

HOMELESS VETERANS ASSISTANCE REAUTHORIZATION
ACT OF 2004

JUNE 9, 2004.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. SMITH of New Jersey, from the Committee on Veterans' Affairs,
submitted the following

R E P O R T

[To accompany H.R. 4248]

[Including cost estimate of the Congressional Budget Office]

The Committee on Veterans' Affairs, to whom was referred the bill (H.R. 4248) to amend title 38, United States Code, to extend the authority of the Secretary of Veterans Affairs to make grants to expand or modify existing comprehensive service programs for homeless veterans, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Homeless Veterans Assistance Reauthorization Act of 2004".

SEC. 2. EXTENSION OF AUTHORITY FOR SECRETARY OF VETERANS AFFAIRS TO MAKE GRANTS FOR ASSISTANCE TO HOMELESS VETERANS.

Section 2011(a)(2) of title 38, United States Code, is amended by striking "September 30, 2005" and inserting "September 30, 2008".

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 2013 of title 38, United States Code, is amended—

(1) in paragraph (4), by striking "\$75,000,000" and inserting "\$100,000,000";
and

(2) by adding at the end the following new paragraphs:

"(5) \$100,000,000 for fiscal year 2006.

"(6) \$100,000,000 for fiscal year 2007.

"(7) \$100,000,000 for fiscal year 2008."

SEC. 4. PERMANENT AUTHORITY FOR SECRETARY OF VETERANS AFFAIRS TO OPERATE SEXUAL TRAUMA COUNSELING PROGRAM.

Section 1720D(a) of title 38, United States Code, is amended—

- (1) in paragraph (1), by striking “During the period through December 31, 2004, the” and inserting “The”; and
- (2) in paragraph (2), by striking “, during the period through December 31, 2004,”.

INTRODUCTION

The reported bill reflects the Committee’s consideration of two bills in the 108th Congress, H.R. 4248 and H.R. 3849. On April 29, 2004, Honorable Christopher H. Smith and Honorable Lane Evans introduced H.R. 4248, the Homeless Veterans Assistance Reauthorization Act of 2004. On February 26, 2004, Honorable Ciro R. Rodriguez, Honorable Lane Evans, and Honorable Luis V. Gutierrez introduced H.R. 3849, the Military Sexual Trauma Counseling Act of 2004.

On May 6, 2004, the Subcommittee on Health held a legislative hearing to consider four bills and one draft legislative proposal. Among the bills discussed, testimony was received on H.R. 4248, to extend the authority of the Secretary to make grants to provide programs for homeless veterans through fiscal year 2008 and increase authority for appropriations from \$75 million to \$100 million; and H.R. 3849, to provide permanent authority for the Secretary to operate a program to provide counseling and treatment for veterans who while in military service experienced sexual trauma.

Witnesses who appeared before the Subcommittee included Honorable Gordon H. Mansfield, Deputy Secretary of Veterans Affairs, who was accompanied by Honorable Tim S. McClain, General Counsel; Jonathan B. Perlin, M.D., Acting Under Secretary for Health; and Mr. Thomas J. Hogan, Deputy Assistant Secretary for Human Resources Management. Witnesses also included Linda S. Schwartz, R.N., Dr.PH, Commissioner of the Connecticut Department of Veterans Affairs; Andrea Mengel, Ph.D., R.N., Head, Department of Nursing, Community College of Philadelphia, representing the American Association of Community Colleges; Mr. Robert Van Keuren, Chair of the VA Advisory Committee on Homeless Veterans and Ms. Marsha Four, R.N., Chair of the VA Advisory Committee on Women Veterans; Ms. Cathleen C. Wimblemo, Deputy Director, Health Care, The American Legion; Mr. Rick Weidman, Director, Government Relations, Vietnam Veterans of America; Mr. Richard Jones, National Legislative Director, AMVETS; Mr. Richard Fuller, National Legislative Director, Paralyzed Veterans of America; Mr. Dennis Cullinan, National Legislative Director, Veterans of Foreign Wars; and Mr. Adrian M. Atizado, Assistant National Legislative Director, Disabled American Veterans.

On May 13, 2004, the Subcommittee on Health met and unanimously ordered H.R. 4248, as amended, reported favorably to the full Committee by voice vote.

On May 18, 2004, the full Committee held an oversight hearing on the status of homeless assistance programs for veterans conducted by the Department of Veterans Affairs (VA), including its coordination with community-based providers and other Federal agencies, principally the Departments of Health and Human Serv-

ices (HHS) and Housing and Urban Development (HUD). The hearing provided an overview of VA's homeless assistance programs; the relationships that exist between VA and community-based providers; and a review of the Homeless Veterans Comprehensive Assistance Act of 2001 (P.L. 107-95), with an assessment of VA's progress in implementing this law. The Committee also examined the status of VA's implementation of the transitional housing authority passed by Congress in Public Law 105-368, the Veterans Programs Enhancement Act of 1998.

Witnesses who appeared before the Committee unanimously supported the homeless provisions in H.R. 4248 and included Mr. John Kuhn, LCSW, MPH, Homeless Program Coordinator, New Jersey Health Care System, Department of Veterans Affairs, who was accompanied by three veterans: Mr. Robert Valentino, Mr. Ralph Owens, and Mr. Thaddeus McNair. Richard McCormick, Ph.D., of Hudson, OH, also testified as a former Capital Asset Realignment for Enhanced Services (CARES) Commissioner and former VA employee with over 30 years of service as a clinician and mental health administrator in the Veterans Health Administration (VHA), which included responsibility for directing all mental health and homeless services in VISN 10, as well as national roles such as Co-Chair of the Committee on the Care of Severely Mentally Ill Veterans. Witnesses also included Honorable Gordon H. Mansfield, Deputy Secretary of Veterans Affairs, who was accompanied by Mr. Peter H. Dougherty, Director, Office of Homeless Veterans, Programs; Ms. M. Gay Koerber, Associate Chief Consultant, Health Care for Homeless Veterans; and Mr. Claude B. Hutchison, Jr., Director, Office of Asset Enterprise Management. Ms. Patricia Carlile, Deputy Assistant Secretary for Special Needs Programs, testified on behalf of HUD; and Mr. Don Winstead, Deputy Assistant Secretary for Planning and Evaluation, Office of Human Services Policy, represented HHS. Representing community-based providers were Ms. Linda Boone, Executive Director of the National Coalition for Homeless Veterans, Washington, DC; Mr. William G. D'Arcy, Catholic Charities of the Archdiocese of Chicago, Chicago, IL; Mr. James W. Manning, Commissioner, Housing Authority of the Township of Neptune, Neptune, NJ; and Mr. Carlos Martinez, President and CEO of the American GI Forum, National Veterans Outreach Program, Inc., San Antonio, TX.

On May 19, 2004, the full Committee met and unanimously ordered H.R. 4248, as amended, reported favorably to the House by voice vote.

SUMMARY OF THE REPORTED BILL

H.R. 4248, as amended, would:

1. Extend the authority of the Secretary to make grants to expand or modify existing programs for homeless veterans from September 30, 2005 to September 30, 2008.
2. Increase the authorization for the grant and per diem program for homeless veterans from \$75 million to \$100 million, for fiscal year 2005 through fiscal year 2008.
3. Make permanent the authority of the Secretary to provide sexual trauma counseling to veterans.

BACKGROUND AND DISCUSSION

Extension of authority for Secretary of Veterans Affairs to make grants for assistance to homeless veterans.—VA estimates that there are 200,000 or more homeless veterans living on the streets on any given night. Other organizations dedicated to assisting homeless populations believe the number is closer to 300,000. For these veterans, access to VA benefits, specialized services and effective outreach are vital components to any hope of individual stability and improvement in their prospects.

Public Law 107–95, the Homeless Veterans Comprehensive Assistance Act of 2001, authorized the Secretary to make grants for comprehensive service programs for homeless veterans. VA’s Homeless Grant and Per Diem program is one such program established under this law to provide competitive grants to community-based, faith-based, and public organizations that offer transitional housing or service centers for homeless veterans. With grants and per diem-only awards, VA is contributing support for approximately 10,000 community-based supportive housing beds and services to homeless veterans in all 50 states and the District of Columbia. The current authority for this program would expire on September 30, 2005.

VA cost projections for the Homeless Grant and Per Diem program are that spending will increase to about \$100 million by 2015. To meet this growing need, the President’s budget proposal for fiscal year 2005 requested an increase in the VA’s grant and per diem program authorization from \$75 million to \$100 million.

The Committee bill would extend the program authority through fiscal year 2008 and authorize an increase in the authorization of appropriations from \$75 million to \$100 million.

Permanent authority for Secretary of Veterans Affairs to operate sexual trauma counseling program.—Public Law 102–585, the Veterans Health Care Act of 1992, included provisions authorizing VA to provide mental health counseling for women veterans who had experienced sexual trauma while serving on active military duty. In 1994, Public Law 103–452, the Veterans Health Programs Extension Act of 1994, broadened eligibility for sexual trauma counseling and treatment for veterans of either gender who may have experienced sexual trauma while serving on active duty.

Individuals who experience sexual trauma may have a variety of psychological and physical health effects, but commonly have problems with interpersonal relationships, difficulty with concentration, and issues with self-medication through substance abuse.

As of August 2003, VA reported that 31,423 males and 27,385 female veterans responded positively to relevant screenings, indicating unwanted sexual experiences had occurred during their military service periods. With the expanded role of the U.S. military, including Reservists and National Guard, in operations in Iraq and Afghanistan and other overseas deployments, VA expects a rise in the number of veterans seeking such counseling and treatment in the future. Under current law, the authority to provide sexual trauma counseling for eligible individuals expires on December 31, 2004.

The Committee bill would recognize the continuing need for these programs within VA by permanently authorizing the counseling authority.

SECTION-BY-SECTION ANALYSIS

Section 1 of the bill would name this Act the “Homeless Veterans Assistance Reauthorization Act of 2004.”

Section 2 of the bill would amend section 2011(a)(2) of title 38, United States Code, to extend the authority of the Secretary to make grants for assistance to homeless veterans through September 30, 2008.

Section 3 of the bill would amend section 2013 of title 38, United States Code, to authorize an increase in appropriations to support grants for homeless veterans from \$75,000,000 to \$100,000,000 in each fiscal year beginning in 2005 through 2008.

Section 4 of the bill would amend section 1720D(a) of title 38, United States Code, to make permanent the authority of the Secretary to provide sexual trauma counseling and appropriate care and services to eligible veterans.

PERFORMANCE GOALS AND OBJECTIVES

The Department of Veterans Affairs’ performance goals and objectives are established in annual performance plans and are subject to the Committee’s regular oversight and evaluation by the U.S. General Accounting Office. VA also publishes a performance and accountability report for each fiscal year.

STATEMENT OF THE VIEWS OF THE ADMINISTRATION

STATEMENT OF THE HONORABLE GORDON H. MANSFIELD, DEPUTY SECRETARY OF VETERANS AFFAIRS, BEFORE THE SUBCOMMITTEE ON HEALTH, COMMITTEE ON VETERANS AFFAIRS, U.S. HOUSE OF REPRESENTATIVES

May 6, 2004

Good morning, Mr. Chairman and Members of the Subcommittee.

I am pleased to be here to present the Department’s views on several bills and a draft bill, which pertain primarily to veteran’s health care and related administrative matters.

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H.R. 4248

H.R. 4248 would extend to September 30, 2008, VA’s authority to carry out the Homeless Providers Grant and Per Diem Program. Currently, authority for the program will expire on September 30, 2005. It would also authorize \$100 million in appropriations for each of fiscal years 2005, 2006, 2007, and 2008. Currently, \$75 million is authorized for fiscal year 2005.

VA strongly supports *H.R. 4248*. VA’s Homeless Providers Grant and Per Diem Program is a highly successful collaborative effort between VA and non-profit organizations and local and state government agencies to furnish needed outreach, supportive services, and transitional housing services to homeless veterans. Since the program was authorized in 1992, VA has obligated \$76 million to the grant component of the program. These funds have resulted in the development of 6,400 transitional housing beds and 17 independent service centers and the purchase of 128 vans.

Similar success is found with the per diem component of the program. The most recent awards were used to support 1,583 beds in 80 programs. To date, under the per diem-only program, 3,799 new beds are either operational or coming on-line.

Still VA needs to continue working with its community partners to develop more transitional housing for homeless veteran across the country. VA estimates the cost associated with enactment of this proposal to be \$8,956,672 above the current authorized level for fiscal year 2005. We estimate that to ensure full funding for this program for fiscal years 2006, 2007, and 2008, we will require \$91,698,224,

\$81,996,208, and \$86,282,778, respectively. We therefore welcome the Committee's proposal to increase the level of authorized appropriations for this program.

H.R. 3849

H.R. 3849 would permanently authorize VA's program to provide counseling services and care for sexual trauma. Currently, VA's authority for this program extends only through December 31, 2004.

VA strongly supports making this treatment authority permanent. The number of women veterans seeking VA counseling and treatment for military sexual trauma continues to increase at a substantial rate. Likewise, the number of women who serve in the Armed Forces, the Reserves, and the National Guard continues to grow. VA must therefore be able to provide needed sexual trauma counseling and related health care to these current and future veterans without any lapse in program authority. Enactment of H.R. 3849 would achieve that goal. VA estimates there would be no additional costs associated with enactment of this proposal.

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CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

The following letter was received from the Congressional Budget Office concerning the cost of the reported bill:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 4, 2004

Hon. CHRISTOPHER H. SMITH
*Chairman, Committee on Veterans' Affairs,
House of Representatives, Washington, DC*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4248, the Homeless Veterans Assistance Reauthorization Act of 2004.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Sam Papenfuss, who can be reached at 226-2840.

Sincerely,

DOUGLAS HOLTZ-EAKIN,
Director

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

June 4, 2004

H.R. 4248—Homeless Veterans Assistance Reauthorization Act of
2004

*As ordered reported by the House Committee on Veterans' Affairs on
May 19, 2004*

SUMMARY

H.R. 4248 would authorize appropriations for the Department of Veterans Affairs (VA) to provide assistance to homeless veterans. The bill also would permanently extend the authority for VA to provide counseling to those veterans who have suffered from sexual trauma.

CBO estimates that implementing this bill would cost \$30 million in 2005 and \$375 million over the 2005–2009 period, assuming appropriation of the estimated amounts. Enacting the bill would not affect direct spending or revenues.

H.R. 4248 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of H.R. 4248 is shown in the following table. The costs of this legislation fall within budget function 700 (veterans benefits and services).

	By Fiscal Year, in Millions of Dollars					
	2004	2005	2006	2007	2008	2009
SPENDING SUBJECT TO APPROPRIATION						
Spending Under Current Law for Assistance for Homeless Veterans and Sexual Trauma Counseling						
Budget Authority/Authorization Level ^a	79	78	0	0	0	0
Estimated Outlays	79	77	7	0	0	0
Proposed Changes						
Assistance for Homeless Veterans						
Authorization Level	0	25	100	100	100	0
Estimated Outlays	0	23	92	99	99	10
Sexual Trauma Counseling						
Estimated Authorization Level	0	7	11	11	12	12
Estimated Outlays	0	7	10	11	12	12
Total Changes						
Estimated Authorization Level	0	32	111	111	112	12
Estimated Outlays	0	30	102	110	111	22
Spending Under H.R. 4248 for Assistance for Homeless Veterans and Sexual Trauma Counseling						
Estimated Authorization Level	79	110	111	111	112	12
Estimated Outlays	79	107	109	110	111	22

^a The 2004 level is the estimated amount appropriated for that year. No appropriation has yet been provided for fiscal year 2005. The amount in 2005 represents a current authorization of \$75 million for assistance for homeless veterans and \$3 million for sexual trauma counseling.

BASIS OF ESTIMATE

This estimate assumes that H.R. 4248 will be enacted near the start of fiscal year 2005, and that the authorized and estimated amount will be appropriated for each year.

Assistance for Homeless Veterans

Section 2 would authorize the appropriation of \$100 million in 2005, instead of the \$75 million that is authorized under current law, for the purpose of providing assistance to homeless veterans. It also would authorize \$100 million a year over the 2006–2008 period for the same purpose. These funds would be spent on providing grants to organizations to help them furnish, expand, or modify services to homeless veterans, including transitional housing, outreach programs, rehabilitative services, and vocational counseling and training. In addition, VA could use the funds to provide per diem payments to those organizations that provide such services to homeless veterans. CBO estimates that implementing this provision would cost \$23 million in 2005 and \$323 million over the 2005–2009 period, assuming appropriation of the authorized amounts.

Sexual Trauma Counseling

Section 3 would permanently extend a provision allowing VA to provide counseling to veterans who suffered from sexual trauma while serving on active duty. Under current law, the authority to provide such counseling expires on December 31, 2004. Using information from VA, CBO estimates that about 2 percent (approximately 100,000) of veterans who received care from VA were eligible to receive counseling for sexual trauma in 2003. Data from VA although incomplete, suggests that about 5,000, or 5 percent, of those eligible veterans received such counseling in 2003, at an average per capita cost of almost \$2,000. Assuming that about this same number of veterans receives counseling for sexual trauma each year over the 2005–2009 period, CBO estimates that permanently extending this provision would cost \$7 million in 2005 and \$52 million over the 2005–2009 period, assuming appropriation of the necessary amounts.

INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

H.R. 4248 contains no intergovernmental or private-sector mandates as defined in UMRA. Public agencies would be eligible to receive grants to provide and enhance services to homeless veterans; any costs incurred by those governments would be voluntary.

ESTIMATE PREPARED BY:

Federal Costs: Sam Papenfuss (226–2840)

Impact on State, Local, and Tribal Governments: Melissa Merrell (225–3220)

Impact on the Private Sector: Chad Goldberg (226–2900)

ESTIMATE APPROVED BY:

Peter H. Fontaine, Deputy Assistant Director for Budget Analysis

STATEMENT OF FEDERAL MANDATES

The preceding Congressional Budget Office cost estimate states that the bill contains no intergovernmental or private sector mandates as defined in the Unfunded Mandates Reform Act.

STATEMENT OF CONSTITUTIONAL AUTHORITY

Pursuant to Article I, section 8 of the United States Constitution, the reported bill is authorized by Congress' power to "provide for the common Defense and general Welfare of the United States."

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

TITLE 38, UNITED STATES CODE

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PART II—GENERAL BENEFITS

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**CHAPTER 17—HOSPITAL, NURSING HOME,
DOMICILIARY, AND MEDICAL CARE**

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**SUBCHAPTER II—HOSPITAL, NURSING HOME OR
DOMICILIARY CARE AND MEDICAL TREATMENT**

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§ 1720D. Counseling and treatment for sexual trauma

(a)(1) **[**During the period through December 31, 2004, the *The* Secretary shall operate a program under which the Secretary provides counseling and appropriate care and services to veterans who the Secretary determines require such counseling and care and services to overcome psychological trauma, which in the judgment of a mental health professional employed by the Department, resulted from a physical assault of a sexual nature, battery of a sexual nature, or sexual harassment which occurred while the veteran was serving on active duty.

(2) In furnishing counseling to a veteran under this subsection, the Secretary may**[**, during the period through December 31, 2004,**]** provide such counseling pursuant to a contract with a qualified mental health professional if (A) in the judgment of a mental health professional employed by the Department, the receipt of counseling by that veteran in facilities of the Department would be clinically inadvisable, or (B) Department facilities are not capable

of furnishing such counseling to that veteran economically because of geographical inaccessibility.

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CHAPTER 20—BENEFITS FOR HOMELESS VETERANS

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SUBCHAPTER II—COMPREHENSIVE SERVICE PROGRAMS

§ 2011. Grants

(a) AUTHORITY TO MAKE GRANTS.—(1) * * *

(2) The authority of the Secretary to make grants under this section expires on September 30, **[2005]** 2008.

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§ 2013. Authorization of appropriations

There are authorized to be appropriated to carry out this subchapter amounts as follows:

(1) * * *

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(4) **[\$75,000,000]** \$100,000,000 for fiscal year 2005.

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(5) \$100,000,000 for fiscal year 2006.

(6) \$100,000,000 for fiscal year 2007.

(7) \$100,000,000 for fiscal year 2008.

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