

EFFECTIVE DATE

Section effective Oct. 1, 1979, but not applicable with respect to the acquisition, construction, or alteration of any medical facilities if the acquisition, construction, or alteration (not including exchange) was approved by the President before Oct. 1, 1979, see section 302 of Pub. L. 96-22, set out as a note under section 8101 of this title.

§ 8113. Property formerly owned by National Home for Disabled Volunteer Soldiers

If by reason of any defeasance or conditional clause or clauses contained in any deed of conveyance of property to the National Home for Disabled Volunteer Soldiers, which property is owned by the United States, the full and complete enjoyment and use of such property is threatened, the Attorney General, upon request of the President, shall institute in the United States district court for the district in which the property is located such proceedings as may be proper to extinguish all outstanding adverse interests. The Attorney General may procure and accept, on behalf of the United States, by gift, purchase, cession, or otherwise, absolute title to, and complete jurisdiction over, all such property.

(Added Pub. L. 96-22, title III, §301(a), June 13, 1979, 93 Stat. 61, §5013; renumbered §8113, Pub. L. 102-40, title IV, §402(b)(1), May 7, 1991, 105 Stat. 238.)

PRIOR PROVISIONS

Provisions similar to those comprising this section were contained in former section 5006 of this title prior to the general revision of this subchapter by Pub. L. 96-22.

AMENDMENTS

1991—Pub. L. 102-40 renumbered section 5013 of this title as this section.

EFFECTIVE DATE

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§ 8114. Use of federally owned facilities; use of personnel

(a) The Secretary, subject to the approval of the President, may use as medical facilities such suitable buildings, structures, and grounds owned by the United States on March 3, 1925, as may be available for such purposes, and the President may by Executive order transfer any such buildings, structures, and grounds to the control and jurisdiction of the Department upon the request of the Secretary.

(b) The President may require the architectural, engineering, constructing, or other forces of any of the departments of the Government to do or assist in the construction and alteration of medical facilities, and the President may employ for such purposes individuals and agencies not connected with the Government, if in the opinion of the President such is desirable, at such compensation as the President may consider reasonable.

(Added Pub. L. 96-22, title III, §301(a), June 13, 1979, 93 Stat. 61, §5014; renumbered §8114, Pub. L. 102-40, title IV, §402(b)(1), May 7, 1991, 105 Stat. 238; amended Pub. L. 102-83, §4(a)(3), (4), (b)(1), (2)(E), Aug. 6, 1991, 105 Stat. 404, 405.)

PRIOR PROVISIONS

Provisions similar to those comprising this section were contained in section 5001(e) of this title prior to the general revision of this subchapter by Pub. L. 96-22.

AMENDMENTS

1991—Pub. L. 102-40 renumbered section 5014 of this title as this section.

Subsec. (a). Pub. L. 102-83, §4(b)(1), (2)(E), substituted "Secretary" for "Administrator" in two places.

Pub. L. 102-83, §4(a)(3), (4), substituted "Department" for "Veterans' Administration".

EFFECTIVE DATE

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§ 8115. Acceptance of certain property

The President may accept from any State or other political subdivision, or from any person, any building, structure, equipment, or grounds suitable for the care of disabled persons, with due regard to fire or other hazards, state of repair, and all other pertinent considerations. The President may designate which agency of the Federal Government shall have the control and management of any property so accepted.

(Added Pub. L. 96-22, title III, §301(a), June 13, 1979, 93 Stat. 61, §5015; renumbered §8115, Pub. L. 102-40, title IV, §402(b)(1), May 7, 1991, 105 Stat. 238.)

PRIOR PROVISIONS

Provisions similar to those comprising this section were contained in former section 5005 of this title prior to the general revision of this subchapter by Pub. L. 96-22.

AMENDMENTS

1991—Pub. L. 102-40 renumbered section 5015 of this title as this section.

EFFECTIVE DATE

Section effective Oct. 1, 1979, but not applicable with respect to the acquisition, construction, or alteration of any medical facilities if the acquisition, construction, or alteration (not including exchange) was approved by the President before Oct. 1, 1979, see section 302 of Pub. L. 96-22, set out as a note under section 8101 of this title.

§ 8116. Nursing home revolving fund

(a)(1) Amounts realized from a transfer pursuant to section 8122(a)(2)(C)¹ of this title shall be administered as a revolving fund and shall be available without fiscal year limitation.

(2) The revolving fund shall be deposited in a checking account with the Treasurer of the United States.

(b)(1) The expenditure of funds from the revolving fund may be made only for the construc-

¹ See References in Text note below.

tion, alteration, and acquisition (including site acquisition) of nursing home facilities and may be made only as provided for in appropriation Acts.

(2) For the purpose of section 8104(a)(2) of this title, a bill, resolution, or amendment which provides that funds in the revolving fund may be expended for a project involving a total expenditure of more than \$2,000,000 for the construction, alteration, or acquisition (including site acquisition) of a nursing home facility shall be considered to be a bill, resolution, or amendment making an appropriation which may be expended for a major medical facility project.

(Added Pub. L. 100-322, title II, §205(a), May 20, 1988, 102 Stat. 512, §5016; renumbered §8116 and amended Pub. L. 102-40, title IV, §402(b)(1), (d)(1), May 7, 1991, 105 Stat. 238, 239.)

REPEAL OF SECTION

Pub. L. 108-422, title IV, §411(c)(1),(f), Nov. 30, 2004, 118 Stat. 2389, 2390, provided that this section is repealed effective at the end of the 30-day period beginning on the date on which the Secretary of Veterans Affairs certifies to Congress that the Secretary is in compliance with section 1710B(b) of this title.

REFERENCES IN TEXT

Section 8122(a)(2) of this title, referred to in subsec. (a)(1), was amended generally by Pub. L. 108-422, title IV, §411(e)(1), Nov. 30, 2004, 118 Stat. 2389, and, as so amended, no longer contains a subpar. (C).

AMENDMENTS

1991—Pub. L. 102-40, §402(b)(1), renumbered section 5016 of this title as this section.

Pub. L. 102-40, §402(d)(1), substituted “8122(a)(2)(C)” for “5022(a)(2)(C)” in subsec. (a)(1) and “8104(a)(2)” for “5004(a)(2)” in subsec. (b)(2).

EFFECTIVE DATE OF REPEAL

Repeal effective at the end of the 30-day period beginning on the date on which the Secretary of Veterans Affairs certifies to Congress that the Secretary is in compliance with section 1710B(b) of this title, see section 411(f) of Pub. L. 108-422, set out as an Effective Date of 2004 Amendment note under section 1710B of this title.

TRANSFER OF NURSING HOME REVOLVING FUND BALANCES AND RECEIPTS

For provisions relating to the transfer of balances and receipts from the Nursing Home Revolving Fund to the “Medical services” account, see section 115 of Pub. L. 108-447, set out as a note under section 1729a of this title.

§ 8117. Emergency preparedness

(a) **READINESS OF DEPARTMENT MEDICAL CENTERS.**—(1) The Secretary shall take appropriate actions to provide for the readiness of Department medical centers to protect the patients and staff of such centers from a public health emergency (as defined in section 2801 of the Public Health Service Act) or otherwise to respond to such an emergency so as to enable such centers to fulfill their obligations as part of the Federal response to such emergencies.

(2) Actions under paragraph (1) shall include—

(A) the provision of decontamination equipment and personal protection equipment at Department medical centers;

(B) the provision of training in the use of such equipment to staff of such centers;

(C) organizing, training, and equipping the staff of such centers to support the activities carried out by the Secretary of Health and Human Services under section 2801 of the Public Health Service Act in the event of a public health emergency and incidents covered by the National Response Plan developed pursuant to section 502(6)¹ of the Homeland Security Act of 2002, or any successor plan; and

(D) providing medical logistical support to the National Disaster Medical System and the Secretary of Health and Human Services as necessary, on a reimbursable basis, and in coordination with other designated Federal agencies.

(b) **SECURITY AT DEPARTMENT MEDICAL AND RESEARCH FACILITIES.**—(1) The Secretary shall take appropriate actions to provide for the security of Department medical centers and research facilities, including staff and patients at such centers and facilities.

(2) In taking actions under paragraph (1), the Secretary shall take into account the results of the evaluation of the security needs at Department medical centers and research facilities required by section 154(b)(1) of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (Public Law 107-188; 116 Stat. 631), including the results of such evaluation relating to the following needs:

(A) Needs for the protection of patients and medical staff during emergencies, including a chemical or biological attack or other terrorist attack.

(B) Needs, if any, for screening personnel engaged in research relating to biological pathogens or agents, including work associated with such research.

(C) Needs for securing laboratories or other facilities engaged in research relating to biological pathogens or agents.

(c) **TRACKING OF PHARMACEUTICALS AND MEDICAL SUPPLIES AND EQUIPMENT.**—The Secretary shall develop and maintain a centralized system for tracking the current location and availability of pharmaceuticals, medical supplies, and medical equipment throughout the Department health care system in order to permit the ready identification and utilization of such pharmaceuticals, supplies, and equipment for a variety of purposes, including response to a public health emergency. The Secretary shall, through existing medical procurement contracts, and on a reimbursable basis, make available as necessary, medical supplies, equipment, and pharmaceuticals in response to a public health emergency in support of the Secretary of Health and Human Services.

(d) **TRAINING.**—The Secretary shall ensure that the Department medical centers, in consultation with the accredited medical school affiliates of such medical centers, implement curricula to train resident physicians and health care personnel in medical matters relating to public health emergencies or attacks from an incendiary or other explosive weapon consistent with section 319F(a) of the Public Health Service Act.

¹ See References in Text note below.