

istration as the Secretary determines appropriate at sites under the jurisdiction of the Secretary at which services are provided to homeless veterans.

(d) The program under this section shall terminate on December 31, 2011.

(Added Pub. L. 105-114, title II, §202(a), Nov. 21, 1997, 111 Stat. 2286, §1773; renumbered §2033 and amended Pub. L. 107-95, §§5(b)(1), (f), 8(b), Dec. 21, 2001, 115 Stat. 918, 919; Pub. L. 109-444, §2(d), Dec. 21, 2006, 120 Stat. 3304; Pub. L. 109-461, title VII, §704(b), title X, §1006(b), Dec. 22, 2006, 120 Stat. 3440, 3468.)

AMENDMENTS

2006—Subsec. (d). Pub. L. 109-461, §1006(b), provided that as of the enactment of Pub. L. 109-461, the amendments made by Pub. L. 109-444 were deemed for all purposes not to have taken effect and that Pub. L. 109-444 ceased to be in effect. See Amendment notes below and section 1006(b) of Pub. L. 109-461, set out as a Coordination of Provisions With Pub. L. 109-444 note under section 101 of this title.

Pub. L. 109-461, §704(b), substituted “December 31, 2011” for “December 31, 2006”.

Pub. L. 109-444, which substituted “December 31, 2007” for “December 31, 2006”, was terminated by Pub. L. 109-461, §1006(b). See Amendment notes above.

2001—Pub. L. 107-95, §5(b)(1), renumbered section 1773 of this title as this section.

Subsec. (b). Pub. L. 107-95, §8(b), struck out “not fewer than eight programs (in addition to any existing programs providing similar services) at” after “establishment of” and inserted at end “The Secretary shall carry out the program under this section in sites in at least each of the 20 largest metropolitan statistical areas.”

Subsec. (d). Pub. L. 107-95, §5(f), substituted “December 31, 2006” for “December 31, 2001”.

§ 2034. Coordination with other agencies and organizations

(a) In assisting homeless veterans, the Secretary shall coordinate with, and may provide services authorized under this title in conjunction with, State and local governments, other appropriate departments and agencies of the Federal Government, and nongovernmental organizations.

(b)(1) The Secretary shall require the director of each medical center or the director of each regional benefits office to make an annual assessment of the needs of homeless veterans living within the area served by the medical center or regional office, as the case may be.

(2) Each such assessment shall be made in coordination with representatives of State and local governments, other appropriate departments and agencies of the Federal Government, and nongovernmental organizations that have experience working with homeless persons in that area.

(3) Each such assessment shall identify the needs of homeless veterans with respect to the following:

- (A) Health care.
- (B) Education and training.
- (C) Employment.
- (D) Shelter.
- (E) Counseling.
- (F) Outreach services.

(4) Each assessment shall also indicate the extent to which the needs referred to in paragraph

(3) are being met adequately by the programs of the Department, of other departments and agencies of the Federal Government, of State and local governments, and of nongovernmental organizations.

(5) Each assessment shall be carried out in accordance with uniform procedures and guidelines prescribed by the Secretary.

(6) The Secretary shall review each annual assessment under this subsection and shall consolidate the findings and conclusions of each such assessment into the next annual report submitted to Congress under section 2065 of this title.

(c) In furtherance of subsection (a), the Secretary shall require the director of each medical center and the director of each regional benefits office, in coordination with representatives of State and local governments, other Federal officials, and nongovernmental organizations that have experience working with homeless persons in the areas served by such facility or office, to—

(1) develop a list of all public and private programs that provide assistance to homeless persons or homeless veterans in the area concerned, together with a description of the services offered by those programs;

(2) seek to encourage the development by the representatives of such entities, in coordination with the director, of a plan to coordinate among such public and private programs the provision of services to homeless veterans;

(3) take appropriate action to meet, to the maximum extent practicable through existing programs and available resources, the needs of homeless veterans that are identified in the assessment conducted under subsection (b); and

(4) attempt to inform homeless veterans whose needs the director cannot meet under paragraph (3) of the services available to such veterans within the area served by such center or office.

(Added Pub. L. 105-114, title II, §202(a), Nov. 21, 1997, 111 Stat. 2286, §1774; renumbered §2034 and amended Pub. L. 107-95, §§5(b)(1), 6(b), Dec. 21, 2001, 115 Stat. 918, 919.)

AMENDMENTS

2001—Pub. L. 107-95, §5(b)(1), renumbered section 1774 of this title as this section.

Subsec. (b)(1). Pub. L. 107-95, §6(b)(1), inserted “annual” after “to make an”.

Subsec. (b)(6). Pub. L. 107-95, §6(b)(2), added par. (6).

SUBCHAPTER V—HOUSING ASSISTANCE

§ 2041. Housing assistance for homeless veterans

(a)(1) To assist homeless veterans and their families in acquiring shelter, the Secretary may enter into agreements described in paragraph (2) with—

(A) nonprofit organizations, with preference being given to any organization named in, or approved by the Secretary under, section 5902 of this title; or

(B) any State or any political subdivision thereof.

(2) To carry out paragraph (1), the Secretary may enter into agreements to sell, lease, lease

with an option to purchase, or donate real property, and improvements thereon, acquired by the Secretary as the result of a default on a loan made, insured, or guaranteed under this chapter. Such sale or lease or donation shall be for such consideration as the Secretary determines is in the best interests of homeless veterans and the Federal Government.

(3) The Secretary may enter into an agreement under paragraph (1) of this subsection only if—

(A) the Secretary determines that such an action will not adversely affect the ability of the Department—

(i) to fulfill its statutory missions with respect to the Department loan guaranty program and the short- and long-term solvency of the Veterans Housing Benefit Program Fund established under section 3722 of this title; or

(ii) to carry out other functions and administer other programs authorized by law;

(B) the entity to which the property is sold, leased, or donated agrees to—

(i) utilize the property solely as a shelter primarily for homeless veterans and their families,

(ii) comply with all zoning laws relating to the property,

(iii) make no use of the property that is not compatible with the area where the property is located, and

(iv) take such other actions as the Secretary determines are necessary or appropriate in the best interests of homeless veterans and the Federal Government; and

(C) the Secretary determines that there is no significant likelihood of the property being sold for a price sufficient to reduce the liability of the Department or the veteran who defaulted on the loan.

(4) The term of any lease under this subsection may not exceed three years.

(5) An approved entity that leases a property from the Secretary under this section shall be responsible for the payment of any taxes, utilities, liability insurance, and other maintenance charges or similar charges that apply to the property.

(6) Any agreement, deed, or other instrument executed by the Secretary under this subsection shall be on such terms and conditions as the Secretary determines to be appropriate and necessary to carry out the purpose of such agreement.

(b)(1) Subject to paragraphs (2) and (3), the Secretary may make loans to organizations described in paragraph (1)(A) of subsection (a) to finance the purchase of property by such organizations under such subsection.

(2) In making a loan under this subsection, the Secretary—

(A) shall establish credit standards to be used for this purpose;

(B) may, pursuant to section 3733(a)(6) of this title, provide that the loan will bear interest at a rate below the rate that prevails for similar loans in the market in which the loan is made; and

(C) may waive the collection of a fee under section 3729 of this title in any case in which

the Secretary determines that such a waiver would be appropriate.

(c) The Secretary may not enter into agreements under subsection (a) after December 31, 2011.

(Added Pub. L. 102-54, §9(a), June 13, 1991, 105 Stat. 272, §1835; renumbered §3735, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406; amended Pub. L. 102-590, §§8, 9, Nov. 10, 1992, 106 Stat. 5140; Pub. L. 103-446, title XII, §1201(d)(13), Nov. 2, 1994, 108 Stat. 4684; Pub. L. 104-110, title I, §101(h), Feb. 13, 1996, 110 Stat. 768; Pub. L. 105-114, title II, §203(a), Nov. 21, 1997, 111 Stat. 2288; Pub. L. 105-368, title VI, §602(e)(1)(G), Nov. 11, 1998, 112 Stat. 3347; Pub. L. 106-117, title IX, §902, Nov. 30, 1999, 113 Stat. 1587; renumbered §2041, Pub. L. 107-95, §5(c), Dec. 21, 2001, 115 Stat. 918; Pub. L. 108-170, title IV, §404, Dec. 6, 2003, 117 Stat. 2063; Pub. L. 109-444, §8(a)(5), Dec. 21, 2006, 120 Stat. 3313; Pub. L. 109-461, title VII, §705, title X, §§1004(a)(5), 1006(b), Dec. 22, 2006, 120 Stat. 3440, 3465, 3468.)

AMENDMENTS

2006—Subsec. (a)(3)(A)(i). Pub. L. 109-461, §1006(b), provided that as of the enactment of Pub. L. 109-461, the amendments made by Pub. L. 109-444 were deemed for all purposes not to have taken effect and that Pub. L. 109-444 ceased to be in effect. See Amendment notes below and section 1006(b) of Pub. L. 109-461, set out as a Coordination of Provisions With Pub. L. 109-444 note under section 101 of this title.

Pub. L. 109-461, §1004(a)(5), substituted “established under section 3722 of this title” for “under this chapter”.

Pub. L. 109-444, which substituted “established under section 3722 of this title” for “under this chapter”, was terminated by Pub. L. 109-461, §1006(b). See Amendment notes above.

Subsec. (c). Pub. L. 109-461, §705, substituted “December 31, 2011” for “December 31, 2008”.

2003—Subsec. (c). Pub. L. 108-170 substituted “December 31, 2008” for “December 31, 2003”.

2001—Pub. L. 107-95 renumbered section 3735 of this title as this section.

1999—Subsec. (c). Pub. L. 106-117 substituted “December 31, 2003” for “December 31, 1999”.

1998—Subsec. (a)(3)(A)(i). Pub. L. 105-368 substituted “Veterans Housing Benefit Program Fund” for “Loan Guaranty Revolving Fund and the Guaranty and Indemnity Fund”.

1997—Subsec. (c). Pub. L. 105-114 substituted “December 31, 1999” for “December 31, 1997”.

1996—Subsec. (c). Pub. L. 104-110 substituted “December 31, 1997” for “December 31, 1995”.

1994—Subsec. (a)(1)(A). Pub. L. 103-446 substituted “section 5902” for “section 3402”.

1992—Subsec. (a)(2). Pub. L. 102-590, §8(a)(1), inserted “, lease, lease with an option to purchase, or donate” after “sell” and “or lease or donation” after “sale”.

Subsec. (a)(3)(B). Pub. L. 102-590, §8(a)(2), inserted “, leased, or donated” after “sold” in introductory provisions.

Subsec. (a)(4) to (6). Pub. L. 102-590, §8(a)(3), (4), added pars. (4) and (5) and redesignated former par. (4) as (6).

Subsec. (b). Pub. L. 102-590, §9(a)(2), added subsec. (b). Former subsec. (b) redesignated (c).

Pub. L. 102-590, §8(b), substituted “December 31, 1995” for “September 30, 1993”.

Subsec. (c). Pub. L. 102-590, §9(a)(1), redesignated subsec. (b) as (c).

1991—Pub. L. 102-83 renumbered section 1835 of this title as this section.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-368 effective Oct. 1, 1998, see section 602(f) of Pub. L. 105-368, set out as a note under section 2106 of this title.

RATIFICATION OF ACTIONS DURING PERIOD OF EXPIRED
AUTHORITY

Any action taken by Secretary of Veterans Affairs before Feb. 13, 1996, under provision of law amended by title I of Pub. L. 104-110 that was taken during period beginning on date on which authority of Secretary under such provision of law expired and ending on Feb. 13, 1996, considered to have same force and effect as if such amendment had been in effect at time of that action, see section 103 of Pub. L. 104-110, set out as a note under section 1710 of this title.

§ 2042. Supported housing for veterans participating in compensated work therapies

The Secretary may authorize homeless veterans in the compensated work therapy program to be provided housing through the therapeutic residence program under section 2032 of this title or through grant and per diem providers under subchapter II of this chapter.

(Added Pub. L. 107-95, § 5(a)(1), Dec. 21, 2001, 115 Stat. 913.)

§ 2043. Domiciliary care programs

(a) AUTHORITY.—The Secretary may establish up to 10 programs under section 1710(b) of this title (in addition to any program that is established as of the date of the enactment of this section) to provide domiciliary services under such section to homeless veterans.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary \$5,000,000 for each of fiscal years 2003 and 2004 to establish the programs referred to in subsection (a).

(Added Pub. L. 107-95, § 5(a)(1), Dec. 21, 2001, 115 Stat. 913.)

REFERENCES IN TEXT

The date of the enactment of this section, referred to in subsec. (a), is the date of enactment of Pub. L. 107-95, which was approved Dec. 21, 2001.

SUBCHAPTER VI—LOAN GUARANTEE FOR
MULTIFAMILY TRANSITIONAL HOUSING

AMENDMENTS

2001—Pub. L. 107-95, § 5(d)(1), (2)(A), Dec. 21, 2001, 115 Stat. 918, redesignated subchapter VI of chapter 37 of this title as this subchapter and struck out “FOR HOMELESS VETERANS” after “HOUSING” in subchapter heading.

§ 2051. General authority

(a) The Secretary may guarantee the full or partial repayment of a loan that meets the requirements of this subchapter.

(b)(1) Not more than 15 loans may be guaranteed under subsection (a), of which not more than five such loans may be guaranteed during the 3-year period beginning on the date of the enactment of this subchapter.

(2) A guarantee of a loan under subsection (a) shall be in an amount that is not less than the amount necessary to sell the loan in a commercial market.

(3) Not more than an aggregate amount of \$100,000,000 in loans may be guaranteed under subsection (a).

(c) A loan may not be guaranteed under this subchapter unless, before closing such loan, the Secretary has approved the loan.

(d)(1) The Secretary shall enter into contracts with a qualified nonprofit organization, or other qualified organization, that has experience in underwriting transitional housing projects to obtain advice in carrying out this subchapter, including advice on the terms and conditions necessary for a loan that meets the requirements of section 2052 of this title.

(2) For purposes of paragraph (1), a nonprofit organization is an organization that is described in paragraph (3) or (4) of subsection (c) of section 501 of the Internal Revenue Code of 1986 and is exempt from tax under subsection (a) of such section.

(e) The Secretary may carry out this subchapter in advance of the issuance of regulations for such purpose.

(f) The Secretary may guarantee loans under this subchapter notwithstanding any requirement for prior appropriations for such purpose under any provision of law.

(g) Notwithstanding any other provision of law, a multifamily transitional housing project that is funded by a loan guaranteed under this subchapter may accept uncompensated voluntary services performed by any eligible entity (as that term is defined in section 2011(d) of this title) in connection with the construction, alteration, or repair of such project.

(Added Pub. L. 105-368, title VI, § 601(a), Nov. 11, 1998, 112 Stat. 3342, § 3772; renumbered § 2051 and amended Pub. L. 107-95, § 5(d)(1), (2)(B), Dec. 21, 2001, 115 Stat. 918; Pub. L. 108-454, title IV, § 402(a), Dec. 10, 2004, 118 Stat. 3615.)

REFERENCES IN TEXT

The date of the enactment of this subchapter, referred to in subsec. (b)(1), is the date of enactment of Pub. L. 105-368, which was approved Nov. 11, 1998.

Section 501 of the Internal Revenue Code of 1986, referred to in subsec. (d)(2), is classified to section 501 of Title 26, Internal Revenue Code.

AMENDMENTS

2004—Subsec. (g). Pub. L. 108-454 added subsec. (g).

2001—Pub. L. 107-95, § 5(d)(1), renumbered section 3772 of this title as this section.

Subsec. (d)(1). Pub. L. 107-95, § 5(d)(2)(B), substituted “section 2052 of this title” for “section 3773 of this title”.

EFFECTIVE DATE

Subchapter effective Oct. 1, 1998, see section 602(f) of Pub. L. 105-368, set out as an Effective Date of 1998 Amendment note under section 2106 of this title.

§ 2052. Requirements

(a) A loan referred to in section 2051 of this title meets the requirements of this subchapter if each of the following requirements is met:

(1) The loan—

(A) is for—

(i) construction of, rehabilitation of, or acquisition of land for a multifamily transitional housing project described in subsection (b), or more than one of such purposes; or

(ii) refinancing of an existing loan for such a project; and

(B) may also include additional reasonable amounts for—