

CHAPTER 20—BENEFITS FOR HOMELESS VETERANS

(Added Pub. L. 107–95, §5(a)(1), Dec. 21, 2001, 115 Stat. 905.)

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AMENDMENTS

2010—Pub. L. 111–275, title II, §202(b), Oct. 13, 2010, 124 Stat. 2874, added item 2021A.

2008—Pub. L. 110–387, title VI, §§602(e), 604(b)(2), Oct. 10, 2008, 122 Stat. 4132, 4136, substituted “Referral and counseling services: veterans at risk of homelessness who are transitioning from certain institutions” for “Demonstration program of referral and counseling for veterans transitioning from certain institutions who are at risk for homelessness” in item 2023 and added item 2044.

SUBCHAPTER I—PURPOSE; DEFINITIONS; ADMINISTRATIVE MATTERS

§ 2001. Purpose

The purpose of this chapter is to provide for the special needs of homeless veterans.

PRIOR PROVISIONS

A prior section 2001 was renumbered section 4101 of this title.

Another prior section 2001, Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1217, related to compensation for veterans under agreements with States, prior to repeal by section 1(a) of Pub. L. 87–675.

NATIONAL GOAL TO END HOMELESSNESS AMONG VETERANS

Pub. L. 109–461, title VII, §701, Dec. 22, 2006, 120 Stat. 3439, provided that:

“(a) REAFFIRMATION.—Congress reaffirms the national goal to end chronic homelessness among veterans within a decade of the enactment of the Homeless Veterans Comprehensive Assistance Act of 2001 (Public Law 107–95; 115 Stat. 903) [Dec. 21, 2001].

“(b) REAFFIRMATION OF ENCOURAGEMENT OF COOPERATIVE EFFORTS.—Congress reaffirms its encouragement, as specified in the Homeless Veterans Comprehensive Assistance Act of 2001 (Public Law 107–95; 115 Stat. 903), that all departments and agencies of the Federal, State, and local governments, quasi-governmental organizations, private and public sector entities, including community-based organizations, faith-based organizations, and individuals, work cooperatively to end chronic homelessness among veterans.”

Pub. L. 107–95, §3, Dec. 21, 2001, 115 Stat. 903, provided that:

“(a) NATIONAL GOAL.—Congress hereby declares it to be a national goal to end chronic homelessness among veterans within a decade of the enactment of this Act [Dec. 21, 2001].

“(b) COOPERATIVE EFFORTS ENCOURAGED.—Congress hereby encourages all departments and agencies of Federal, State, and local governments, quasi-governmental organizations, private and public sector entities, including community-based organizations, faith-based organizations, and individuals to work cooperatively to end chronic homelessness among veterans within a decade.”

SENSE OF THE CONGRESS REGARDING THE NEEDS OF HOMELESS VETERANS AND THE RESPONSIBILITY OF FEDERAL AGENCIES

Pub. L. 107–95, §4, Dec. 21, 2001, 115 Stat. 904, provided that: “It is the sense of the Congress that—

“(1) homelessness is a significant problem in the veterans community and veterans are disproportionately represented among homeless men;

“(2) while many effective programs assist homeless veterans to again become productive and self-sufficient members of society, current resources provided to such programs and other activities that assist homeless veterans are inadequate to provide all needed essential services, assistance, and support to homeless veterans;

“(3) the most effective programs for the assistance of homeless veterans should be identified and expanded;

“(4) federally funded programs for homeless veterans should be held accountable for achieving clearly defined results;

“(5) Federal efforts to assist homeless veterans should include prevention of homelessness; and

“(6) Federal agencies, particularly the Department of Veterans Affairs, the Department of Housing and Urban Development, and the Department of Labor, should cooperate more fully to address the problem of homelessness among veterans.”

EVALUATION CENTERS FOR HOMELESS VETERANS PROGRAMS

Pub. L. 107–95, §6(a), Dec. 21, 2001, 115 Stat. 919, provided that: “The Secretary of Veterans Affairs shall support the continuation within the Department of

Veterans Affairs of at least one center for evaluation to monitor the structure, process, and outcome of programs of the Department of Veterans Affairs that address homeless veterans."

DEFINITIONS IN PUB. L. 107-95

Pub. L. 107-95, § 2, Dec. 21, 2001, 115 Stat. 903, provided that: "For purposes of this Act [see Short Title of 2001 Amendments note set out under section 101 of this title]:

"(1) The term 'homeless veteran' has the meaning given such term in section 2002 of title 38, United States Code, as added by section 5(a)(1).

"(2) The term 'grant and per diem provider' means an entity in receipt of a grant under section 2011 or 2012 of title 38, United States Code, as so added."

§ 2002. Definitions

In this chapter:

(1) The term "homeless veteran" means a veteran who is homeless (as that term is defined in section 103(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a))).

(2) The term "grant and per diem provider" means an entity in receipt of a grant under section 2011 or 2012 of this title.

(Added Pub. L. 107-95, § 5(a)(1), Dec. 21, 2001, 115 Stat. 905; amended Pub. L. 109-444, § 8(a)(3), Dec. 21, 2006, 120 Stat. 3313; Pub. L. 109-461, title X, §§ 1004(a)(3), 1006(b), Dec. 22, 2006, 120 Stat. 3465, 3468.)

PRIOR PROVISIONS

A prior section 2002 was renumbered section 4102 of this title.

Another prior section 2002, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1217, related to compensation for veterans in absence of agreements with States, prior to repeal by section 1(a) of Pub. L. 87-675.

A prior section 2002A was renumbered section 4102A of this title.

AMENDMENTS

2006—Par. (1). 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)(3), inserted closing parenthesis before period at end.

Pub. L. 109-444, which inserted closing parenthesis before period at end, was terminated by Pub. L. 109-461, § 1006(b). See Amendment notes above.

§ 2003. Staffing requirements

(a) VBA STAFFING AT REGIONAL OFFICES.—The Secretary shall ensure that there is at least one full-time employee assigned to oversee and coordinate homeless veterans programs at each of the 20 Veterans Benefits Administration regional offices that the Secretary determines have the largest homeless veteran populations within the regions of the Administration. The programs covered by such oversight and coordination include the following:

(1) Housing programs administered by the Secretary under this title or any other provision of law.

(2) Compensation, pension, vocational rehabilitation, and education benefits programs administered by the Secretary under this title or any other provision of law.

(3) The housing program for veterans supported by the Department of Housing and Urban Development.

(4) The homeless veterans reintegration program of the Department of Labor under section 2021 of this title.

(5) The programs under section 2033 of this title.

(6) The assessments required by section 2034 of this title.

(7) Such other programs relating to homeless veterans as may be specified by the Secretary.

(b) VHA CASE MANAGERS.—The Secretary shall ensure that the number of case managers in the Veterans Health Administration is sufficient to assure that every veteran who is provided a housing voucher through section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) is assigned to, and is seen as needed by, a case manager.

(Added Pub. L. 107-95, § 5(a)(1), Dec. 21, 2001, 115 Stat. 905.)

PRIOR PROVISIONS

A prior section 2003 was renumbered section 4103 of this title.

Another prior section 2003, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1218, related to payments to the States equal to payments made by them in accordance with an agreement under chapter 41 of this title, prior to repeal by section 1(a) of Pub. L. 87-675.

Prior sections 2003A and 2004 were renumbered sections 4103A and 4104 of this title, respectively.

Another prior section 2004, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1219, related to information necessary to determine a veteran's entitlement to compensation and which all Federal departments and agencies were required to make available to State agencies or to the Secretary, prior to repeal by section 1(a) of Pub. L. 87-675.

Prior sections 2004A and 2005 were renumbered sections 4104A and 4105 of this title, respectively.

Another prior section 2005, Pub. L. 85-837, Sept. 2, 1958, 72 Stat. 1219, related to penalties for making false statements or representations, or for knowledgeable failure to disclose material facts in order to obtain or increase payments under chapter 41 of this title, prior to repeal by section 1(a) of Pub. L. 87-675.

Prior section 2006 was renumbered section 4106 of this title.

Another prior section 2006, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1219, authorized the Secretary to make rules and regulations necessary to carry out the provisions of chapter 41 of this title, and required him to 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 on-going 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.

(B) The Secretary shall adjust the rate estimated by the grant recipient or eligible entity under subparagraph (A) to exclude other sources of income described in subparagraph (D) that the grant recipient or eligible entity certifies to be correct.

(C) Each grant recipient or eligible entity shall provide to the Secretary such information with respect to other sources of income as the Secretary may require to make the adjustment under subparagraph (B).

(D) The other sources of income referred to in subparagraphs (B) and (C) are payments to the grant recipient or eligible entity for furnishing services to homeless veterans under programs other than under this subchapter, including payments and grants from other departments and agencies of the United States, from departments or agencies of State or local government, and from private entities or organizations.

(3) In a case in which the Secretary has authorized the provision of services, per diem payments under paragraph (1) may be paid retroactively for services provided not more than three days before the authorization was provided.

(b) INSPECTIONS.—The Secretary may inspect any facility of a grant recipient or entity eligible for payments under subsection (a) at such times as the Secretary considers necessary. No per diem payment may be provided to a grant recipient or eligible entity under this section unless the facilities of the grant recipient or eligible entity meet such standards as the Secretary shall prescribe.

(c) LIFE SAFETY CODE.—(1) Except as provided in paragraph (2), a per diem payment may not be provided under this section to a grant recipient or eligible entity unless the facilities of the grant recipient or eligible entity, as the case may be, meet applicable fire and safety requirements under the Life Safety Code of the National Fire Protection Association or such other comparable fire and safety requirements as the Secretary may specify.

(2) During the five-year period beginning on the date of the enactment of this section, paragraph (1) shall not apply to an entity that received a grant under section 3 of the Homeless Veterans Comprehensive Service Programs Act of 1992 (Public Law 102-590; 38 U.S.C. 7721 note)¹ before that date if the entity meets fire and safety requirements established by the Secretary.

(3) From amounts available for purposes of this section, not less than \$5,000,000 shall be used only for grants to assist entities covered by paragraph (2) in meeting the Life Safety Code of the National Fire Protection Association or such other comparable fire and safety requirements as the Secretary may specify.

(d) PER DIEM PAYMENTS TO NONCONFORMING ENTITIES.—(1) The Secretary may make funds available for per diem payments under this section to the following grant recipients or eligible entities:

(A) Grant recipients or eligible entities that—

- (i) meet each of the transitional and supportive services criteria prescribed by the Secretary pursuant to subsection (a)(1); and
- (ii) furnish services to homeless individuals, of which less than 75 percent are veterans.

(B) Grant recipients or eligible entities that—

- (i) meet at least one, but not all, of the transitional and supportive services criteria prescribed by the Secretary pursuant to subsection (a)(1); and
- (ii) furnish services to homeless individuals, of which not less than 75 percent are veterans.

(C) Grant recipients or eligible entities that—

- (i) meet at least one, but not all, of the transitional and supportive services criteria prescribed by the Secretary pursuant to subsection (a)(1); and

(ii) furnish services to homeless individuals, of which less than 75 percent are veterans.

(2) Notwithstanding subsection (a)(2), in providing per diem payments under this subsection, the Secretary shall determine the rate of such per diem payments in accordance with the following order of priority:

(A) Grant recipients or eligible entities described by paragraph (1)(A).

(B) Grant recipients or eligible entities described by paragraph (1)(B).

(C) Grant recipients or eligible entities described by paragraph (1)(C).

(3) For purposes of this subsection, an eligible entity is a nonprofit entity and may be an entity that is ineligible to receive a grant under section 2011 of this title, but whom the Secretary determines carries out the purposes described in that section.

(Added Pub. L. 107-95, § 5(a)(1), Dec. 21, 2001, 115 Stat. 908; amended Pub. L. 111-163, title VII, § 701, May 5, 2010, 124 Stat. 1174.)

REFERENCES IN TEXT

The date of the enactment of this section, referred to in subsec. (c)(2), is the date of enactment of Pub. L. 107-95, which was approved Dec. 21, 2001.

Section 3 of the Homeless Veterans Comprehensive Service Programs Act of 1992, referred to in subsec. (c)(2), is section 3 of Pub. L. 102-590, Nov. 10, 1992, 106 Stat. 5136, which was set out in a note under former section 7721 of this title, which note was repealed and restated in sections 2011 and 2012 of this title by Pub. L. 107-95, § 5(a)(1), (e)(1), Dec. 21, 2001, 115 Stat. 906, 918. Section 7721 of this title was repealed by Pub. L. 109-233, title IV, § 402(c), June 15, 2006, 120 Stat. 411.

PRIOR PROVISIONS

A prior section 2012 was renumbered section 4212 of this title.

Another prior section 2012 was renumbered section 4103 of this title.

AMENDMENTS

2010—Subsec. (d). Pub. L. 111-163 added subsec. (d).

§ 2013. Authorization of appropriations

There is authorized to be appropriated to carry out this subchapter \$150,000,000 for fiscal year 2007 and each fiscal year thereafter.

(Added Pub. L. 107-95, § 5(a)(1), Dec. 21, 2001, 115 Stat. 909; amended Pub. L. 108-422, title I, § 101, Nov. 30, 2004, 118 Stat. 2380; Pub. L. 109-461, title VII, § 703(b), Dec. 22, 2006, 120 Stat. 3440; Pub. L. 110-387, title VI, § 601, Oct. 10, 2008, 122 Stat. 4131.)

PRIOR PROVISIONS

A prior section 2013 was renumbered section 4213 of this title.

Another prior section 2013 was renumbered section 4104 of this title.

A prior section 2014 was renumbered section 4214 of this title.

Another prior section 2014 was renumbered section 4105 of this title.

AMENDMENTS

2008—Pub. L. 110-387 substituted “\$150,000,000” for “\$130,000,000”.

2006—Pub. L. 109-461 amended text generally. Prior to amendment, text read as follows: “There are authorized

¹ See References in Text note below.

to be appropriated to carry out this subchapter amounts as follows:

- “(1) \$60,000,000 for fiscal year 2002.
- “(2) \$75,000,000 for fiscal year 2003.
- “(3) \$75,000,000 for fiscal year 2004.
- “(4) \$99,000,000 for fiscal year 2005.”

2004—Par. (4). Pub. L. 108-422 substituted “\$99,000,000” for “\$75,000,000”.

SUBCHAPTER III—TRAINING AND OUTREACH

§ 2021. Homeless veterans reintegration programs

(a) IN GENERAL.—Subject to the availability of appropriations provided for such purpose, the Secretary of Labor shall conduct, directly or through grant or contract, such programs as the Secretary determines appropriate to provide job training, counseling, and placement services (including job readiness and literacy and skills training) to expedite the reintegration of homeless veterans into the labor force.

(b) REQUIREMENT TO MONITOR EXPENDITURES OF FUNDS.—(1) The Secretary of Labor shall collect such information as that Secretary considers appropriate to monitor and evaluate the distribution and expenditure of funds appropriated to carry out this section. The information shall include data with respect to the results or outcomes of the services provided to each homeless veteran under this section.

(2) Information under paragraph (1) shall be furnished in such form and manner as the Secretary of Labor may specify.

(c) ADMINISTRATION THROUGH THE ASSISTANT SECRETARY OF LABOR FOR VETERANS' EMPLOYMENT AND TRAINING.—The Secretary of Labor shall carry out this section through the Assistant Secretary of Labor for Veterans' Employment and Training.

(d) BIENNIAL REPORT TO CONGRESS.—Not less than every two years, the Secretary of Labor shall submit to Congress a report on the programs conducted under this section. The Secretary of Labor shall include in the report an evaluation of services furnished to veterans under this section and an analysis of the information collected under subsection (b).

(e) AUTHORIZATION OF APPROPRIATIONS.—(1) There are authorized to be appropriated to carry out this section amounts as follows:

- (A) \$50,000,000 for fiscal year 2002.
- (B) \$50,000,000 for fiscal year 2003.
- (C) \$50,000,000 for fiscal year 2004.
- (D) \$50,000,000 for fiscal year 2005.
- (E) \$50,000,000 for fiscal year 2006.
- (F) \$50,000,000 for each of fiscal years 2007 through 2011.

(2) Funds appropriated to carry out this section shall remain available until expended. Funds obligated in any fiscal year to carry out this section may be expended in that fiscal year and the succeeding fiscal year.

(Added Pub. L. 107-95, §5(a)(1), Dec. 21, 2001, 115 Stat. 909; amended Pub. L. 109-233, title II, §203, June 15, 2006, 120 Stat. 404; Pub. L. 111-275, title II, §201, Oct. 13, 2010, 124 Stat. 2873.)

PRIOR PROVISIONS

A prior section 2021 was renumbered section 4301 of this title and subsequently omitted in the general

amendment of chapter 43 of this title by Pub. L. 103-353, §2(a), Oct. 13, 1994, 108 Stat. 3150.

AMENDMENTS

2010—Subsec. (e)(1)(F). Pub. L. 111-275 substituted “2011” for “2009”.

2006—Subsec. (e)(1)(F). Pub. L. 109-233 added subpar. (F).

§ 2021A. Homeless women veterans and homeless veterans with children reintegration grant program

(a) GRANTS.—Subject to the availability of appropriations provided for such purpose, the Secretary of Labor shall make grants to programs and facilities that the Secretary determines provide dedicated services for homeless women veterans and homeless veterans with children.

(b) USE OF FUNDS.—Grants under this section shall be used to provide job training, counseling, placement services (including job readiness and literacy and skills training) and child care services to expedite the reintegration of homeless women veterans and homeless veterans with children into the labor force.

(c) REQUIREMENT TO MONITOR EXPENDITURES OF FUNDS.—(1) The Secretary of Labor shall collect such information as that Secretary considers appropriate to monitor and evaluate the distribution and expenditure of funds appropriated to carry out this section. The information shall include data with respect to the results or outcomes of the services provided to each homeless veteran under this section.

(2) Information under paragraph (1) shall be furnished in such form and manner as the Secretary of Labor may specify.

(d) ADMINISTRATION THROUGH THE ASSISTANT SECRETARY OF LABOR FOR VETERANS' EMPLOYMENT AND TRAINING.—The Secretary of Labor shall carry out this section through the Assistant Secretary of Labor for Veterans' Employment and Training.

(e) BIENNIAL REPORT TO CONGRESS.—The Secretary of Labor shall include as part of the report required under section 2021(d) of this title an evaluation of the grant program under this section, which shall include an evaluation of services furnished to veterans under this section and an analysis of the information collected under subsection (c).

(f) AUTHORIZATION OF APPROPRIATIONS.—(1) In addition to any amount authorized to be appropriated to carry out section 2021 of this title, there is authorized to be appropriated to carry out this section \$1,000,000 for each of fiscal years 2011 through 2015.

(2) Funds appropriated to carry out this section shall remain available until expended. Funds obligated in any fiscal year to carry out this section may be expended in that fiscal year and the succeeding fiscal year.

(Added Pub. L. 111-275, title II, §202(a), Oct. 13, 2010, 124 Stat. 2873.)

§ 2022. Coordination of outreach services for veterans at risk of homelessness

(a) OUTREACH PLAN.—The Secretary, acting through the Under Secretary for Health, shall provide for appropriate officials of the Mental

Health Service and the Readjustment Counseling Service of the Veterans Health Administration to develop a coordinated plan for joint outreach by the two Services to veterans at risk of homelessness, including particularly veterans who are being discharged or released from institutions after inpatient psychiatric care, substance abuse treatment, or imprisonment.

(b) **MATTERS TO BE INCLUDED.**—The outreach plan under subsection (a) shall include the following:

(1) Strategies to identify and collaborate with non-Department entities used by veterans who have not traditionally used Department services to further outreach efforts.

(2) Strategies to ensure that mentoring programs, recovery support groups, and other appropriate support networks are optimally available to veterans.

(3) Appropriate programs or referrals to family support programs.

(4) Means to increase access to case management services.

(5) Plans for making additional employment services accessible to veterans.

(6) Appropriate referral sources for mental health and substance abuse services.

(c) **COOPERATIVE RELATIONSHIPS.**—The outreach plan under subsection (a) shall identify strategies for the Department to enter into formal cooperative relationships with entities outside the Department to facilitate making services and resources optimally available to veterans.

(d) **REVIEW OF PLAN.**—The Secretary shall submit the outreach plan under subsection (a) to the Advisory Committee on Homeless Veterans for its review and consultation.

(e) **OUTREACH PROGRAM.**—(1) The Secretary shall carry out an outreach program to provide information to homeless veterans and veterans at risk of homelessness. The program shall include at a minimum—

(A) provision of information about benefits available to eligible veterans from the Department; and

(B) contact information for local Department facilities, including medical facilities, regional offices, and veterans centers.

(2) In developing and carrying out the program under paragraph (1), the Secretary shall, to the extent practicable, consult with appropriate public and private organizations, including the Bureau of Prisons, State social service agencies, the Department of Defense, and mental health, veterans, and homeless advocates—

(A) for assistance in identifying and contacting veterans who are homeless or at risk of homelessness;

(B) to coordinate appropriate outreach activities with those organizations; and

(C) to coordinate services provided to veterans with services provided by those organizations.

(f) **REPORTS.**—(1) Not later than October 1, 2002, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives an initial report that contains an evaluation of outreach activities carried out by the Secretary with respect to

homeless veterans, including outreach regarding clinical issues and other benefits administered under this title. The Secretary shall conduct the evaluation in consultation with the Under Secretary for Benefits, the Department of Veterans Affairs central office official responsible for the administration of the Readjustment Counseling Service, the Director of Homeless Veterans Programs, and the Department of Veterans Affairs central office official responsible for the administration of the Mental Health Strategic Health Care Group.

(2) Not later than December 31, 2005, the Secretary shall submit to the committees referred to in paragraph (1) an interim report on outreach activities carried out by the Secretary with respect to homeless veterans. The report shall include the following:

(A) The Secretary's outreach plan under subsection (a), including goals and time lines for implementation of the plan for particular facilities and service networks.

(B) A description of the implementation and operation of the outreach program under subsection (e).

(C) A description of the implementation and operation of the program under section 2023 of this title.

(3) Not later than July 1, 2007, the Secretary shall submit to the committees referred to in paragraph (1) a final report on outreach activities carried out by the Secretary with respect to homeless veterans. The report shall include the following:

(A) An evaluation of the effectiveness of the outreach plan under subsection (a).

(B) An evaluation of the effectiveness of the outreach program under subsection (e).

(C) An evaluation of the effectiveness of the demonstration program under section 2023 of this title.

(D) Recommendations, if any, regarding an extension or modification of such outreach plan, such outreach program, and such demonstration program.

(Added Pub. L. 107-95, §5(a)(1), Dec. 21, 2001, 115 Stat. 910; amended Pub. L. 110-387, title VI, §602(d)(3), Oct. 10, 2008, 122 Stat. 4132.)

PRIOR PROVISIONS

A prior section 2022 was renumbered section 4302 of this title and subsequently omitted in the general amendment of chapter 43 of this title by Pub. L. 103-353, §2(a), Oct. 13, 1994, 108 Stat. 3150.

AMENDMENTS

2008—Subsec. (f)(2)(C). Pub. L. 110-387 struck out “demonstration” before “program”.

§ 2023. Referral and counseling services: veterans at risk of homelessness who are transitioning from certain institutions

(a) **PROGRAM AUTHORITY.**—The Secretary and the Secretary of Labor (hereinafter in this section referred to as the “Secretaries”) shall carry out a program of referral and counseling services to eligible veterans with respect to benefits and services available to such veterans under this title and under State law.

(b) **LOCATION OF PROGRAM.**—The program shall be carried out in at least 12 locations. One loca-

tion shall be a penal institution under the jurisdiction of the Bureau of Prisons.

(c) SCOPE OF PROGRAM.—(1) To the extent practicable, the program shall provide both referral and counseling services, and in the case of counseling services, shall include counseling with respect to job training and placement (including job readiness), housing, health care, and other benefits to assist the eligible veteran in the transition from institutional living.

(2)(A) To the extent that referral or counseling services are provided at a location under the program, referral services shall be provided in person during such period of time that the Secretaries may specify that precedes the date of release or discharge of the eligible veteran, and counseling services shall be furnished after such date.

(B) The Secretaries may, as part of the program, furnish to officials of penal institutions outreach information with respect to referral and counseling services for presentation to veterans in the custody of such officials during the 18-month period that precedes such date of release or discharge.

(3) The Secretaries may enter into contracts to carry out the referral and counseling services required under the program with entities or organizations that meet such requirements as the Secretaries may establish.

(4) In developing the program, the Secretaries shall consult with officials of the Bureau of Prisons, officials of penal institutions of States and political subdivisions of States, and such other officials as the Secretaries determine appropriate.

(d) DURATION.—The authority of the Secretaries to provide referral and counseling services under the demonstration program shall cease on September 30, 2012.

(e) DEFINITION.—In this section, the term “eligible veteran” means a veteran who—

(1) is a resident of a penal institution or an institution that provides long-term care for mental illness; and

(2) is at risk for homelessness absent referral and counseling services provided under the demonstration program (as determined under guidelines established by the Secretaries).

(Added Pub. L. 107-95, §5(a)(1), Dec. 21, 2001, 115 Stat. 912; amended Pub. L. 110-28, title V, §5705, May 25, 2007, 121 Stat. 170; Pub. L. 110-387, title VI, §602(a)-(d)(2), Oct. 10, 2008, 122 Stat. 4132.)

PRIOR PROVISIONS

Prior sections 2023 to 2027 were renumbered sections 4303 to 4307 of this title, respectively, and subsequently omitted in the general amendment of chapter 43 of this title by Pub. L. 103-353, §2(a), Oct. 13, 1994, 108 Stat. 3150.

AMENDMENTS

2008—Pub. L. 110-387, §602(d)(2), amended section catchline generally. Prior to amendment, catchline read as follows: “Demonstration program of referral and counseling for veterans transitioning from certain institutions who are at risk for homelessness”.

Subsec. (a). Pub. L. 110-387, §602(a), substituted “a program of” for “a demonstration program for the purpose of determining the costs and benefits of providing”.

Subsec. (b). Pub. L. 110-387, §602(b), in heading, struck out “Demonstration” before “Program” and in text,

struck out “demonstration” before “program” and substituted “12 locations” for “six locations”.

Subsec. (c)(1). Pub. L. 110-387, §602(d)(1), struck out “demonstration” before “program”.

Subsec. (d). Pub. L. 110-387, §602(c), substituted “September 30, 2012.” for “September 30, 2007.”

2007—Subsec. (d). Pub. L. 110-28 substituted “shall cease on September 30, 2007” for “shall cease on the date that is four years after the date of the commencement of the program”.

SUBCHAPTER IV—TREATMENT AND REHABILITATION FOR SERIOUSLY MENTALLY ILL AND HOMELESS VETERANS

AMENDMENTS

2001—Pub. L. 107-95, §5(b)(1), Dec. 21, 2001, 115 Stat. 918, redesignated subchapter VII of chapter 17 of this title as this subchapter.

§ 2031. General treatment

(a) In providing care and services under section 1710 of this title to veterans suffering from serious mental illness, including veterans who are homeless, the Secretary may provide (directly or in conjunction with a governmental or other entity)—

(1) outreach services;

(2) care, treatment, and rehabilitative services (directly or by contract in community-based treatment facilities, including halfway houses); and

(3) therapeutic transitional housing assistance under section 2032 of this title, in conjunction with work therapy under subsection (a) or (b) of section 1718 of this title and outpatient care.

(b) The authority of the Secretary under subsection (a) expires on December 31, 2011.

(Added Pub. L. 105-114, title II, §202(a), Nov. 21, 1997, 111 Stat. 2284, §1771; renumbered §2031 and amended Pub. L. 107-95, §5(b), (f), Dec. 21, 2001, 115 Stat. 918; Pub. L. 109-444, §2(c), Dec. 21, 2006, 120 Stat. 3304; Pub. L. 109-461, title VII, §704(a), title X, §1006(b), Dec. 22, 2006, 120 Stat. 3440, 3468.)

AMENDMENTS

2006—Subsec. (b). 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(a), 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 1771 of this title as this section.

Subsec. (a)(3). Pub. L. 107-95, §5(b)(2), substituted “section 2032 of this title” for “section 1772 of this title”.

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

§ 2032. Therapeutic housing

(a) The Secretary, in connection with the conduct of compensated work therapy programs, may operate residences and facilities as therapeutic housing.

(b) The Secretary may use such procurement procedures for the purchase, lease, or other acquisition of residential housing for purposes of this section as the Secretary considers appropriate to expedite the opening and operation of transitional housing and to protect the interests of the United States.

(c) A residence or other facility may be operated as transitional housing for veterans described in paragraphs (1) and (2) of section 1710(a) of this title under the following conditions:

(1) Only veterans described in those paragraphs and a house manager may reside in the residence or facility.

(2) Each resident, other than the house manager, shall be required to make payments that contribute to covering the expenses of board and the operational costs of the residence or facility for the period of residence in such housing.

(3) In order to foster the therapeutic and rehabilitative objectives of such housing (A) residents shall be prohibited from using alcohol or any controlled substance or item, (B) any resident violating that prohibition may be expelled from the residence or facility, and (C) each resident shall agree to undergo drug testing or such other measures as the Secretary shall prescribe to ensure compliance with that prohibition.

(4) In the establishment and operation of housing under this section, the Secretary shall consult with appropriate representatives of the community in which the housing is established and shall comply with zoning requirements, building permit requirements, and other similar requirements applicable to other real property used for similar purposes in the community.

(5) The residence or facility shall meet State and community fire and safety requirements applicable to other real property used for similar purposes in the community in which the transitional housing is located, but fire and safety requirements applicable to buildings of the Federal Government shall not apply to such property.

(d) The Secretary shall prescribe the qualifications for house managers for transitional housing units operated under this section. The Secretary may provide for free room and subsistence for a house manager in addition to, or instead of payment of, a fee for the services provided by the manager.

(e)(1) The Secretary may operate as transitional housing under this section—

(A) any suitable residential property acquired by the Secretary as the result of a default on a loan made, guaranteed, or insured under chapter 37 of this title;

(B) any suitable space in a facility under the jurisdiction of the Secretary that is no longer being used (i) to provide acute hospital care, or (ii) as housing for medical center employees; and

(C) any other suitable residential property purchased, leased, or otherwise acquired by the Secretary.

(2) In the case of any property referred to in paragraph (1)(A), the Secretary shall—

(A) transfer administrative jurisdiction over such property within the Department from the Veterans Benefits Administration to the Veterans Health Administration; and

(B) transfer from the General Post Fund to the Loan Guaranty Revolving Fund under chapter 37 of this title an amount (not to exceed the amount the Secretary paid for the property) representing the amount the Secretary considers could be obtained by sale of such property to a nonprofit organization or a State for use as a shelter for homeless veterans.

(3) In the case of any residential property obtained by the Secretary from the Department of Housing and Urban Development under this section, the amount paid by the Secretary to that Department for that property may not exceed the amount that the Secretary of Housing and Urban Development would charge for the sale of that property to a nonprofit organization or a State for use as a shelter for homeless persons. Funds for such charge shall be derived from the General Post Fund.

(f) The Secretary shall prescribe—

(1) a procedure for establishing reasonable payment rates for persons residing in transitional housing; and

(2) appropriate limits on the period for which such persons may reside in transitional housing.

(g) The Secretary may dispose of any property acquired for the purpose of this section. The proceeds of any such disposal shall be credited to the General Post Fund.

(h) Funds received by the Department under this section shall be deposited in the General Post Fund. The Secretary may distribute out of the fund such amounts as necessary for the acquisition, management, maintenance, and disposition of real property for the purpose of carrying out such program. The Secretary shall manage the operation of this section so as to ensure that expenditures under this subsection for any fiscal year shall not exceed by more than \$500,000 proceeds credited to the General Post Fund under this section. The operation of the program and funds received shall be separately accounted for, and shall be stated in the documents accompanying the President's budget for each fiscal year.

(Added Pub. L. 105-114, title II, §202(a), Nov. 21, 1997, 111 Stat. 2284, §1772; renumbered §2032, Pub. L. 107-95, §5(b)(1), Dec. 21, 2001, 115 Stat. 918.)

AMENDMENTS

2001—Pub. L. 107-95 renumbered section 1772 of this title as this section.

§ 2033. Additional services at certain locations

(a) Subject to the availability of appropriations, the Secretary shall operate a program under this section to expand and improve the provision of benefits and services by the Department to homeless veterans.

(b) The program shall include the establishment of sites under the jurisdiction of the Secretary to be centers for the provision of comprehensive services to homeless veterans. The services to be provided at each site shall include a

comprehensive and coordinated array of those specialized services which may be provided under existing law. The Secretary shall carry out the program under this section in sites in at least each of the 20 largest metropolitan statistical areas.

(c) The program shall include the services of such employees of the Veterans Benefits Administration 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) ENHANCEMENT OF CAPACITY OF DOMICILIARY CARE PROGRAMS FOR FEMALE VETERANS.—The Secretary shall take appropriate actions to ensure that the domiciliary care programs of the Department are adequate, with respect to capacity and with respect to safety, to meet the needs of veterans who are women.

(Added Pub. L. 107-95, §5(a)(1), Dec. 21, 2001, 115 Stat. 913; amended Pub. L. 110-387, title VI, §603, Oct. 10, 2008, 122 Stat. 4132.)

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.

AMENDMENTS

2008—Subsec. (b). Pub. L. 110-387 amended subsec. (b) generally. Prior to amendment, text read as follows: "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)."

§ 2044. Financial assistance for supportive services for very low-income veteran families in permanent housing

(a) DISTRIBUTION OF FINANCIAL ASSISTANCE.—(1) The Secretary shall provide financial assistance to eligible entities approved under this section to provide and coordinate the provision of

supportive services described in subsection (b) for very low-income veteran families occupying permanent housing.

(2) Financial assistance under this section shall consist of grants for each such family for which an approved eligible entity is providing or coordinating the provision of supportive services.

(3)(A) The Secretary shall provide such grants to each eligible entity that is providing or coordinating the provision of supportive services.

(B) The Secretary is authorized to establish intervals of payment for the administration of such grants and establish a maximum amount to be awarded, in accordance with the services being provided and their duration.

(4) In providing financial assistance under paragraph (1), the Secretary shall give preference to entities providing or coordinating the provision of supportive services for very low-income veteran families who are transitioning from homelessness to permanent housing.

(5) The Secretary shall ensure that, to the extent practicable, financial assistance under this subsection is equitably distributed across geographic regions, including rural communities and tribal lands.

(6) Each entity receiving financial assistance under this section to provide supportive services to a very low-income veteran family shall notify that family that such services are being paid for, in whole or in part, by the Department.

(7) The Secretary may require entities receiving financial assistance under this section to submit a report to the Secretary that describes the projects carried out with such financial assistance.

(b) SUPPORTIVE SERVICES.—The supportive services referred to in subsection (a) are the following:

(1) Services provided by an eligible entity or a subcontractor of an eligible entity that address the needs of very low-income veteran families occupying permanent housing, including—

(A) outreach services;

(B) case management services;

(C) assistance in obtaining any benefits from the Department which the veteran may be eligible to receive, including, but not limited to, vocational and rehabilitation counseling, employment and training service, educational assistance, and health care services; and

(D) assistance in obtaining and coordinating the provision of other public benefits provided in federal,¹ State, or local agencies, or any organization defined in subsection (f), including—

(i) health care services (including obtaining health insurance);

(ii) daily living services;

(iii) personal financial planning;

(iv) transportation services;

(v) income support services;

(vi) fiduciary and representative payee services;

(vii) legal services to assist the veteran family with issues that interfere with the

¹ So in original. Probably should be capitalized.

family's ability to obtain or retain housing or supportive services;

- (viii) child care;
- (ix) housing counseling; and
- (x) other services necessary for maintaining independent living.

(2) Services described in paragraph (1) that are delivered to very low-income veteran families who are homeless and who are scheduled to become residents of permanent housing within 90 days pending the location or development of housing suitable for permanent housing.

(3) Services described in paragraph (1) for very low-income veteran families who have voluntarily chosen to seek other housing after a period of tenancy in permanent housing, that are provided, for a period of 90 days after such families exit permanent housing or until such families commence receipt of other housing services adequate to meet their current needs, but only to the extent that services under this paragraph are designed to support such families in their choice to transition into housing that is responsive to their individual needs and preferences.

(c) APPLICATION FOR FINANCIAL ASSISTANCE.—

(1) An eligible entity seeking financial assistance under subsection (a) shall submit to the Secretary an application therefor in such form, in such manner, and containing such commitments and information as the Secretary determines to be necessary to carry out this section.

(2) Each application submitted by an eligible entity under paragraph (1) shall contain—

(A) a description of the supportive services proposed to be provided by the eligible entity and the identified needs for those services;

(B) a description of the types of very low-income veteran families proposed to be provided such services;

(C) an estimate of the number of very low-income veteran families proposed to be provided such services;

(D) evidence of the experience of the eligible entity in providing supportive services to very low-income veteran families; and

(E) a description of the managerial capacity of the eligible entity—

(i) to coordinate the provision of supportive services with the provision of permanent housing by the eligible entity or by other organizations;

(ii) to assess continuously the needs of very low-income veteran families for supportive services;

(iii) to coordinate the provision of supportive services with the services of the Department;

(iv) to tailor supportive services to the needs of very low-income veteran families; and

(v) to seek continuously new sources of assistance to ensure the long-term provision of supportive services to very low-income veteran families.

(3) The Secretary shall establish criteria for the selection of eligible entities to be provided financial assistance under this section.

(d) TECHNICAL ASSISTANCE.—(1) The Secretary shall provide training and technical assistance

to participating eligible entities regarding the planning, development, and provision of supportive services to very low-income veteran families occupying permanent housing, through the Technical Assistance grants program in section 2064 of this title.

(2) The Secretary may provide the training described in paragraph (1) directly or through grants or contracts with appropriate public or nonprofit private entities.

(e) FUNDING.—(1) From amounts appropriated to the Department for Medical Services, there shall be available to carry out subsection² (a), (b), and (c) amounts as follows:

(A) \$15,000,000 for fiscal year 2009.

(B) \$20,000,000 for fiscal year 2010.

(C) \$25,000,000 for fiscal year 2011.

(2) Not more than \$750,000 may be available under paragraph (1) in any fiscal year to provide technical assistance under subsection (d).

(3) There is authorized to be appropriated \$1,000,000 for each of the fiscal years 2009 through 2011 to carry out the provisions of subsection (d).

(f) DEFINITIONS.—In this section:

(1) The term “consumer cooperative” has the meaning given such term in section 202 of the Housing Act of 1959 (12 U.S.C. 1701q).

(2) The term “eligible entity” means—

(A) a private nonprofit organization; or

(B) a consumer cooperative.

(3) The term “homeless” has the meaning given that term in section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302).

(4) The term “permanent housing” means community-based housing without a designated length of stay.

(5) The term “private nonprofit organization” means any of the following:

(A) Any incorporated private institution or foundation—

(i) no part of the net earnings of which inures to the benefit of any member, founder, contributor, or individual;

(ii) which has a governing board that is responsible for the operation of the supportive services provided under this section; and

(iii) which is approved by the Secretary as to financial responsibility.

(B) A for-profit limited partnership, the sole general partner of which is an organization meeting the requirements of clauses (i), (ii), and (iii) of subparagraph (A).

(C) A corporation wholly owned and controlled by an organization meeting the requirements of clauses (i), (ii), and (iii) of subparagraph (A).

(D) A tribally designated housing entity (as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)).

(6)(A) Subject to subparagraphs (B) and (C), the term “very low-income veteran family” means a veteran family whose income does not exceed 50 percent of the median income for an

² So in original. Probably should be “subsections”.

area specified by the Secretary for purposes of this section, as determined by the Secretary in accordance with this paragraph.

(B) The Secretary shall make appropriate adjustments to the income requirement under subparagraph (A) based on family size.

(C) The Secretary may establish an income ceiling higher or lower than 50 percent of the median income for an area if the Secretary determines that such variations are necessary because the area has unusually high or low construction costs, fair market rents (as determined under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f)), or family incomes.

(7) The term "veteran family" includes a veteran who is a single person and a family in which the head of household or the spouse of the head of household is a veteran.

(Added Pub. L. 110-387, title VI, §604(b)(1), Oct. 10, 2008, 122 Stat. 4132; amended Pub. L. 111-275, title X, §1001(e), Oct. 13, 2010, 124 Stat. 2896.)

AMENDMENTS

2010—Subsec. (e)(3). Pub. L. 111-275 substituted "fiscal years" for "fiscal year".

PURPOSE

Pub. L. 110-387, title VI, §604(a), Oct. 10, 2008, 122 Stat. 4132, provided that: "The purpose of this section [enacting this section] is to facilitate the provision of supportive services for very low-income veteran families in permanent housing."

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—

(i) financing acquisition of furniture, equipment, supplies, or materials for the project; or

(ii) in the case of a loan made for purposes of subparagraph (A)(i), supplying the organization carrying out the project with working capital relative to the project.

(2) The loan is made in connection with funding or the provision of substantial property or services for such project by either a

State or local government or a nongovernmental entity, or both.

(3) The maximum loan amount does not exceed the lesser of—

(A) that amount generally approved (utilizing prudent underwriting principles) in the consideration and approval of projects of similar nature and risk so as to assure repayment of the loan obligation; and

(B) 90 percent of the total cost of the project.

(4) The loan is of sound value, taking into account the creditworthiness of the entity (and the individual members of the entity) applying for such loan.

(5) The loan is secured.

(6) The loan is subject to such terms and conditions as the Secretary determines are reasonable, taking into account other housing projects with similarities in size, location, population, and services provided.

(b) For purposes of this subchapter, a multifamily transitional housing project referred to in subsection (a)(1) is a project that—

(1) provides transitional housing to homeless veterans, which housing may be single room occupancy (as defined in section 8(n) of the United States Housing Act of 1937 (42 U.S.C. 1437f (n)));

(2) provides supportive services and counseling services (including job counselling) at the project site with the goal of making such veterans self-sufficient;

(3) requires that each such veteran seek to obtain and maintain employment;

(4) charges a reasonable fee for occupying a unit in such housing; and

(5) maintains strict guidelines regarding sobriety as a condition of occupying such unit.

(c) Such a project—

(1) may include space for neighborhood retail services, other commercial activities, or job training programs; and

(2) may provide transitional housing to veterans who are not homeless and to homeless individuals who are not veterans if—

(A) at the time of taking occupancy by any such veteran or homeless individual, the transitional housing needs of homeless veterans in the project area have been met;

(B) the housing needs of any such veteran or homeless individual can be met in a manner that is compatible with the manner in which the needs of homeless veterans are met under paragraph (1); and

(C) the provisions of paragraphs (4) and (5) of subsection (b) are met.

(d) In determining whether to guarantee a loan under this subchapter, the Secretary shall consider—

(1) the availability of Department of Veterans Affairs medical services to residents of the multifamily transitional housing project; and

(2) the extent to which needs of homeless veterans are met in a community, as assessed under section 107 of Public Law 102-405.

(Added Pub. L. 105-368, title VI, § 601(a), Nov. 11, 1998, 112 Stat. 3343, § 3773; renumbered § 2052 and amended Pub. L. 107-95, § 5(d)(1), (2)(C), Dec. 21,

2001, 115 Stat. 918; Pub. L. 108-454, title IV, § 402(b), Dec. 10, 2004, 118 Stat. 3616.)

REFERENCES IN TEXT

Section 107 of Public Law 102-405, referred to in subsection (d)(2), is set out as a note under section 527 of this title.

AMENDMENTS

2004—Subsec. (c)(1). Pub. L. 108-454 substituted “services, other commercial activities,” for “services”.

2001—Pub. L. 107-95, § 5(d)(1), renumbered section 3773 of this title as this section.

Subsec. (a). Pub. L. 107-95, § 5(d)(2)(C), substituted “section 2051 of this title” for “section 3772 of this title” in introductory provisions.

§ 2053. Default

(a) The Secretary shall take such steps as may be necessary to obtain repayment on any loan that is in default and that is guaranteed under this subchapter.

(b) Upon default of a loan guaranteed under this subchapter and terminated pursuant to State law, a lender may file a claim under the guarantee for an amount not to exceed the lesser of—

(1) the maximum guarantee; or

(2) the difference between—

(A) the total outstanding obligation on the loan, including principal, interest, and expenses authorized by the loan documents, through the date of the public sale (as authorized under such documents and State law); and

(B) the amount realized at such sale.

(Added Pub. L. 105-368, title VI, § 601(a), Nov. 11, 1998, 112 Stat. 3344, § 3774; renumbered § 2053, Pub. L. 107-95, § 5(d)(1), Dec. 21, 2001, 115 Stat. 918.)

AMENDMENTS

2001—Pub. L. 107-95 renumbered section 3774 of this title as this section.

§ 2054. Audit

(a) During each of the first 3 years of operation of a multifamily transitional housing project with respect to which a loan is guaranteed under this subchapter, there shall be an annual, independent audit of such operation. Such audit shall include a detailed statement of the operations, activities, and accomplishments of such project during the year covered by such audit. The party responsible for obtaining such audit (and paying the costs therefor) shall be determined before the Secretary issues a guarantee under this subchapter.

(b) After the first three years of operation of such a multifamily transitional housing project, the Secretary may provide for periodic audits of the project.

(Added Pub. L. 105-368, title VI, § 601(a), Nov. 11, 1998, 112 Stat. 3345, § 3775; amended Pub. L. 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.

(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; Pub. L. 110-387, title IX, §901(a)(2), Oct. 10, 2008, 122 Stat. 4142.)

AMENDMENTS

2008—Subsec. (b)(3)(C). Pub. L. 110-387 struck out closing parenthesis after “disabilities”.

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.

(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 De-

partment 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. Acquisition and adaptation of housing: eligible veterans.
- 2101A. Eligibility for benefits and assistance: members of the Armed Forces with service-connected disabilities; individuals residing outside the United States.
2102. Limitations on assistance furnished.
- 2102A. Assistance for individuals 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.
2108. Specially adapted housing assistive technology grant program.

AMENDMENTS

2010—Pub. L. 111-275, title II, §203(b), Oct. 13, 2010, 124 Stat. 2874, added item 2108.

2008—Pub. L. 110-289, div. B, title VI, §2602(b)(8), July 30, 2008, 122 Stat. 2860, substituted “Acquisition and adaptation of housing: eligible veterans” for “Veterans eligible for assistance” in item 2101, added item 2101A, and substituted “individuals” for “veterans” in item 2102A.

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. Acquisition and adaptation of housing: eligible veterans

(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.

(E) The disability is due to a severe burn injury (as determined pursuant to regulations prescribed by the Secretary).

(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 any 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.