consult with representatives of the State unemployment compensation agencies before prescribing any rules which could affect the performance of such agencies, prior to repeal by Pub. L. 87–675, § 1(a), Sept. 19, 1962, 76 Stat. 558.

Prior section 2007 was renumbered section 4107 of this title.

Another prior section 2007, Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1220; Pub. L. 86–70, § 29(b), June 25, 1959, 73 Stat. 148; Pub. L. 86–624, § 25(c), July 12, 1960, 74 Stat. 418, defined ''Korean conflict veterans'', ''unemployment compensation'', and ''State'', prior to repeal by Pub. L. 87–675, § 1(a), Sept. 19, 1962, 76 Stat. 558.

Prior section 2008 was renumbered section 4108 of this title.

Another prior section 2008, Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1220, enumerated provisions which forbade duplication of benefits, prior to repeal by Pub. L. 87–675, § 1(a), Sept. 19, 1962, 76 Stat. 558.

Prior section 2009 was renumbered section 4109 of this title.

Another prior section 2009, Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1221, provided termination dates for the payment of benefits under chapter 41 of this title, prior to repeal by Pub. L. 87–675, § 1(a), Sept. 19, 1962, 76 Stat. 558.

Prior section 2010 was renumbered section 4110 of this title.

Another prior section 2010 was renumbered section 4101 of this title.

Prior section 2010A was renumbered section 4110A of this title.

SUBCHAPTER II—COMPREHENSIVE SERVICE PROGRAMS

§ 2011. Grants

(a) AUTHORITY TO MAKE GRANTS.—Subject to the availability of appropriations provided for such purpose, the Secretary shall make grants to assist eligible entities in establishing programs to furnish, and expanding or modifying existing programs for furnishing, the following to homeless veterans:

(1) Outreach.

(2) Rehabilitative services.

(3) Vocational counseling and training.

(4) Transitional housing assistance.

(b) CRITERIA FOR GRANTS.—The Secretary shall establish criteria and requirements for grants under this section, including criteria for entities eligible to receive grants, and shall publish such criteria and requirements in the Federal Register. The criteria established under this subsection shall include the following:

(1) Specification as to the kinds of projects for which grants are available, which shall include—

(A) expansion, remodeling, or alteration of existing buildings, or acquisition of facilities, for use as service centers, transitional housing, or other facilities to serve homeless veterans; and

(B) procurement of vans for use in outreach to and transportation for homeless veterans for purposes of a program referred to in subsection (a).

(2) Specification as to the number of projects for which grants are available.

(3) Criteria for staffing for the provision of services under a project for which grants are made.

(4) Provisions to ensure that grants under this section—

(A) shall not result in duplication of ongoing services; and

(B) to the maximum extent practicable, shall reflect appropriate geographic dispersion and an appropriate balance between urban and other locations.

(5) Provisions to ensure that an entity receiving a grant shall meet fire and safety requirements established by the Secretary, which shall include—

(A) such State and local requirements that may apply; and

(B) fire and safety requirements applicable under the Life Safety Code of the National Fire Protection Association or such other comparable fire and safety requirements as the Secretary may specify.

(6) Specification as to the means by which an entity receiving a grant may contribute in-kind services to the start-up costs of a project for which a grant is sought and the methodology for assigning a cost to that contribution for purposes of subsection (c).

(c) FUNDING LIMITATIONS.—A grant under this section may not be used to support operational costs. The amount of a grant under this section may not exceed 65 percent of the estimated cost of the project concerned.

(d) ELIGIBLE ENTITIES.—The Secretary may make a grant under this section to an entity applying for such a grant only if the applicant for the grant—

(1) is a public or nonprofit private entity with the capacity (as determined by the Secretary) to effectively administer a grant under this section;

(2) demonstrates that adequate financial support will be available to carry out the project for which the grant is sought consistent with the plans, specifications, and schedule submitted by the applicant; and

(3) agrees to meet the applicable criteria and requirements established under subsections (b) and (g) and has, as determined by the Secretary, the capacity to meet such criteria and requirements.

(e) APPLICATION REQUIREMENT.—An entity seeking a grant for a project under this section shall submit to the Secretary an application for the grant. The application shall set forth the following:

(1) The amount of the grant sought for the project.

(2) A description of the site for the project.

(3) Plans, specifications, and the schedule for implementation of the project in accordance with criteria and requirements prescribed by the Secretary under subsection (b).

(4) Reasonable assurance that upon completion of the work for which the grant is sought, the project will become operational and the facilities will be used principally to provide to veterans the services for which the project was designed, and that not more than 25 percent of the services provided under the project will be provided to individuals who are not veterans.

(f) PROGRAM REQUIREMENTS.—The Secretary may not make a grant for a project to an applicant under this section unless the applicant in

the application for the grant agrees to each of the following requirements:

(1) To provide the services for which the grant is made at locations accessible to homeless veterans.

(2) To maintain referral networks for homeless veterans for establishing eligibility for assistance and obtaining services, under available entitlement and assistance programs, and to aid such veterans in establishing eligibility for and obtaining such services.

(3) To ensure the confidentiality of records maintained on homeless veterans receiving services through the project.

(4) To establish such procedures for fiscal control and fund accounting as may be necessary to ensure proper disbursement and accounting with respect to the grant and to such payments as may be made under section 2012 of this title.

(5) To seek to employ homeless veterans and formerly homeless veterans in positions created for purposes of the grant for which those veterans are qualified.

(g) SERVICE CENTER REQUIREMENTS.—In addition to criteria and requirements established under subsection (b), in the case of an application for a grant under this section for a service center for homeless veterans, the Secretary shall require each of the following:

(1) That such center provide services to homeless veterans during such hours as the Secretary may specify and be open to such veterans on an as-needed, unscheduled basis.

(2) That space at such center be made available, as mutually agreeable, for use by staff of the Department of Veterans Affairs, the Department of Labor, and other appropriate agencies and organizations in assisting homeless veterans served by such center.

(3) That such center be equipped and staffed to provide or to assist in providing health care, mental health services, hygiene facilities, benefits and employment counseling, meals, transportation assistance, and such other services as the Secretary determines necessary.

(4) That such center be equipped and staffed to provide, or to assist in providing, job training, counseling, and placement services (including job readiness and literacy and skills training), as well as any outreach and case management services that may be necessary to carry out this paragraph.

(h) RECOVERY OF UNUSED GRANT FUNDS.—(1) If a grant recipient under this section does not establish a program in accordance with this section or ceases to furnish services under such a program for which the grant was made, the United States shall be entitled to recover from such recipient the total of all unused grant amounts made under this section to such recipient in connection with such program.

(2) Any amount recovered by the United States under paragraph (1) may be obligated by the Secretary without fiscal year limitation to carry out provisions of this subchapter.

(3) An amount may not be recovered under paragraph (1) as an unused grant amount before the end of the three-year period beginning on the date on which the grant is made.

(Added Pub. L. 107–95, § 5(a)(1), Dec. 21, 2001, 115 Stat. 906; amended Pub. L. 109–444, §§ 2(b), 8(a)(4), Dec. 21, 2006, 120 Stat. 3304, 3313; Pub. L. 109–461, title VII, § 703(a), title X, §§ 1004(a)(4), 1006(b), Dec. 22, 2006, 120 Stat. 3440, 3465, 3468.)

PRIOR PROVISIONS

A prior section 2011 was renumbered section 4211 of this title.

Another prior section 2011 was renumbered section 4102 of this title.

AMENDMENTS

2006—Subsec. (a). 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)(4), which directed insertion of a period at end of subpar. (C) of par. (1), was executed to par. (3) to reflect the probable intent of Congress and the redesignation of par. (1)(C) as (3) by Pub. L. 109–461, § 703(a). See below.

Pub. L. 109–461, § 703(a), struck out par. (1) designation before ''Subject'', redesignated subpars. (A) to (D) of former par. (1) as pars. (1) to (4), respectively, and struck out former par. (2), which read as follows: ''The authority of the Secretary to make grants under this section expires on September 30, 2005.''

Pub. L. 109–444, § 8(a)(4), which inserted period at end of subpar. (C) of par. (1), was terminated by Pub. L. 109–461, § 1006(b). See Amendment notes above.

Subsec. (a)(2). Pub. L. 109–444, § 2(b), which substituted ''September 30, 2007'' for ''September 30, 2005'', was terminated by Pub. L. 109–461, § 1006(b). See Amendment notes above.

CONTINUATION OF AUTHORITY

Pub. L. 109–114, title II, § 230, Nov. 30, 2005, 119 Stat. 2393, provided that: ''The authority provided by section 2011 of title 38, United States Code, shall continue in effect through September 30, 2006.''

§ 2012. Per diem payments

(a) PER DIEM PAYMENTS FOR FURNISHING SERVICES TO HOMELESS VETERANS.—(1) Subject to the availability of appropriations provided for such purpose, the Secretary, pursuant to such criteria as the Secretary shall prescribe, shall provide to a recipient of a grant under section 2011 of this title (or an entity eligible to receive a grant under that section which after November 10, 1992, establishes a program that the Secretary determines carries out the purposes described in that section) per diem payments for services furnished to any homeless veteran—

(A) whom the Secretary has referred to the grant recipient (or entity eligible for such a grant); or

(B) for whom the Secretary has authorized the provision of services.

(2)(A) The rate for such per diem payments shall be the daily cost of care estimated by the grant recipient or eligible entity adjusted by the Secretary under subparagraph (B). In no case may the rate determined under this paragraph exceed the rate authorized for State homes for domiciliary care under subsection (a)(1)(A) of section 1741 of this title, as the Secretary may increase from time to time under subsection (c) of that section.