

108TH CONGRESS  
1ST SESSION

# H. R. 2612

To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide specially adapted housing assistance to veterans with permanent and total service-connected disabilities due to the loss, or loss of use of both upper extremities such as to preclude use of the arms at and below the elbows.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2003

Mr. MICHAUD (for himself and Mr. EVANS) introduced the following bill;  
which was referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide specially adapted housing assistance to veterans with permanent and total service-connected disabilities due to the loss, or loss of use of both upper extremities such as to preclude use of the arms at and below the elbows.

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.**

4 This Act may be cited as the “Veterans Adapted  
5 Housing Expansion Act of 2003”.

1 **SEC. 2. AUTHORITY TO PROVIDE SPECIALLY ADAPTED**  
2 **HOUSING TO CERTAIN DISABLED VETERANS.**

3 The text of section 2101 of title 38, United States  
4 Code, is amended to read as follows:

5 “(a) ACQUISITION OF HOUSING WITH SPECIAL FEA-  
6 TURES.—(1) Subject to paragraph (3), the Secretary may  
7 assist a disabled veteran described in paragraph (2) in ac-  
8 quiring a suitable housing unit with special fixtures or  
9 movable facilities made necessary by the nature of the vet-  
10 eran’s disability, and necessary land therefor.

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

15 “(A) The disability is due to the loss, or loss of  
16 use, of both lower extremities such as to preclude lo-  
17 comotion without the aid of braces, crutches, canes,  
18 or a wheelchair.

19 “(B) The disability is due to—

20 “(i) blindness in both eyes, having only  
21 light perception, plus

22 “(ii) loss or loss of use of one lower ex-  
23 tremity.

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

1                   “(i) residuals of organic disease or injury;

2                   or

3                   “(ii) the loss or loss of use of one upper

4                   extremity,

5                   which so affect the functions of balance or propul-

6                   sion as to preclude locomotion without the aid of

7                   braces, crutches, canes, or a wheelchair.

8                   “(D) The disability is due to the loss, or loss

9                   of use, of both upper extremities such as to preclude

10                  use of the arms at and below the elbows.

11                  “(3) The regulations prescribed under subsection (c)

12                  shall require that assistance under paragraph (1) may be

13                  provided to a veteran only if the Secretary finds that—

14                         “(A) it is medically feasible for the veteran to

15                         reside in the proposed housing unit and in the pro-

16                         posed locality;

17                         “(B) the proposed housing unit bears a proper

18                         relation to the veteran’s present and anticipated in-

19                         come and expenses; and

20                         “(C) the nature and condition of the proposed

21                         housing unit are such as to be suitable to the vet-

22                         eran’s needs for dwelling purposes.

23                  “(b) ADAPTATIONS TO RESIDENCE OF VETERAN.—

24                  (1) Subject to paragraph (3), the Secretary shall assist

25                  any disabled veteran described in paragraph (2) (other

1 than a veteran who is eligible for assistance under sub-  
2 section (a))—

3 “(A) in acquiring such adaptations to such vet-  
4 eran’s residence as are determined by the Secretary  
5 to be reasonably necessary because of such dis-  
6 ability; or

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

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

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

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

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

21 “(A) is residing in and reasonably intends to  
22 continue residing in a residence owned by such vet-  
23 eran or by a member of such veteran’s family; or

24 “(B) if the veteran’s residence is to be con-  
25 structed or purchased, will be residing in and rea-

1 sonably intends to continue residing in a residence  
2 owned by such veteran or by a member of such vet-  
3 eran's family.

4 “(c) REGULATIONS.—Assistance under this section  
5 shall be provided in accordance with such regulations as  
6 the Secretary may prescribe.”.

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