 *inserting in lieu thereof “June 30, 1995”; and*

18 (B) *by striking out “December 31, 1994”*
19 *and inserting in lieu thereof “December 31,*
20 *1995”; and*

21 (2) *in section 1712(a)(1)(D), by striking out*
22 *“December 31, 1994” and inserting in lieu thereof*
23 *“December 31, 1995”.*

1 (b) *DRUG AND ALCOHOL ABUSE AND DEPENDENCE.*—
2 Section 1720A(e) is amended by striking out “December 31,
3 1994” and inserting in lieu thereof “December 31, 1995”.

4 (c) *PILOT PROGRAM FOR NONINSTITUTIONAL ALTERNATIVES TO NURSING HOME CARE.*—(1) Effective as of October 1, 1994, subsection (a) of section 1720C is amended
5 to be amended by striking out “During the four-year period beginning on
6 October 1, 1990,” and inserting in lieu thereof “During the
7 period through September 30, 1995,”.
8 period through September 30, 1995,”.

9 (2) Such subsection is further amended by striking out
10 “care and who—” and inserting in lieu thereof “care. The
11 Secretary shall give priority for participation in such pro-
12 gram to veterans who—”.

13 (d) *ENHANCED-USE LEASES OF REAL PROPERTY.*—
14 Section 8169 is amended by striking out “December 31,
15 1994” and inserting in lieu thereof “December 31, 1995”.

16 (e) *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
17 note) is amended by striking out “September 30, 1994” and
18 inserting in lieu thereof “September 30, 1995”.

19 (f) *DEMONSTRATION PROGRAM OF COMPENSATED WORK THERAPY.*—Section 7(a) of Public Law 102-54 (105
20 note) is amended by striking out “September 30, 1994” and
21 inserting in lieu thereof “September 30, 1995”.

1 *Stat. 269; 38 U.S.C. 1718 note) is amended by striking out*
2 *“1994” and inserting in lieu thereof “1995”.*

3 *(g) REPORT DEADLINES.—Section 201(b) of the De-*
4 *partment of Veterans Affairs Nurse Pay Act of 1990 (Public*
5 *Law 101–366; 38 U.S.C. 1720C note) is amended by strik-*
6 *ing out “February 1, 1994,” and inserting in lieu thereof*
7 *“February 1, 1995.”.*

8 **SEC. 104. FACILITIES IN REPUBLIC OF THE PHILIPPINES.**

9 *Notwithstanding section 1724 of title 38, United States*
10 *Code, the Secretary of Veterans Affairs may contract with*
11 *facilities in the Republic of the Philippines other than the*
12 *Veterans Memorial Medical Center to furnish, during the*
13 *period from February 28, 1994, through June 1, 1994, hos-*
14 *pital care and medical services to veterans for nonservice-*
15 *connected disabilities if such veterans are unable to defray*
16 *the expenses of necessary hospital care. When the Secretary*
17 *determines it to be most feasible, the Secretary may provide*
18 *medical services under the preceding sentence to such veter-*
19 *ans at the Department of Veterans Affairs Outpatient Clin-*
20 *ic at Manila, Republic of the Philippines.*

21 **SEC. 105. RATIFICATION OF ACTIONS DURING PERIOD OF**
22 **LAPSED AUTHORITY.**

23 *Any action of the Secretary of Veterans Affairs under*
24 *section 1710(e) of title 38, United States Code, during the*

1 *period beginning on July 1, 1994, and ending on the date*
2 *of the enactment of this Act is hereby ratified.*

3 **TITLE II—CONSTRUCTION**
4 **AUTHORIZATION**

5 **SEC. 201. AUTHORIZATION OF MAJOR MEDICAL FACILITY**
6 **PROJECTS AND MAJOR MEDICAL FACILITY**
7 **LEASES.**

8 (a) *PROJECTS AUTHORIZED.*—*The Secretary of Veter-*
9 *ans Affairs may carry out the major medical facility*
10 *projects for the Department of Veterans Affairs, and may*
11 *carry out the major medical facility leases for that Depart-*
12 *ment, for which funds are requested in the budget of the*
13 *President for fiscal year 1995. The authorization in the pre-*
14 *ceding sentence applies to projects and leases which have*
15 *not been authorized, or for which funds have not been ap-*
16 *propriated, in any fiscal year before fiscal year 1995 and*
17 *to projects and leases which have been authorized, or for*
18 *which funds were appropriated, in fiscal years before fiscal*
19 *year 1995.*

20 (b) *ADDITIONAL PROJECTS.*—(1) *In addition to the*
21 *projects authorized in subsection (a), the Secretary may*
22 *carry out the following major medical facility projects in*
23 *the amounts specified for such projects:*

24 (A) *The projects that are proposed in the docu-*
25 *ments submitted to Congress by the Secretary of Vet-*

1 *erans Affairs in conjunction with the budget of the*
2 *President for fiscal year 1995 to be financed with*
3 *funds from the proposed Health Care Investment*
4 *Fund.*

5 *(B) Construction of a nursing home facility at*
6 *the Department of Veterans Affairs Medical Center in*
7 *Charleston, South Carolina, in the amount of*
8 *\$7,300,000.*

9 *(C) Construction of an outpatient care addition*
10 *at the Department of Veterans Affairs medical center*
11 *in Phoenix, Arizona, in the amount of \$50,000,000.*

12 *(D) A lease/purchase of a nursing home facility*
13 *near Fort Myers, Florida, in the amount of*
14 *\$12,800,000.*

15 *(2) The authorizations in paragraph (1) apply to*
16 *projects which have not been authorized, or for which funds*
17 *have not been appropriated, in any fiscal year before fiscal*
18 *year 1995 and to projects which have been authorized, or*
19 *for which funds were appropriated, in fiscal years before*
20 *fiscal year 1995.*

21 *(c) PROJECTS FOR WHICH FUNDS APPROPRIATED.—*
22 *In addition to the projects authorized in subsections (a) and*
23 *(b), the Secretary may carry out the following major medi-*
24 *cal facility projects for which funds were appropriated in*
25 *chapter 7 of the Emergency Supplemental Appropriations*

1 *Act of 1994 (title I of Public Law 103–211; 108 Stat. 10)*
2 *in the amounts specified:*

3 (1) *Construction of an ambulatory care/support*
4 *services facility at the Department of Veterans Affairs*
5 *Medical Center in Sepulveda, California, \$53,700,000.*

6 (2) *Other major medical facility projects re-*
7 *quired to repair, restore, or replace earthquake-dam-*
8 *aged facilities at the Department of Veterans Affairs*
9 *Medical Center in Sepulveda, California, \$50,000,000.*

10 **SEC. 202. AUTHORIZATION OF APPROPRIATIONS.**

11 (a) *IN GENERAL.*—*There are authorized to be appro-*
12 *priated to the Secretary of Veterans Affairs for fiscal year*
13 *1995—*

14 (1) *\$379,370,000 for the major medical facility*
15 *projects authorized in subsections (a), (b), and (c) of*
16 *section 201; and*

17 (2) *\$15,800,000 for the major medical facility*
18 *leases authorized in section 201(a).*

19 (b) *LIMITATION.*—*The projects authorized in sub-*
20 *sections (a) and (b) of section 201 may only be carried out*
21 *using—*

22 (1) *funds appropriated for fiscal year 1995 pur-*
23 *suant to the authorization of appropriations in sub-*
24 *section (a);*

1 (2) funds appropriated for Construction, Major
2 Projects for a fiscal year before fiscal year 1995 that
3 remain available for obligation; and

4 (3) funds appropriated for Construction, Major
5 Projects for fiscal year 1995 for a category of activity
6 not specific to a project.

7 (c) *LIMITATION ON CERTAIN PROJECTS.*—The projects
8 authorized in subsection (c) of section 201 may only be car-
9 ried out using—

10 (1) funds appropriated to the Construction,
11 Major Projects account under chapter 7 of the Emer-
12 gency Supplemental Appropriations Act of 1994 (title
13 I of Public Law 103–211; 108 Stat. 10) and funds
14 transferred by the President to the Construction,
15 Major Projects account pursuant to chapter 8 of that
16 Act (108 Stat. 14);

17 (2) funds appropriated to the Medical Care ac-
18 count by chapter 7 of the Emergency Supplemental
19 Appropriations Act of 1994 that are transferred to the
20 Construction, Major Projects account;

21 (3) funds appropriated to the Construction,
22 Major Projects account for a fiscal year before fiscal
23 year 1995 that remain available for obligation; and

1 (4) funds appropriated to the Construction,
2 Major Projects account for fiscal year 1995 for a cat-
3 egory of activity not specific to a project.

Amend the title so as to read: “An Act to amend title 38, United States Code, to extend certain expiring veterans’ health care programs, and for other purposes”.

Passed the House of Representatives October 7, 1994.

Attest:

Clerk.

103RD CONGRESS
2^D SESSION

H. R. 3313

**AMENDMENTS
TO**

SENATE AMENDMENTS