

Sec.

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.

(C) The disability is due to a severe burn injury (as so determined).

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

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

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

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

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1168, §801; Pub. L. 86-239, Sept. 8, 1959, 73 Stat. 472; Pub. L. 88-401, Aug. 4, 1964, 78 Stat. 380; Pub. L. 91-22, §1, June 6, 1969, 83 Stat. 32; Pub. L. 95-117, title IV, §401, Oct. 3, 1977, 91 Stat. 1065; Pub. L. 96-385, title III, §301(a), Oct. 7, 1980, 94 Stat. 1531; Pub. L. 99-576, title IV, §401(a), title VII, §§701(48), 702(7), Oct. 28, 1986, 100 Stat. 3280, 3295, 3302; renumbered §2101 and amended Pub. L. 102-83, §§4(b)(1), (2)(E), 5(a), Aug. 6, 1991, 105 Stat. 404-406; Pub. L. 108-183, title IV, §401, Dec. 16, 2003, 117 Stat. 2664; Pub. L. 108-454, title IV, §401, Dec. 10, 2004, 118 Stat. 3614; Pub. L. 109-233, title I, §105(a), June 15, 2006, 120 Stat. 402; Pub. L. 110-289, div. B, title VI, §§2602(b)(1), (7)(A), 2603, July 30, 2008, 122 Stat. 2859, 2860.)

PRIOR PROVISIONS

Prior section 2101, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1222, related to eligibility for mustering-out payments, prior to repeal by Pub. L. 89-50, §1(a), June 24, 1965, 79 Stat. 173, effective July 1, 1966.

AMENDMENTS

2008—Pub. L. 110-289, §2602(b)(7)(A), amended section catchline generally. Prior to amendment, catchline read as follows: "Veterans eligible for assistance".

Subsec. (a)(2)(E). Pub. L. 110-289, §2603(1), added subpar. (E).