

106–117, title VII, §712, Nov. 30, 1999, 113 Stat. 1584; renumbered §2054, Pub. L. 107–95, §5(d)(1), Dec. 21, 2001, 115 Stat. 918.)

AMENDMENTS

2001—Pub. L. 107–95 renumbered section 3775 of this title as this section.

1999—Pub. L. 106–117 designated existing provisions as subsec. (a) and added subsec. (b).

SUBCHAPTER VII—OTHER PROVISIONS

**§ 2061. Grant program for homeless veterans with special needs**

(a) ESTABLISHMENT.—The Secretary shall carry out a program to make grants to health care facilities of the Department and to grant and per diem providers in order to encourage development by those facilities and providers of programs for homeless veterans with special needs.

(b) HOMELESS VETERANS WITH SPECIAL NEEDS.—For purposes of this section, homeless veterans with special needs include homeless veterans who are—

- (1) women, including women who have care of minor dependents;
- (2) frail elderly;
- (3) terminally ill; or
- (4) chronically mentally ill.

(c) FUNDING.—(1) From amounts appropriated to the Department for “Medical Services” for each of fiscal years 2007 through 2011, \$5,000,000 shall be available for each such fiscal year for the purposes of the program under this section.

(2) The Secretary shall ensure that funds for grants under this section are designated for the first three years of operation of the program under this section as a special purpose program for which funds are not allocated through the Veterans Equitable Resource Allocation system.

(Added Pub. L. 107–95, §5(a)(1), Dec. 21, 2001, 115 Stat. 913; amended Pub. L. 109–461, title VII, §706, Dec. 22, 2006, 120 Stat. 3440.)

AMENDMENTS

2006—Subsec. (c)(1). Pub. L. 109–461 substituted “Medical Services” for “Medical Care” and “fiscal years 2007 through 2011” for “fiscal years 2003, 2004, and 2005”.

STUDY OF OUTCOME EFFECTIVENESS OF GRANT PROGRAM FOR HOMELESS VETERANS WITH SPECIAL NEEDS

Pub. L. 107–95, §7, Dec. 21, 2001, 115 Stat. 919, required the Secretary of Veterans Affairs to conduct a study of the effectiveness during fiscal year 2002 through fiscal year 2004 of the grant program under this section in meeting the needs of homeless veterans with special needs and to submit to Congress a report on the study not later than Mar. 31, 2005.

**§ 2062. Dental care**

(a) IN GENERAL.—For purposes of section 1712(a)(1)(H) of this title, outpatient dental services and treatment of a dental condition or disability of a veteran described in subsection (b) shall be considered to be medically necessary, subject to subsection (c), if—

- (1) the dental services and treatment are necessary for the veteran to successfully gain or regain employment;
- (2) the dental services and treatment are necessary to alleviate pain; or

(3) the dental services and treatment are necessary for treatment of moderate, severe, or severe and complicated gingival and periodontal pathology.

(b) ELIGIBLE VETERANS.—Subsection (a) applies to a veteran—

(1) who is enrolled for care under section 1705(a) of this title; and

(2) who, for a period of 60 consecutive days, is receiving care (directly or by contract) in any of the following settings:

(A) A domiciliary under section 1710 of this title.

(B) A therapeutic residence under section 2032 of this title.

(C) Community residential care coordinated by the Secretary under section 1730 of this title.

(D) A setting for which the Secretary provides funds for a grant and per diem provider.

(3) For purposes of paragraph (2), in determining whether a veteran has received treatment for a period of 60 consecutive days, the Secretary may disregard breaks in the continuity of treatment for which the veteran is not responsible.

(c) LIMITATION.—Dental benefits provided by reason of this section shall be a one-time course of dental care provided in the same manner as the dental benefits provided to a newly discharged veteran.

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

**§ 2063. Employment assistance**

The Secretary may authorize homeless veterans receiving care through vocational rehabilitation programs to participate in the compensated work therapy program under section 1718 of this title.

(Added Pub. L. 107–95, §5(a)(1), Dec. 21, 2001, 115 Stat. 914.)

**§ 2064. Technical assistance grants for nonprofit community-based groups**

(a) GRANT PROGRAM.—The Secretary shall carry out a program to make grants to entities or organizations with expertise in preparing grant applications. Under the program, the entities or organizations receiving grants shall provide technical assistance to nonprofit community-based groups with experience in providing assistance to homeless veterans in order to assist such groups in applying for grants under this chapter and other grants relating to addressing problems of homeless veterans.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$1,000,000 for each of fiscal years 2007 through 2012 to carry out the program under this section.

(Added Pub. L. 107–95, §5(a)(1), Dec. 21, 2001, 115 Stat. 914; amended Pub. L. 109–461, title VII, §707, Dec. 22, 2006, 120 Stat. 3440.)

AMENDMENTS

2006—Subsec. (b). Pub. L. 109–461 amended heading and text of subsec. (b) generally. Prior to amendment,

text read as follows: "There is authorized to be appropriated \$750,000 for each of fiscal years 2002 through 2005 to carry out the program under this section."

**§ 2065. Annual report on assistance to homeless veterans**

(a) ANNUAL REPORT.—Not later than June 15 of each year, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the activities of the Department during the calendar year preceding the report under programs of the Department under this chapter and other programs of the Department for the provision of assistance to homeless veterans.

(b) GENERAL CONTENTS OF REPORT.—Each report under subsection (a) shall include the following:

(1) The number of homeless veterans provided assistance under the programs referred to in subsection (a).

(2) The cost to the Department of providing such assistance under those programs.

(3) The Secretary's evaluation of the effectiveness of the programs of the Department in providing assistance to homeless veterans, including—

(A) residential work-therapy programs;

(B) programs combining outreach, community-based residential treatment, and case-management; and

(C) contract care programs for alcohol and drug-dependence or use disabilities).<sup>1</sup>

(4) The Secretary's evaluation of the effectiveness of programs established by recipients of grants under section 2011 of this title and a description of the experience of those recipients in applying for and receiving grants from the Secretary of Housing and Urban Development to serve primarily homeless persons who are veterans.

(5) Information on the efforts of the Secretary to coordinate the delivery of housing and services to homeless veterans with other Federal departments and agencies, including—

(A) the Department of Defense;

(B) the Department of Health and Human Services;

(C) the Department of Housing and Urban Development;

(D) the Department of Justice;

(E) the Department of Labor;

(F) the Interagency Council on Homelessness;

(G) the Social Security Administration; and

(H) any other Federal department or agency with which the Secretary coordinates the delivery of housing and services to homeless veterans.

(6) Any other information on those programs and on the provision of such assistance that the Secretary considers appropriate.

(c) HEALTH CARE CONTENTS OF REPORT.—Each report under subsection (a) shall include, with respect to programs of the Department addressing health care needs of homeless veterans, the following:

(1) Information about expenditures, costs, and workload under the program of the Department known as the Health Care for Homeless Veterans program (HCHV).

(2) Information about the veterans contacted through that program.

(3) Information about program treatment outcomes under that program.

(4) Information about supported housing programs.

(5) Information about the Department's grant and per diem provider program under subchapter II of this chapter.

(6) The findings and conclusions of the assessments of the medical needs of homeless veterans conducted under section 2034(b) of this title.

(7) Other information the Secretary considers relevant in assessing those programs.

(d) BENEFITS CONTENT OF REPORT.—Each report under subsection (a) shall include, with respect to programs and activities of the Veterans Benefits Administration in processing of claims for benefits of homeless veterans during the preceding year, the following:

(1) Information on costs, expenditures, and workload of Veterans Benefits Administration claims evaluators in processing claims for benefits of homeless veterans.

(2) Information on the filing of claims for benefits by homeless veterans.

(3) Information on efforts undertaken to expedite the processing of claims for benefits of homeless veterans.

(4) Other information that the Secretary considers relevant in assessing the programs and activities.

(Added Pub. L. 107-95, §5(a)(1), Dec. 21, 2001, 115 Stat. 914; amended Pub. L. 108-170, title IV, §405(b), Dec. 6, 2003, 117 Stat. 2063; Pub. L. 109-461, title VII, §708, Dec. 22, 2006, 120 Stat. 3440.)

AMENDMENTS

2006—Subsec. (b)(5), (6). Pub. L. 109-461 added par. (5) and redesignated former par. (5) as (6).

2003—Subsec. (a). Pub. L. 108-170 substituted "June 15 of each year" for "April 15 of each year".

**§ 2066. Advisory Committee on Homeless Veterans**

(a) ESTABLISHMENT.—(1) There is established in the Department the Advisory Committee on Homeless Veterans (hereinafter in this section referred to as the "Committee").

(2) The Committee shall consist of not more than 15 members appointed by the Secretary from among the following:

(A) Veterans service organizations.

(B) Advocates of homeless veterans and other homeless individuals.

(C) Community-based providers of services to homeless individuals.

(D) Previously homeless veterans.

(E) State veterans affairs officials.

(F) Experts in the treatment of individuals with mental illness.

(G) Experts in the treatment of substance use disorders.

(H) Experts in the development of permanent housing alternatives for lower income populations.

<sup>1</sup> So in original. There is no opening parenthesis.

- (I) Experts in vocational rehabilitation.
- (J) Such other organizations or groups as the Secretary considers appropriate.
- (3) The Committee shall include, as ex officio members, the following:
- (A) The Secretary of Labor (or a representative of the Secretary selected after consultation with the Assistant Secretary of Labor for Veterans' Employment).
- (B) The Secretary of Defense (or a representative of the Secretary).
- (C) The Secretary of Health and Human Services (or a representative of the Secretary).
- (D) The Secretary of Housing and Urban Development (or a representative of the Secretary).
- (E) The Executive Director of the Interagency Council on Homelessness (or a representative of the Executive Director).
- (F) The Under Secretary for Health (or a representative of the Under Secretary after consultation with the Director of the Office of Homeless Veterans Programs).
- (G) The Under Secretary for Benefits (or a representative of the Under Secretary after consultation with the Director of the Office of Homeless Veterans Programs).
- (4)(A) The Secretary shall determine the terms of service and allowances of the members of the Committee, except that a term of service may not exceed three years. The Secretary may reappoint any member for additional terms of service.
- (B) Members of the Committee shall serve without pay. Members may receive travel expenses, including per diem in lieu of subsistence for travel in connection with their duties as members of the Committee.
- (b) DUTIES.—(1) The Secretary shall consult with and seek the advice of the Committee on a regular basis with respect to the provision by the Department of benefits and services to homeless veterans.
- (2) In providing advice to the Secretary under this subsection, the Committee shall—
- (A) assemble and review information relating to the needs of homeless veterans;
- (B) provide an on-going assessment of the effectiveness of the policies, organizational structures, and services of the Department in assisting homeless veterans; and
- (C) provide on-going advice on the most appropriate means of providing assistance to homeless veterans.
- (3) The Committee shall—
- (A) review the continuum of services provided by the Department directly or by contract in order to define cross-cutting issues and to improve coordination of all services with the Department that are involved in addressing the special needs of homeless veterans;
- (B) identify (through the annual assessments under section 2034 of this title and other available resources) gaps in programs of the Department in serving homeless veterans, including identification of geographic areas with unmet needs, and provide recommendations to address those gaps;
- (C) identify gaps in existing information systems on homeless veterans, both within and

outside the Department, and provide recommendations about redressing problems in data collection;

(D) identify barriers under existing laws and policies to effective coordination by the Department with other Federal agencies and with State and local agencies addressing homeless populations;

(E) identify opportunities for increased liaison by the Department with nongovernmental organizations and individual groups providing services to homeless populations;

(F) with appropriate officials of the Department designated by the Secretary, participate with the Interagency Council on the Homeless under title II of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11311 et seq.);

(G) recommend appropriate funding levels for specialized programs for homeless veterans provided or funded by the Department;

(H) recommend appropriate placement options for veterans who, because of advanced age, frailty, or severe mental illness, may not be appropriate candidates for vocational rehabilitation or independent living; and

(I) perform such other functions as the Secretary may direct.

(c) REPORTS.—(1) Not later than March 31 of each year, the Committee shall submit to the Secretary a report on the programs and activities of the Department that relate to homeless veterans. Each such report shall include—

(A) an assessment of the needs of homeless veterans;

(B) a review of the programs and activities of the Department designed to meet such needs;

(C) a review of the activities of the Committee; and

(D) such recommendations (including recommendations for administrative and legislative action) as the Committee considers appropriate.

(2) Not later than 90 days after the receipt of a report under paragraph (1), the Secretary shall transmit to the Committees on Veterans' Affairs of the Senate and House of Representatives a copy of the report, together with any comments and recommendations concerning the report that the Secretary considers appropriate.

(3) The Committee may also submit to the Secretary such other reports and recommendations as the Committee considers appropriate.

(4) The Secretary shall submit with each annual report submitted to the Congress pursuant to section 529 of this title a summary of all reports and recommendations of the Committee submitted to the Secretary since the previous annual report of the Secretary submitted pursuant to that section.

(d) TERMINATION.—The Committee shall cease to exist December 30, 2011.

(Added Pub. L. 107-95, §5(a)(1), Dec. 21, 2001, 115 Stat. 916; amended Pub. L. 109-444, §2(e), Dec. 21, 2006, 120 Stat. 3304; Pub. L. 109-461, title VII, §709, title X, §1006(b), Dec. 22, 2006, 120 Stat. 3441, 3468.)

#### REFERENCES IN TEXT

The McKinney-Vento Homeless Assistance Act, referred to in subsec. (b)(3)(F), is Pub. L. 100-77, July 22,

1987, 101 Stat. 482, as amended. Title II of the Act is classified generally to subchapter II (§11311 et seq.) of chapter 119 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 11301 of Title 42 and Tables.

#### AMENDMENTS

2006—Subsec. (a)(3)(E) to (G). Pub. L. 109-461, §709(a), added subpars. (E) to (G).

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, §709(b), substituted “December 30, 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.

#### CHANGE OF NAME

Interagency Council on the Homeless changed to United States Interagency Council on Homelessness by Pub. L. 108-199, div. G, title II, §216, Jan. 23, 2004, 118 Stat. 394.

### CHAPTER 21—SPECIALLY ADAPTED HOUSING FOR DISABLED VETERANS

#### Sec.

- 2101. Veterans eligible for assistance.
- 2102. Limitations on assistance furnished.
- 2102A. Assistance for veterans residing temporarily in housing owned by a family member.
- 2103. Furnishing of plans and specifications.
- 2104. Benefits additional to benefits under other laws.
- 2105. Nonliability of United States.
- 2106. Veterans' mortgage life insurance.
- 2107. Coordination of administration of benefits.

#### AMENDMENTS

2006—Pub. L. 109-233, title I, §101(d), June 15, 2006, 120 Stat. 399, added items 2102A and 2107.

1992—Pub. L. 102-568, title II, §204(b), Oct. 29, 1992, 106 Stat. 4325, substituted “Veterans'” for “Veteran's” in item 2106.

1991—Pub. L. 102-83, §5(b)(1), Aug. 6, 1991, 105 Stat. 406, renumbered items 801 to 806 as 2101 to 2106, respectively.

1988—Pub. L. 100-322, title III, §333(a)(2), May 20, 1988, 102 Stat. 539, substituted “Veteran's mortgage life insurance” for “Mortgage Protection Life Insurance” in item 806.

1971—Pub. L. 92-95, §2, Aug. 11, 1971, 85 Stat. 322, added item 806.

#### § 2101. Veterans eligible for assistance

(a) ACQUISITION OF HOUSING WITH SPECIAL FEATURES.—(1) Subject to paragraph (3), the Secretary may assist a disabled veteran described in paragraph (2) in acquiring a suitable housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability, and necessary land therefor.

(2) A veteran is described in this paragraph if the veteran is entitled to compensation under chapter 11 of this title for a permanent and total service-connected disability that meets any of the following criteria:

(A) The disability is due to the loss, or loss of use, of both lower extremities such as to preclude locomotion without the aid of braces, crutches, canes, or a wheelchair.

(B) The disability is due to—

- (i) blindness in both eyes, having only light perception, plus
- (ii) loss or loss of use of one lower extremity.

(C) The disability is due to the loss or loss of use of one lower extremity together with—

- (i) residuals of organic disease or injury; or
- (ii) the loss or loss of use of one upper extremity,

which so affect the functions of balance or propulsion as to preclude locomotion without the aid of braces, crutches, canes, or a wheelchair.

(D) The disability is due to the loss, or loss of use, of both upper extremities such as to preclude use of the arms at or above the elbows.

(3) The regulations prescribed under subsection (d) shall require that assistance under paragraph (1) may be provided to a veteran only if the Secretary finds that—

(A) it is medically feasible for the veteran to reside in the proposed housing unit and in the proposed locality;

(B) the proposed housing unit bears a proper relation to the veteran's present and anticipated income and expenses; and

(C) the nature and condition of the proposed housing unit are such as to be suitable to the veteran's needs for dwelling purposes.

(b) ADAPTATIONS TO RESIDENCE OF VETERAN.—

(1) Subject to paragraph (3), the Secretary shall assist any disabled veteran described in paragraph (2) (other than a veteran who is eligible for assistance under subsection (a))—

(A) in acquiring such adaptations to such veteran's residence as are determined by the Secretary to be reasonably necessary because of such disability; or

(B) in acquiring a residence already adapted with special features determined by the Secretary to be reasonably necessary for the veteran because of such disability.

(2) A veteran is described in this paragraph if the veteran is entitled to compensation under chapter 11 of this title for a permanent and total service-connected disability that meets either of the following criteria:

(A) The disability is due to blindness in both eyes with 5/200 visual acuity or less.

(B) The disability includes the anatomical loss or loss of use of both hands.

(3) Assistance under paragraph (1) may be provided only to a veteran who the Secretary determines—

(A) is residing in and reasonably intends to continue residing in a residence owned by such veteran or by a member of such veteran's family; or

(B) if the veteran's residence is to be constructed or purchased, will be residing in and reasonably intends to continue residing in a residence owned by such veteran or by a member of such veteran's family.

(c)(1) The Secretary may provide assistance under subsection (a) to a member of the Armed Forces serving on active duty who is suffering