

§ 8232. Definition

For the purpose of this subchapter, the term "eligible institution" means any nonprofit educational facility or other public or nonprofit institution, including universities, colleges, junior colleges, community colleges, schools of allied health professions, State and local systems of education, hospitals, and other nonprofit health manpower institutions for the training or education of allied health or other health personnel affiliated with the Department for the conduct of or the providing of guidance for education and training programs for health manpower.

(Added Pub. L. 92-541, §2(a), Oct. 24, 1972, 86 Stat. 1105, §5092; renumbered §8232, Pub. L. 102-40, title IV, §402(b)(2)(D), May 7, 1991, 105 Stat. 239; amended Pub. L. 102-83, §4(a)(3), (4), Aug. 6, 1991, 105 Stat. 404.)

AMENDMENTS

1991—Pub. L. 102-40 renumbered section 5092 of this title as this section.

Pub. L. 102-83 substituted "Department" for "Veterans' Administration".

§ 8233. Grants

(a) Any eligible institution may apply to the Secretary for a grant under this subchapter to assist such institution to carry out through the Department medical facility with which it is, or will become affiliated, educational and clinical projects and programs, matching the clinical requirements of the facility to the health manpower training potential of the eligible institution, for the expansion and improvement of such institution's capacity to train health manpower, including physicians' assistants, nurse practitioners, and other new types of health personnel in furtherance of the purposes of this subchapter. Any such application shall contain a plan to carry out such projects and programs and such other information in such detail as the Secretary deems necessary and appropriate.

(b) An application for a grant under this section may be approved by the Secretary only upon the Secretary's determination that—

(1) the proposed projects and programs for which the grant will be made will make a significant contribution to improving the education (including continuing education) or training program of the eligible institution;

(2) the application contains or is supported by adequate assurance that any Federal funds made available under this subchapter will be supplemented by funds or other resources available from other sources, whether public or private;

(3) the application sets forth such fiscal control and accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds expended under this subchapter; and

(4) the application provides for making such reports, in such form and containing such information, as the Secretary may require to carry out the Secretary's functions under this subchapter, and for keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports.

(Added Pub. L. 92-541, §2(a), Oct. 24, 1972, 86 Stat. 1106, §5093; amended Pub. L. 94-581, title II, §210(f)(5), Oct. 21, 1976, 90 Stat. 2866; Pub. L. 96-330, title IV, §405, Aug. 26, 1980, 94 Stat. 1052; renumbered §8233, Pub. L. 102-40, title IV, §402(b)(2)(D), May 7, 1991, 105 Stat. 239; Pub. L. 102-83, §4(a)(3), (4), (b)(1), (2)(E), Aug. 6, 1991, 105 Stat. 404, 405.)

AMENDMENTS

1991—Pub. L. 102-40 renumbered section 5093 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".

Subsec. (b). Pub. L. 102-83, §4(b)(1), (2)(E), substituted "Secretary" for "Administrator" and "Secretary's" for "Administrator's" wherever appearing.

1980—Subsec. (b)(1). Pub. L. 96-330 struck out "and will result in a substantial increase in the number of students trained at such institution, provided that there is reasonable assurance from a recognized accrediting body or bodies approved for such purposes by the Commissioner of Education of the Department of Health, Education, and Welfare that the increase in the number of students will not threaten any existing accreditation or otherwise compromise the quality of the training at such institution" after "training program of the eligible institution".

1976—Subsec. (b). Pub. L. 94-581 substituted "the Administrator's" for "his" in provisions preceding par. (1) and in par. (4).

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as a note under section 111 of this title.

SUBCHAPTER IV—EXPANSION OF DEPARTMENT HOSPITAL EDUCATION AND TRAINING CAPACITY

AMENDMENTS

1991—Pub. L. 102-83, §4(a)(3), (4), Aug. 6, 1991, 105 Stat. 404, substituted "DEPARTMENT" for "VETERANS' ADMINISTRATION".

§ 8241. Expenditures to remodel and make special allocations to Department hospitals for health manpower education and training

Out of funds appropriated to the Department pursuant to the authorization in section 8222 of this title, the Secretary may expend such sums as the Secretary deems necessary, not to exceed 30 per centum thereof, for (1) the necessary extension, expansion, alteration, improvement, remodeling, or repair of Department buildings and structures (including provision of initial equipment, replacement of obsolete or worn-out equipment, and, where necessary, addition of classrooms, lecture facilities, laboratories, and other teaching facilities) to the extent necessary to make them suitable for use for health manpower education and training in order to carry out the purpose set forth in section 7302, and (2) special allocations to Department hospitals and other medical facilities for the development or initiation of improved methods of education and training which may include the development or initiation of plans which reduce the period of required education and training for health personnel but which do not adversely affect the quality of such education or training.

(Added Pub. L. 92-541, §2(a), Oct. 24, 1972, 86 Stat. 1106, §5096; amended Pub. L. 94-581, title II, §210(f)(6), Oct. 21, 1976, 90 Stat. 2866; renumbered §8241 and amended Pub. L. 102-40, title IV, §§402(b)(2)(E), (d)(1), 403(b)(7), May 7, 1991, 105 Stat. 239, 240; Pub. L. 102-83, §4(a)(3), (4), (b)(1), (2)(E), Aug. 6, 1991, 105 Stat. 404, 405.)

AMENDMENTS

1991—Pub. L. 102-40, §402(b)(2)(E), renumbered section 5096 of this title as this section.

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" in section catchline and wherever appearing in text.

Pub. L. 102-40, §403(b)(7), substituted "7302" for "4101(b)".

Pub. L. 102-40, §402(d)(1), substituted "8222" for "5082".

1976—Pub. L. 94-581 substituted "the Administrator" for "he".

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as a note under section 111 of this title.

CHAPTER 83—ACCEPTANCE OF GIFTS AND BEQUESTS

Sec.	
8301.	Authority to accept gifts, devises, and bequests.
8302.	Legal proceedings.
8303.	Restricted gifts.
8304.	Disposition of property.
8305.	Savings provision.

AMENDMENTS

1991—Pub. L. 102-40, title IV, §402(c)(1), May 7, 1991, 105 Stat. 239, renumbered items 5101 to 5105 as 8301 to 8305, respectively.

§ 8301. Authority to accept gifts, devises, and bequests

The Secretary may accept devises, bequests, and gifts, made in any manner, with respect to which the testator or donor shall have indicated the intention that such property shall be for the benefit of groups of persons formerly in the active military, naval, or air service who by virtue of such service alone, or disability suffered therein or therefrom, are or shall be patients or members of any one or more hospitals or homes operated by the United States Government, or has indicated the intention that such property shall be for the benefit of any such hospital or home, or shall be paid or delivered to any official, as such, or any agency in administrative control thereof. The Secretary may also accept, for use in carrying out all laws administered by the Secretary, gifts, devises, and bequests which will enhance the Secretary's ability to provide services or benefits.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1254, §5101; Pub. L. 99-576, title VII, §701(89), Oct. 28, 1986, 100 Stat. 3299; renumbered §8301, Pub. L. 102-40, title IV, §402(b)(1), May 7, 1991, 105 Stat. 238; Pub. L. 102-83, §4(b)(1), (2)(E), Aug. 6, 1991, 105 Stat. 404, 405; Pub. L. 102-86, title V, §504, Aug. 14, 1991, 105 Stat. 426.)

AMENDMENTS

1991—Pub. L. 102-40 renumbered section 5101 of this title as this section.

Pub. L. 102-86 inserted at end "The Secretary may also accept, for use in carrying out all laws administered by the Secretary, gifts, devises, and bequests which will enhance the Secretary's ability to provide services or benefits."

Pub. L. 102-83 substituted "Secretary" for "Administrator".

1986—Pub. L. 99-576 substituted "the" for "his" before "intention" in two places.

§ 8302. Legal proceedings

For the purpose of acquiring title to and possession of any property which the Secretary is by this chapter authorized to accept, the Secretary may initiate and appear in any appropriate legal proceedings, and take such steps therein or in connection therewith as in the Secretary's discretion may be desirable and appropriate to reduce said property to possession. The Secretary may incur such expenses incident to such proceedings as the Secretary deems necessary or appropriate, which shall be paid as are other administrative expenses of the Department. All funds received by devise, bequest, gift, or otherwise, for the purposes contemplated in this chapter, including net proceeds of sales authorized by this chapter, shall be deposited with the Treasurer of the United States to the credit of the General Post Fund.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1254, §5102; Pub. L. 99-576, title VII, §701(90), Oct. 28, 1986, 100 Stat. 3299; renumbered §8302, Pub. L. 102-40, title IV, §402(b)(1), May 7, 1991, 105 Stat. 238; Pub. L. 102-83, §4(a)(3), (4), (b)(1), (2)(E), Aug. 6, 1991, 105 Stat. 404, 405.)

AMENDMENTS

1991—Pub. L. 102-40 renumbered section 5102 of this title as this section.

Pub. L. 102-83, §4(b)(1), (2)(E), substituted "Secretary" for "Administrator" wherever appearing, "Secretary's" for "Administrator's", and "Department" for "Veterans' Administration".

1986—Pub. L. 99-576 substituted "the Administrator" for "he" in two places, "the Administrator's" for "his", and "The Administrator" for "He".

§ 8303. Restricted gifts

Disbursements from the General Post Fund shall be made on orders by and within the discretion of the Secretary and in the manner prescribed in section 8523 of this title; except that (1) if the testator or donor has directed or shall direct that the devise, bequest, or gift be devoted to a particular use authorized by this chapter, the same, less expenses incurred, or the net proceeds thereof, shall be used or disbursed as directed, except that a precatory direction shall be fulfilled only insofar as may be proper or practicable; and (2) if the testator or donor shall have indicated the desire that the devise, bequest, or gift shall be for the benefit of persons in hospitals or homes, or other institutions operated by the United States but under the jurisdiction of an official other than the Secretary, the same, less expenses incurred, or the net proceeds thereof which may come into possession of the Secretary, shall be disbursed by transfer to the governing authorities of such institution, or otherwise, in such manner as the Secretary may determine, for the benefit of the persons in the institution indicated by the tes-