

107TH CONGRESS  
1ST SESSION

# S. 739

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## AN ACT

To amend title 38, United States Code, to improve programs for homeless veterans, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Heather French Henry Homeless Veterans Assistance  
6 Act”.

1 (b) TABLE OF CONTENTS.—The table of contents for  
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings; definition.
- Sec. 3. National goal to end homelessness among veterans.
- Sec. 4. Advisory Committee on Homeless Veterans.
- Sec. 5. Meetings of Interagency Council on the Homeless.
- Sec. 6. Evaluation of programs and activities regarding homeless veterans.
- Sec. 7. Per diem payments for furnishing services to homeless veterans.
- Sec. 8. Dental care for homeless veterans.
- Sec. 9. Programmatic expansions.
- Sec. 10. Various authorities.
- Sec. 11. Life safety code for grant and per diem providers.
- Sec. 12. Assistance for grant applications.
- Sec. 13. Extension of homeless veterans reintegration program.

3 **SEC. 2. FINDINGS; DEFINITION.**

4 (a) FINDINGS.—Congress makes the following find-  
 5 ings:

6 (1) On the field of battle, the members of the  
 7 Armed Forces who defend the Nation are honor-  
 8 bound to leave no one behind and, likewise, the Na-  
 9 tion is honor-bound to leave no veteran behind.

10 (2) The Department of Veterans Affairs report  
 11 known as the Community Homeless Assessment,  
 12 Local Education, and Networking Groups for Vet-  
 13 erans (CHALENG) assessment, issued in May  
 14 2000, reports that during 1999 there were an esti-  
 15 mated 344,983 homeless veterans, an increase of 34  
 16 percent above the 1998 estimate of 256,872 home-  
 17 less veterans.

18 (3) The 1996 National Survey of Homeless As-  
 19 sistance Providers and Clients found that, although

1 veterans constitute only 13 percent of the adult pop-  
2 ulation, veterans comprise 23 percent of homeless  
3 clients.

4 (4) Homelessness among veterans is persistent  
5 despite unprecedented economic growth and job cre-  
6 ation and general prosperity.

7 (5) While there are many effective programs  
8 that assist homeless veterans to again become pro-  
9 ductive and self-sufficient members of society, cur-  
10 rent resources provided to such programs and other  
11 activities that assist homeless veterans are inad-  
12 equate to provide all needed essential services, as-  
13 sistance, and support to homeless veterans.

14 (6) The CHALENG assessment referred to in  
15 paragraph (2) reports—

16 (A) that Department of Veterans Affairs  
17 and community providers were responsible for  
18 establishing almost 500 beds for homeless vet-  
19 erans during 2000, including emergency, transi-  
20 tional, and permanent beds; and

21 (B) that there is a need for about 45,724  
22 additional beds to meet current needs of home-  
23 less veterans.

24 (7) Nearly four decades ago, the Nation estab-  
25 lished a goal of sending a man to the moon and re-

1 turning him safely to earth within a decade and ac-  
2 complished that goal, and the Nation can do no less  
3 to end homelessness among the Nation’s veterans.

4 (b) HOMELESS VETERAN DEFINED.—In this Act, the  
5 term “homeless veteran” means a veteran who is homeless  
6 (as that term is defined in section 103(a) of the McKin-  
7 ney-Vento Homeless Assistance Act (42 U.S.C. 11302(a)).

8 **SEC. 3. NATIONAL GOAL TO END HOMELESSNESS AMONG**  
9 **VETERANS.**

10 (a) NATIONAL GOAL.—Congress hereby declares it to  
11 be a national goal to end homelessness among veterans  
12 within a decade.

13 (b) COOPERATIVE EFFORTS ENCOURAGED.—Con-  
14 gress hereby encourages all departments and agencies of  
15 Federal, State, and local governments, quasi-governmental  
16 organizations, private and public sector entities, including  
17 community-based organizations, and individuals to work  
18 cooperatively to end homelessness among veterans within  
19 a decade.

20 **SEC. 4. ADVISORY COMMITTEE ON HOMELESS VETERANS.**

21 (a) IN GENERAL.—Chapter 5 of title 38, United  
22 States Code, is amended by adding at the end the fol-  
23 lowing new section:

1 **“§ 546. Advisory Committee on Homeless Veterans**

2 “(a)(1) There is established in the Department the  
3 Advisory Committee on Homeless Veterans (hereinafter in  
4 this section referred to as the ‘Committee’).

5 “(2) The Committee shall consist of not more than  
6 15 members appointed by the Secretary from among the  
7 following:

8 “(A) Veterans service organizations.

9 “(B) Advocates of homeless veterans and other  
10 homeless individuals.

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

13 “(D) Previously homeless veterans.

14 “(E) State veterans affairs officials.

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

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

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

21 “(I) Experts in vocational rehabilitation.

22 “(J) Such other organizations or groups as the  
23 Secretary considers appropriate.

24 “(3) The Committee shall include, as ex officio  
25 members—

1           “(A) the Secretary of Labor (or a representa-  
2           tive of the Secretary selected after consultation with  
3           the Assistant Secretary of Labor for Veterans’ Em-  
4           ployment and Training);

5           “(B) the Secretary of Defense (or a representa-  
6           tive of the Secretary);

7           “(C) the Secretary of Health and Human Serv-  
8           ices (or a representative of the Secretary); and

9           “(D) the Secretary of Housing and Urban De-  
10          velopment (or a representative of the Secretary).

11          “(4) The Secretary shall determine the terms of serv-  
12          ice and pay and allowances of the members of the Com-  
13          mittee, except that a term of service may not exceed three  
14          years. The Secretary may reappoint any member for addi-  
15          tional terms of service.

16          “(b)(1) The Secretary shall, on a regular basis, con-  
17          sult with and seek the advice of the Committee with re-  
18          spect to the provision by the Department of benefits and  
19          services to homeless veterans.

20          “(2)(A) In providing advice to the Secretary under  
21          this subsection, the Committee shall—

22                  “(i) assemble and review information relating to  
23                  the needs of homeless veterans;

24                  “(ii) provide an on-going assessment of the ef-  
25                  fectiveness of the policies, organizational structures,

1 and services of the Department in assisting homeless  
2 veterans; and

3 “(iii) provide on-going advice on the most ap-  
4 propriate means of providing assistance to homeless  
5 veterans.

6 “(3) The Committee shall—

7 “(A) review the continuum of services provided  
8 by the Department, whether directly or by contract,  
9 in order to define cross-cutting issues and to im-  
10 prove coordination of all services in the Department  
11 that address the special needs of homeless veterans;

12 “(B) identify (through annual assessments  
13 under section 1774 of this title and other available  
14 resources) gaps in programs of the Department in  
15 serving homeless veterans, including identification of  
16 geographic areas with unmet needs, and provide rec-  
17 ommendations to address those gaps;

18 “(C) identify gaps in existing information sys-  
19 tems on homeless veterans, both within and outside  
20 the Department, and provide recommendations  
21 about redressing problems in data collection;

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

1           “(E) identify opportunities for enhanced liaison  
2           by the Department with nongovernmental organiza-  
3           tions and individual groups addressing homeless  
4           populations;

5           “(F) with appropriate officials of the Depart-  
6           ment designated by the Secretary, participate with  
7           the Interagency Council on the Homeless under title  
8           II of the McKinney-Vento Homeless Assistance Act  
9           (42 U.S.C. 11311 et seq.);

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

13           “(H) recommend appropriate placement options  
14           for veterans who, because of advanced age, frailty,  
15           or severe mental illness, may not be appropriate can-  
16           didates for vocational rehabilitation or independent  
17           living; and

18           “(I) perform such other functions as the Sec-  
19           retary may direct.

20           “(c)(1) Not later than March 31 of each year, the  
21           Committee shall submit to the Secretary a report on the  
22           programs and activities of the Department that relate to  
23           homeless veterans during the preceding year. Each such  
24           report shall include—

1           “(A) an assessment of the needs of homeless  
2 veterans;

3           “(B) a review of the programs and activities of  
4 the Department designed to meet such needs, includ-  
5 ing the evaluation of outreach activities required  
6 under paragraph (2);

7           “(C) a review of the activities of the Committee;  
8 and

9           “(D) such recommendations (including rec-  
10 ommendations for administrative and legislative ac-  
11 tion) as the Committee considers appropriate.

12          “(2)(A) The Committee shall include in each report  
13 under paragraph (1) an evaluation of the outreach activi-  
14 ties of the Department with respect to homeless veterans,  
15 including outreach regarding clinical issues and outreach  
16 regarding other benefits.

17          “(B) The Committee shall conduct each evaluation  
18 under this paragraph in consultation with the Under Sec-  
19 retary for Benefits, the Under Secretary for Health, the  
20 Readjustment Counseling Service, the Director of Home-  
21 less Veterans Programs, and the Mental Health Strategic  
22 Health Care Group.

23          “(C) In including an evaluation under this paragraph  
24 in a report under paragraph (1), the Committee shall set  
25 forth in the report the following:

1           “(i) The results of the evaluation.

2           “(ii) Any recommendations that the Committee  
3           considers appropriate to improve the outreach activi-  
4           ties of the Department with respect to homeless vet-  
5           erans, including recommendations for enhanced  
6           interagency cooperation and enhanced cooperation  
7           between the Department and appropriate community  
8           organizations and recommendations for additional  
9           activities to complement, supplement, or otherwise  
10          eliminate deficiencies in the outreach activities.

11          “(3) Not later than 90 days after the receipt of a  
12          report under paragraph (1), the Secretary shall transmit  
13          to the Committees on Veterans’ Affairs of the Senate and  
14          House of Representatives a copy of the report, together  
15          with any comments and recommendations concerning the  
16          report that the Secretary considers appropriate.

17          “(4) The Committee may also submit to the Sec-  
18          retary such other reports and recommendations as the  
19          Committee considers appropriate.

20          “(5) The Secretary shall include with each annual re-  
21          port submitted to Congress pursuant to section 529 of this  
22          title a summary of all reports and recommendations of the  
23          Committee submitted to the Secretary since the previous  
24          annual report of the Secretary submitted pursuant to that  
25          section.

1       “(d)(1) Except as provided in paragraph (2), the pro-  
 2 visions of the Federal Advisory Committee Act (5 U.S.C.  
 3 App.) shall apply to the activities of the Committee under  
 4 this section.

5       “(2) Section 14 of such Act shall not apply to the  
 6 Committee.”.

7       (b) CLERICAL AMENDMENT.—The table of sections  
 8 at the beginning of such chapter is amended by adding  
 9 at the end the following new item:

“546. Advisory Committee on Homeless Veterans.”.

10 **SEC. 5. MEETINGS OF INTERAGENCY COUNCIL ON THE**  
 11 **HOMELESS.**

12       Section 202(c) of the McKinney-Vento Homeless As-  
 13 sistance Act (42 U.S.C. 11312(c)) is amended to read as  
 14 follows:

15       “(c) MEETINGS.—The Council shall meet at the call  
 16 of its Chairperson or a majority of its members, but not  
 17 less often than annually.”.

18 **SEC. 6. EVALUATION OF PROGRAMS AND ACTIVITIES RE-**  
 19 **GARDING HOMELESS VETERANS.**

20       (a) EVALUATION CENTERS.—The Secretary of Vet-  
 21 erans Affairs shall support the continuation within the De-  
 22 partment of Veterans Affairs of at least one center for  
 23 evaluation to monitor the structure, process, and outcome  
 24 of programs of the Department that address homeless vet-  
 25 erans.

1 (b) ANNUAL REPORT ON PROCESSING OF BENEFITS  
2 CLAIMS.—The Secretary shall submit to Congress on an  
3 annual basis a report on the programs and activities of  
4 the Veterans Benefits Administration in processing of  
5 claims for benefits of homeless veterans during the pre-  
6 ceding year. Each report shall include, for the year covered  
7 by such report, the following:

8 (1) Information on costs, expenditures, and  
9 workload of Veterans Benefits Administration claims  
10 evaluators in processing claims for benefits of home-  
11 less veterans.

12 (2) Information on the filing of claims for bene-  
13 fits by homeless veterans.

14 (3) Information on efforts undertaken to expe-  
15 dite the processing of claims for benefits of homeless  
16 veterans.

17 (4) Any other information that the Secretary  
18 considers appropriate.

19 (c) ANNUAL REPORT ON HEALTH CARE.—The Sec-  
20 retary shall submit to Congress on an annual basis a re-  
21 port on programs of the Department addressing health  
22 care needs of homeless veterans. The Secretary shall in-  
23 clude in each such report the following:

24 (1) Information about expenditures, costs, and  
25 workload under the Department of Veterans Affairs

1 program known as the Health Care for Homeless  
2 Veterans program (HCHV).

3 (2) Information about the veterans contacted  
4 through the program.

5 (3) Information about processes under the pro-  
6 gram.

7 (4) Information about program treatment out-  
8 comes under the program.

9 (5) Other information the Secretary considers  
10 relevant in assessing the program.

11 (6) Information about supported housing pro-  
12 grams.

13 (7) Information about the grant and per diem  
14 provider program of the Department.

15 (d) ANNUAL PROGRAM ASSESSMENT.—Section  
16 1774(b) of title 38, United States Code, is amended—

17 (1) in paragraph (1), by inserting “annual”  
18 after “to make an”; and

19 (2) by adding at the end the following new  
20 paragraph:

21 “(6) The Secretary shall review each annual assess-  
22 ment under this subsection, and shall consolidate the find-  
23 ings and conclusions of such assessments into an annual  
24 report which the Secretary shall submit to Congress.”.

1 **SEC. 7. PER DIEM PAYMENTS FOR FURNISHING SERVICES**  
2 **TO HOMELESS VETERANS.**

3 (a) INCREASE IN RATE OF PER DIEM PAYMENTS.—  
4 Section 4(a) of the Homeless Veterans Comprehensive  
5 Service Programs Act of 1992 (38 U.S.C. 7721 note) is  
6 amended by striking “at such rates” and all that follows  
7 through “homeless veteran—” and inserting the following:  
8 “at the same rates as the rates authorized for State homes  
9 for domiciliary care provided under section 1741 of title  
10 38, United States Code, for services furnished to homeless  
11 veterans—”.

12 (b) EFFECTIVE DATE.—The amendment made by  
13 subsection (a) shall take effect on the first day of the first  
14 fiscal year beginning after the date of the enactment of  
15 this Act.

16 **SEC. 8. DENTAL CARE FOR HOMELESS VETERANS.**

17 Section 1712(a)(1)(H)(ii) of title 38, United States  
18 Code, is amended by inserting “(including a homeless vet-  
19 eran)” after “for a veteran”.

20 **SEC. 9. PROGRAMMATIC EXPANSIONS.**

21 (a) TRANSITIONAL HOUSING.—Effective October 1,  
22 2001, section 12 of the Homeless Veterans Comprehensive  
23 Service Programs Act of 1992 (38 U.S.C. 7721 note) is  
24 amended to read as follows:

1 **“SEC. 12. FUNDING.**

2       “(a) AMOUNTS FOR GRANT AND PER DIEM PRO-  
3 GRAMS.—From amounts appropriated for ‘Medical Care’  
4 for any fiscal year, the Secretary may expend not more  
5 than \$55,000,000 (as adjusted from time to time under  
6 subsection (b)) to carry out the transitional housing grant  
7 and per diem provider programs under sections 3 and 4  
8 of this Act.

9       “(b) PERIODIC INCREASES.—The amount in effect  
10 under subsection (a) shall be increased for any fiscal year  
11 by the overall percentage increase in the Medical Care ac-  
12 count for that fiscal year over the preceding fiscal year.”.

13       (b) COMPREHENSIVE HOMELESS SERVICES PRO-  
14 GRAM.—(1)(A) The Secretary of Veterans Affairs shall  
15 provide for the establishment of not less than five addi-  
16 tional centers for the provision of comprehensive services  
17 to homeless veterans under section 1773(b) of title 38,  
18 United States Code.

19       (B) In establishing additional centers under this  
20 paragraph, the Secretary shall take into account the par-  
21 ticular needs of homeless veterans in each metropolitan  
22 area in which the Secretary proposes to establish a center.

23       (C) The Secretary shall ensure that the services pro-  
24 vided to homeless veterans at each center established  
25 under this paragraph are tailored to the needs of homeless

1 veterans in the metropolitan area in which such center is  
2 established.

3 (2) Section 1773(b) of title 38, United States Code,  
4 is amended by striking “not fewer than eight”.

5 (c) PROGRAM EXPIRATION EXTENSION.—Sections  
6 1771(b) and 1773(d) of title 38, United States Code, are  
7 amended by striking “December 31, 2001” and inserting  
8 “December 31, 2006”.

9 **SEC. 10. VARIOUS AUTHORITIES.**

10 (a) EMPLOYMENT PROGRAMS.—The Secretary of  
11 Veterans Affairs may authorize homeless veterans receiv-  
12 ing care through vocational rehabilitation programs to  
13 participate in the compensated work therapy program.

14 (b) SUPPORTED HOUSING FOR VETERANS PARTICI-  
15 PATING IN COMPENSATED WORK THERAPIES.—(1) The  
16 Secretary may authorize homeless veterans in the com-  
17 pensated work therapy program to be provided housing  
18 through the therapeutic residence program under section  
19 1772 of title 38, United States Code, or through grant  
20 and per diem providers.

21 (2) As used in this subsection, the term “grant and  
22 per diem provider” means an entity in receipt of a grant  
23 under section 3 or 4 of the Homeless Veterans Com-  
24 prehensive Service Programs Act of 1992 (38 U.S.C. 7721  
25 note).

1           (c) REPORT ON ASSIGNMENT OF HOMELESS COORDI-  
2 NATORS AT VBA REGIONAL OFFICES.—(1) Not later than  
3 120 days after the date of the enactment of this Act, the  
4 Secretary shall submit to the Committees on Veterans' Af-  
5 fairs of the Senate and the House of Representatives a  
6 report on the assignment of Homeless Coordinators at the  
7 Regional Offices of the Veterans Benefits Administration.

8           (2) The report shall include the following:

9                   (A) A list of the Regional Offices of the Vet-  
10 erans Benefits Administration for which Homeless  
11 Coordinators have been assigned.

12                   (B) A description of the manner in which each  
13 Regional Office listed under subparagraph (A) staffs  
14 the assignment, whether as a collateral hire, by rota-  
15 tion of staff, or by a full-time employee, including  
16 the caseload of the position and the amount of time  
17 spent on the caseload by each employee assigned to  
18 fulfill the duties of the position.

19                   (C) In the case of any Regional Offices for  
20 which no Homeless Coordinator has been assigned,  
21 a description of the manner in which such Regional  
22 Office addresses matters relating to homeless vet-  
23 erans.

24                   (D) An evaluation of the demand for services of  
25 Homeless Coordinators in the various Regional Of-

1        fices, including a statement of the Regional Offices  
2        which have the greatest demand for such services.

3        (d) COORDINATION OF EMPLOYMENT SERVICES.—

4        (1) Section 4103A(c) of title 38, United States Code, is  
5        amended by adding at the end the following new para-  
6        graph:

7                “(11) Coordination of services provided to vet-  
8        erans with training assistance provided to veterans  
9        by entities receiving financial assistance under sec-  
10       tion 738 of the McKinney-Vento Homeless Assist-  
11       ance Act (42 U.S.C. 11448).”.

12        (2) Section 4104(b) of such title is amended—

13                (A) by striking “and” at the end of paragraph  
14        (11);

15                (B) by striking the period at the end of para-  
16        graph (12) and inserting “; and”; and

17                (C) by adding at the end the following new  
18        paragraph:

19                “(13) coordinate services provided to veterans  
20        with training assistance for veterans provided by en-  
21        tities receiving financial assistance under section 738  
22        of the McKinney-Vento Homeless Assistance Act (42  
23        U.S.C. 11448).”.

1 **SEC. 11. LIFE SAFETY CODE FOR GRANT AND PER DIEM**  
2 **PROVIDERS.**

3 (a) **NEW GRANTS.**—Section 3(b)(5) of the Homeless  
4 Veterans Comprehensive Service Programs Act of 1992  
5 (38 U.S.C. 7721 note) is amended by striking “, but fire  
6 and safety” and all that follows through “in carrying out  
7 the grant” and inserting “and the fire and safety require-  
8 ments applicable under the Life Safety Code of the Na-  
9 tional Fire Protection Association”.

10 (b) **PREVIOUS GRANTEES.**—Section 4 of such Act is  
11 amended by adding at the end the following new sub-  
12 section:

13 “(e) **LIFE SAFETY CODE.**—(1) Except as provided in  
14 paragraph (2), a per diem payment (or in-kind assistance  
15 in lieu of per diem payments) may not be provided under  
16 this section to a grant recipient unless the facilities of the  
17 grant recipient meet the fire and safety requirements ap-  
18 plicable under the Life Safety Code of the National Fire  
19 Protection Association.

20 “(2) During the five-year period beginning on the  
21 date of the enactment of the Heather French Henry  
22 Homeless Veterans Assistance Act, paragraph (1) shall  
23 not apply to an entity that received a grant under section  
24 3 before that date if the entity meets fire and safety re-  
25 quirements established by the Secretary.

1       “(3) From amounts available for purposes of this sec-  
2 tion pursuant to section 12, not less than \$5,000,000 shall  
3 be used only for grants to assist entities covered by para-  
4 graph (2) in meeting the Life Safety Code of the National  
5 Fire Protection Association.”.

6 **SEC. 12. ASSISTANCE FOR GRANT APPLICATIONS.**

7       (a) GRANT PROGRAM.—The Secretary of Veterans  
8 Affairs shall carry out a program to make technical assist-  
9 ance grants to nonprofit community-based groups with ex-  
10 perience in providing assistance to homeless veterans in  
11 order to assist such groups in applying for grants relating  
12 to addressing problems of homeless veterans.

13       (b) FUNDING.—There is authorized to be appro-  
14 priated to the Secretary of Veterans Affairs for each of  
15 fiscal years 2002 through 2006, \$750,000 to carry out  
16 the program under this section.

17 **SEC. 13. EXTENSION OF HOMELESS VETERANS REINTEGRA-**  
18 **TION PROGRAM.**

19       Section 4111(d)(1) of title 38, United States Code,  
20 is amended by striking subparagraphs (C) and (D) and  
21 inserting the following:

22               “(C) \$50,000,000 for fiscal year 2002.

23               “(D) \$50,000,000 for fiscal year 2003.

1           “(E) \$50,000,000 for fiscal year 2004.

2           “(F) \$50,000,000 for fiscal year 2005.

3           “(G) \$50,000,000 for fiscal year 2006.”.

Passed the Senate November 15, 2001.

Attest:

*Secretary.*

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