

VETERANS HANDBOOK OF DESIGNS FOR SPECIALLY
 ADAPTED HOUSING

MAY 15, 2008.—Committed to the Committee of the Whole House on the State of
 the Union and ordered to be printed

Mr. FILNER, from the Committee on Veterans' Affairs,
 submitted the following

R E P O R T

[To accompany H.R. 5664]

[Including cost estimate of the Congressional Budget Office]

The Committee on Veterans' Affairs, to whom was referred the bill (H.R. 5664) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to update at least once every six years the plans and specifications for specially adapted housing furnished to veterans by the Secretary, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

CONTENTS

	Page
Amendment	2
Purpose and Summary	2
Background and Discussion	2
Hearings	3
Committee Consideration	3
Committee Votes	4
Committee Oversight Findings	4
Statement of General Performance Goals and Objectives	4
New Budget Authority, Entitlement Authority, and Tax Expenditures	4
Earmarks and Tax and Tariff Benefits	4
Committee Cost Estimate	4
Congressional Budget Office Estimate	4
Federal Mandates Statement	5
Advisory Committee Statement	5
Constitutional Authority Statement	5
Applicability to Legislative Branch	6
Section-by-Section Analysis of the Legislation	6
Changes in Existing Law Made by the Bill as Reported	6

AMENDMENT

The amendment is as follows:
Strike all after the enacting clause and insert the following:

SECTION 1. REQUIREMENT FOR REGULAR UPDATES TO HANDBOOK FOR DESIGN FURNISHED TO VETERANS ELIGIBLE FOR SPECIALLY ADAPTED HOUSING ASSISTANCE BY SECRETARY OF VETERANS AFFAIRS.

Section 2103 of title 38, United States Code, is amended—

(1) by striking “The Secretary” and inserting “(a) PLANS AND SPECIFICATIONS.—The Secretary”; and

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

“(b) HANDBOOK FOR DESIGN.—The Secretary shall make available to veterans eligible for assistance under this chapter, without cost to the veterans, a handbook containing appropriate designs for specially adapted housing. The Secretary shall update such handbook at least every six years to take into account any new or unique disabilities, including vision impairments, impairments specific to the of upper limbs, and burn injuries.”.

PURPOSE AND SUMMARY

H.R. 5664, introduced by Representative Ciro D. Rodriguez of Texas on March 31, 2008, would require the Secretary of the Department of Veterans Affairs (VA) to make available, without cost, to veterans eligible for specially adapted housing assistance a handbook containing appropriate designs for specially adapted housing. This legislation would also require the Secretary to update such handbook at least once every six years to take into account any new or unique disabilities, including vision impairments specific to the upper limbs, burn injuries, and incorporate new technologies and advancements.

BACKGROUND AND DISCUSSION

Section 2103 of title 38, United States Code, authorizes the VA to provide, without cost, “model plans and specifications of suitable housing units” to disabled veterans eligible for specially adapted housing under chapter 21 of such title. Pursuant to this authority, the VA published, in April 1978, Pamphlet 26–13, “Handbook for Design: Specially Adapted Housing.” This pamphlet has not been updated since its publication.

At a hearing of the Subcommittee on Economic Opportunity on June 7, 2007, Mr. John S. Gonsalves, President and Founder of Homes for Our Troops, stated that “servicemen and women with injuries that would have killed them in previous wars are now living to see another day, and are in need of truly special home adaptations.” The primary guidance that VA provides contractors who draw up plans and specifications to modify houses under this grant program is VA Pamphlet 26–13.

Although much of the guidance found in Pamphlet 26–13 is still applicable today, the Committee believes that an updated pamphlet is in order to more adequately respond to the unique needs of today’s disabled veterans. Since responding to the terrorist attacks of September 11, 2001, our country has experienced an increasing number of servicemembers surviving injuries due to medical improvements that would otherwise have been fatal. These veterans are returning home with severely limited physical and sometimes cognitive abilities, making it difficult for them to make an easy physical transition back to the home they left behind or need. In comparison to the VA pamphlet, the current Army Corps of Engi-

neers housing design guide is dated 1994, and that of the Air Force, dated 2004.

The Committee further believes that VA should not wait another 30 years to update its specially adapted housing pamphlet. H.R. 5664 requires the VA to update this pamphlet at least once every six years to ensure the pamphlet contains up-to-date direction and guidance, including new and unique disabilities, to those involved in designing, constructing, and modifying residences.

HEARINGS

On April 16, 2008, the Subcommittee on Economic Opportunity held a legislative hearing on a number of bills, including H.R. 5664. The following witnesses testified: The Honorable Bob Filner of California; The Honorable Steve Buyer of Indiana; The Honorable Ciro D. Rodriguez of Texas; The Honorable Cliff Stearns of Florida; The Honorable John A. Yarmuth of Kentucky; The Honorable Robin Hayes of North Carolina; The Honorable Artur Davis of Alabama; The Honorable Patrick J. Murphy of Pennsylvania; Mr. Ronald F. Chamrin, Assistant Director, Economic Commission, The American Legion; Mr. Justin Brown, Legislative Associate, National Legislative Service, Veterans of Foreign Wars; Mr. Richard Daley, Associate Legislative Director, Paralyzed Veterans of America; Mr. Patrick M. Campbell, Legislative Director, Iraq and Afghanistan Veterans of America; Col. Robert F. Norton, USA (Ret.), Deputy Director, Government Relations, Military Officers Association of America; The Honorable Charles S. Ciccolella, Assistant Secretary, Veterans' Employment and Training Service, U.S. Department of Labor; Mr. Thomas L. Bush, Acting Deputy Assistant Secretary of Defense for Reserve Affairs, U.S. Department of Defense; Mr. Curtis L. Gilroy, Director for Accession Policy, Office of the Undersecretary of Defense for Personnel and Readiness, U.S. Department of Defense; and Mr. Keith Pedigo, Associate Deputy Under Secretary, Policy and Program Management, U.S. Department of Veterans Affairs, accompanied by Mr. John Brizzi, Staff Attorney, Office of General Counsel, U.S. Department of Veterans Affairs. Those submitting statements for the record included: Mr. Jot D. Carpenter Jr., Vice President, Government Affairs, CTIA—The Wireless Association; Mr. Kerry Baker, Associate National Legislative Director, Disabled American Veterans; and Mr. Kyle McSlarrow, President and Chief Executive Officer, National Cable and Telecommunications Association.

COMMITTEE CONSIDERATION

On April 23, 2008, the Subcommittee on Economic Opportunity met in open markup session and ordered favorably forwarded to the full Committee H.R. 5664, as amended, by voice vote. During consideration of the bill the following amendment was considered:

An amendment in the nature of a substitute by Mr. Hall of New York, was agreed to by voice vote.

On April 30, 2008, the full Committee met in open markup session, a quorum being present, and ordered H.R. 5664, as amended, favorably reported to the House of Representatives, by voice vote.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list the record votes on the motion to report the legislation and amendments thereto. There were no record votes taken on amendments or in connection with ordering H.R. 5664 reported to the House. A motion by Mr. Buyer of Indiana to order H.R. 5664, as amended, reported favorably to the House of Representatives was agreed to by voice vote.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII and clause (2)(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee's performance goals and objectives are reflected in the descriptive portions of this report.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the estimate of new budget authority, entitlement authority, or tax expenditures or revenues contained in the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

EARMARKS AND TAX AND TARIFF BENEFITS

H.R. 5664 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives.

COMMITTEE COST ESTIMATE

The Committee adopts as its own the cost estimate on H.R. 5664 prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the following is the cost estimate for H.R. 5664 provided by the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington DC, May 12, 2008.

Hon. BOB FILNER,
*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. 5664, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to update at least once every six years the plans and specifications for specially adapted housing furnished to veterans by the Secretary.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Camille Woodland.

Sincerely,

ROBERT A. SUNSHINE
(For Peter R. Orszag, Director).

Enclosure.

H.R. 5664—A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to update at least once every six years the plans and specifications for specially adapted housing furnished to veterans by the Secretary

H.R. 5664 would require the Department of Veterans Affairs (VA) to provide eligible veterans with a handbook containing appropriate designs for specially adapted housing and to update the handbook at least every six years. Because VA currently provides veterans with such designs, CBO estimates that implementing the bill would have an insignificant effect on the budget.

H.R. 5664 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Camille Woodland. This estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates regarding H.R. 5664 prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act would be created by H.R. 5664.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds that the Constitutional authority for H.R. 5664 is provided by Article I, section 8 of the Constitution of the United States.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Requirement for regular updates to handbook for designs furnished to veterans eligible for specially adapted housing assistance by the Secretary of Veterans Affairs

This section would amend section 2103 of title 38, United States Code, to require the Secretary of the Department of Veterans Affairs to make available, without cost, to veterans eligible for assistance under chapter 21 of such title, a handbook containing appropriate designs for specially adapted housing. The Secretary would be required to update such handbook at least every six years to take into account any new or unique disabilities, including vision impairments, impairments specific to the upper limbs, and burn injuries.

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 italic, 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 21—SPECIALLY ADAPTED HOUSING FOR
DISABLED VETERANS**

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§ 2103. Furnishing of plans and specifications

【The Secretary】 (a) *PLANS AND SPECIFICATIONS.*—*The Secretary is authorized to furnish to veterans eligible for assistance under this chapter, without cost to the veterans, model plans and specifications of suitable housing units.*

(b) *HANDBOOK FOR DESIGN.*—*The Secretary shall make available to veterans eligible for assistance under this chapter, without cost to the veterans, a handbook containing appropriate designs for specially adapted housing. The Secretary shall update such handbook at least every six years to take into account any new or unique dis-*

*abilities, including vision impairments, impairments specific to the
of upper limbs, and burn injuries.*

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