AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

111TH CONGRESS
1st Session
HOUSE OF REPRESENTATIVES
REPORT
111–109

TO AMEND CHAPTER 21 OF TITLE 38, UNITED STATES CODE, TO ESTABLISH A GRANT PROGRAM TO ENCOURAGE THE DEVELOPMENT OF NEW ASSISTIVE TECHNOLOGIES FOR SPECIALLY ADAPTED HOUSING

MAY 14, 2009.—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. 1170]

[Including cost estimate of the Congressional Budget Office]

The Committee on Veterans' Affairs, to whom was referred the bill (H.R. 1170) to amend chapter 21 of title 38, United States Code, to establish a grant program to encourage the development of new assistive technologies for specially adapted housing, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

CONTENTS

	Page
Amendment	1
Purpose and Summary	2
Background and Need for Legislation	2
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	6
Advisory Committee Statement	6
Constitutional Authority Statement	6
Applicability to Legislative Branch	6
Section-by-Section Analysis of the Legislation	6
Changes in Existing Law Made by the Bill as Reported	7

AMENDMENT

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SPECIALLY ADAPTED HOUSING ASSISTIVE TECHNOLOGY GRANT PROGRAM.

(a) IN GENERAL.—Chapter 21 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 2108. Specially adapted housing assistive technology grant program

"(a) ESTABLISHMENT.—The Secretary shall make grants to encourage the development of new assistive technologies for specially adapted housing.

"(b) APPLICATION.—A person seeking a grant under this section shall submit to the Secretary an application for the grant in such form and manner as the Secretary shall specify.

"(c) GRANT FUNDS.—(1) The amount of each grant awarded under this section shall be an amount of not more than $200,000 per year.

"(2) For each year in which the Secretary makes a grant under this section, the Secretary shall make the grant by not later than October 1 of that year.

"(d) USE OF FUNDS.—(1) The recipient of a grant under this section shall use the grant to develop assistive technologies for use in specially adapted housing.

"(2) If the recipient of a grant under this section is awarded a patent related to assistive technology developed with amounts under the grant, the Secretary shall retain not less than a 30 percent interest in such patent.

"(e) REPORT.—Not later than March 1 of each year, the Secretary shall submit to Congress a report containing information related to each grant awarded under this section during the preceding calendar year, including—

"(1) the name of the grant recipient;

"(2) the amount of the grant; and

"(3) the goal of the grant.

"(f) FUNDING.—From amounts appropriated to the Department for Medical Services for each fiscal year, $2,000,000 shall be available for each such fiscal year for the purposes of the program under this section.

"(g) TERMINATION.—The authority to make a grant under this section shall terminate on the date that is five years after the date of the enactment of this section.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 21 of title 38, United States Code, is amended by adding at the end the following:

"2108. Specially adapted housing assistive technology grant program.".

(c) DEADLINE FOR IMPLEMENTATION.—The Secretary shall implement the grant program under section 2108 of title 38, United States Code, as added by subsection (a), by not later than 180 days after the date of the enactment of this Act.

PURPOSE AND SUMMARY

H.R. 1170 was introduced on February 25, 2009, by Representative John Boozman of Arkansas, the Ranking Member of the Subcommittee on Economic Opportunity of the Committee on Veterans' Affairs. H.R. 1170, as amended, would authorize a five-year pilot program to promote research and development of adaptive technologies that would be applicable to the Specially Adapted Housing program of the U.S. Department of Veterans Affairs (VA).

BACKGROUND AND NEED FOR LEGISLATION

The Specially Adapted Housing (SAH) program was established in 1948 by Public Law 80–702 (62 Stat. 500). The SAH program provides grants up to $60,000 to modify a home to accommodate a veteran's service-connected disabilities.

The SAH program is administered by the VA Loan Guaranty Service, part of the Veterans Benefits Administration. Upon application for SAH benefits, VA will evaluate the disability status and its impact on the veteran's daily life. When a disabled veteran is approved for the benefit, SAH field staff work with the veteran and construction staff to design modifications to the residence to ensure that alterations meet VA standards. VA deposits funds in an escrow account and controls the disbursement to ensure SAH projects

meet VA design and construction quality standards and that the project is completed.

In fiscal year 2008, VA approved SAH benefits for 1,236 disabled veterans totaling $38,000,000. The average benefit cost was $30,850. The number of projects approved over fiscal years 2008 and 2009 will total an estimated $95,000,000. Program officials estimate that during fiscal year 2010, VA will approve an additional 1,250 projects totaling $59,000,000.

Two signature injuries from the wars in Iraq and Afghanistan are traumatic brain injury and multiple traumas resulting from the effects of exposure to one or more explosive devices. Due to greatly improved medical care, both in the field and stateside, veterans are fortunately recovering from serious injuries such as these but it is likely that there will be an increase in the need for advanced technologies to aid our wounded veterans' unique disabilities in the future.

To meet this demand, investing in research and development could provide cost-effective solutions for reducing the need for round-the-clock nursing care or institutionalization for seriously wounded veterans. In general, today's adaptations are structural modifications such as ramps, wider halls and doors, and lower counters. There are many emerging technologies that could lend themselves to enhance the livability of adapted homes and improve a veteran's independent living. Some examples are electronic aids to daily living such as voice-recognition and voice-commanded operations, integrated computer-managed functions, alternative human-computer interfaces, living environment controls, adaptive feeding equipment, fall prevention, pressure sore prevention and recreation assistance.

H.R. 1170, as amended, would provide that the VA retain a 30 percent interest in any patent approved as a result of funding through this grant program. VA has a long history of working with research and development projects that have produced tremendous benefits for many sectors of the general public. It is expected that taxpayers should see a reasonable level of return for the investment of tax dollars as a partial offset to the costs of bringing these patents to market. The VA should retain any investment returns from these patents to assist in funding grants, during the duration of this program.

The research and development community is diverse, ranging from single-person inventors to large corporations and academic institutions. The Committee believes the VA should aggressively market this grant program, especially to academic institutions with either formal or informal research and development programs, that could meet the future needs of our wounded veterans.

COMMITTEE CONSIDERATION

On May 6, 2009, the full Committee met in an open markup session, a quorum being present, and ordered H.R. 1170, as amended, reported favorably to the House of Representatives, by voice vote. During consideration of the bill the following amendment was considered:

An amendment by Mr. Boozman of Arkansas to limit the program to five years beginning 180 days after the date of passage was agreed to 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. 1170 reported to the House. A motion by Mr. Buyer of Indiana to order H.R. 1170, 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. 1170 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. 1170 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. 1170 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 13, 2009.

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. 1170, a bill to amend chapter 21 of title 38, United States Code, to establish a grant program to encourage the development of new assistive technologies for specially adapted housing.

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 Douglas W. Elmendorf, Director).

Enclosure.

H.R. 1170—A bill to amend chapter 21 of title 38, United States Code, to establish a grant program to encourage the development of new assistive technologies for specially adapted housing

H.R. 1170 would create a grant program to foster the development of technologies to improve specially adapted housing and would authorize the appropriation of up to $2 million per year over the next five years for that purpose. Such technologies would be those that could be used to alter or construct housing to be more functional and accessible for veterans with certain service-connected disabilities. CBO estimates that implementing the bill would cost $6 million over the 2010–2014 period, assuming appropriation of the necessary amounts. Enacting the bill would have an insignificant effect on direct spending and would have no effect on revenues.

CBO estimates that the Department of Veterans Affairs (VA) would award approximately $1 million in grants in 2010 and $8 million over the 2010–2014 period. Based on outlay rates for similar federal programs that provide research grants, CBO estimates that spending would total less than $500,000 in 2010; we estimate that annual spending would rise to $1 million in 2011 and $2 million by 2014.

If grant recipients obtained a patent for the technology developed under this grant, VA would retain at least a 30 percent interest in the patent. Based on the size of individual grants—up to $200,000—and the length of time required to develop products and to complete the patent process, CBO estimates that any offsetting receipts the government might receive (from profits earned on technologies developed under this program) would be quite small and the impact on direct spending would be insignificant.

H.R. 1170 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Camille Woodland. The 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. 1170 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. 1170.

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. 1170 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. Specially Adapted Housing Assistance Technology Grant Program

This section establishes a new section 2108 in title 38, United States Code, that creates a grant pilot program to encourage the development of new assistive technologies for specially adapted housing.

New subsection (b) requires that persons seeking such grants submit an application to the VA in a manner specified by the Secretary. This section would specify that each individual grant not exceed $200,000 per year and that grants be made no later than October 1 of the year in which the Secretary makes grants available.

New subsection (d) requires the use of funds provided by this grant be used to develop assistive technologies for use in specially adapted housing and requires the grantee to provide a 30 percent interest to the VA if a patent is awarded as a result of funds from the grant program.

New subsection (e) requires the Secretary to provide an annual report to Congress containing, for the preceding calendar year, the name of each grant recipient, the amount of each grant, and the goal of each grant.

New subsection (f) authorizes $2,000,000 from the Department of Medical Services for each fiscal year for this program.

New subsection (g) provides that the grant program shall terminate five years after the date of enactment.

Subsection (c) of section 1 provides a deadline for implementation of the program of 180 days after the date of enactment.

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 (new matter is printed in italic and existing law in which no change is proposed is shown in roman):

TITLE 38, UNITED STATES CODE

* * * * * * *

PART II—GENERAL BENEFITS

* * * * * * *

CHAPTER 21—SPECIALLY ADAPTED HOUSING FOR DISABLED VETERANS

Sec.
2101. Acquisition and adaptation of housing: eligible veterans.

* * * * * * *
2108. Specially adapted housing assistive technology grant program.

* * * * * * *

§ 2108. Specially adapted housing assistive technology grant program

(a) ESTABLISHMENT.—The Secretary shall make grants to encourage the development of new assistive technologies for specially adapted housing.

(b) APPLICATION.—A person seeking a grant under this section shall submit to the Secretary an application for the grant in such form and manner as the Secretary shall specify.

(c) GRANT FUNDS.—(1) The amount of each grant awarded under this section shall be an amount of not more than $200,000 per year.

(2) For each year in which the Secretary makes a grant under this section, the Secretary shall make the grant by not later than October 1 of that year.

(d) USE OF FUNDS.—(1) The recipient of a grant under this section shall use the grant to develop assistive technologies for use in specially adapted housing.

(2) If the recipient of a grant under this section is awarded a patent related to assistive technology developed with amounts under the grant, the Secretary shall retain not less than a 30 percent interest in such patent.

(e) REPORT.—Not later than March 1 of each year, the Secretary shall submit to Congress a report containing information related to each grant awarded under this section during the preceding calendar year, including—

(1) the name of the grant recipient;

(2) the amount of the grant; and

(3) the goal of the grant.

(f) FUNDING.—From amounts appropriated to the Department for Medical Services for each fiscal year, $2,000,000 shall be available for each such fiscal year for the purposes of the program under this section.

(g) TERMINATION.—The authority to make a grant under this section shall terminate on the date that is five years after the date of the enactment of this section.

* * * * * * *

○