

2012—Subsec. (a)(1). Pub. L. 112-154, § 202(c)(1), substituted “to paragraphs (3) and (4)” for “to paragraph (3)”.

Subsec. (a)(2). Pub. L. 112-154, § 202(a), amended par. (2) generally. Prior to amendment, par. (2) provided description of disabled veteran whom Secretary may assist in acquiring suitable housing.

Subsec. (a)(4). Pub. L. 112-154, § 202(c)(2), added par. (4).

Subsec. (b)(2). Pub. L. 112-154, § 203(a), amended par. (2) generally. Prior to amendment, par. (2) read as follows: “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).”

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).

Subsec. (b)(2). Pub. L. 110-289, § 2603(2)(A), substituted “any” for “either” in introductory provisions.

Subsec. (b)(2)(C). Pub. L. 110-289, § 2603(2)(B), added subpar. (C).

Subsecs. (c), (d). Pub. L. 110-289, § 2602(b)(1), redesignated subsec. (d) as (c) and struck out former subsec. (c) which related to provision of specially adapted housing to a member of the Armed Forces serving on active duty and suffering from a disability whose disability was the result of an injury incurred or disease contracted in or aggravated in the line of duty. See section 2101A of this title.

2006—Subsec. (a)(3). Pub. L. 109-233, § 105(a)(3), substituted “subsection (d)” for “subsection (c)” in introductory provisions.

Subsec. (c). Pub. L. 109-233, § 105(a)(2), added subsec. (c) consisting of the text of subsec. (c) of this section as in effect immediately before the enactment of Pub. L. 108-454, as modified by amendments to pars. (1) and (2) below. See 2004 Amendment note below. Former subsec. (c) redesignated (d).

Subsec. (c)(1). Pub. L. 109-233, § 105(a)(2)(A), substituted “subparagraph (A), (B), (C), or (D) of paragraph (2)” for “paragraph (1), (2), or (3)” and “paragraph (3)” for “the second sentence”.

Subsec. (c)(2). Pub. L. 109-233, § 105(a)(2)(B), substituted “paragraph (2)” for “paragraph (1)” in first sentence and “paragraph (3)” for “paragraph (2)” in second sentence.

Subsec. (d). Pub. L. 109-233, § 105(a)(1), redesignated subsec. (c) as (d).

2004—Pub. L. 108-454 amended text of section generally. Prior to amendment, section consisted of subsecs. (a) and (b) authorizing the Secretary to assist veterans entitled to compensation under chapter 11 of this title for permanent and total service-connected disability due to loss or loss of use of lower extremities, blindness, or loss or loss of use of both hands and subsec. (c) authorizing similar assistance to members of the Armed Forces serving on active duty.

2003—Subsec. (c). Pub. L. 108-183 added subsec. (c).

1991—Pub. L. 102-83 renumbered section 801 of this title as this section and substituted “Secretary” for “Administrator” wherever appearing.

1986—Subsec. (a). Pub. L. 99-576, §§ 701(48), 702(7), substituted “the Administrator” for “he” and “veteran who” for “veteran, who”, and struck out “, based on service after April 20, 1898,” after “chapter 11 of this title”.

Subsec. (b)(1). Pub. L. 99-576, § 401(a), inserted at end “or in acquiring a residence already adapted with special features determined by the Administrator to be reasonably necessary for the veteran because of such disability”.

1980—Pub. L. 96-385 designated existing provisions as subsec. (a) and added subsec. (b).

1978—Pub. L. 95-117 in cl. (3) inserted reference to loss or loss of use of one upper extremity and reference to braces, crutches, and canes.

1969—Pub. L. 91-22 added cl. (3) which authorized the Administrator to provide housing assistance to veterans whose permanent and total disability consists of loss or loss of use of one lower extremity when such loss precludes locomotion without a wheelchair.

1964—Pub. L. 88-401 struck out provisions from cl. (2)(B) which required such permanent and total disability to be such as to preclude locomotion without the aid of a wheelchair.

1959—Pub. L. 86-239 designated existing provisions of first sentence as cl. (1), struck out “by reason of amputation, ankylosis, progressive muscular dystrophies, or paralysis” after “loss of use”, and added cl. (2).

EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 113-37 effective Oct. 1, 2013, see section 4(a) of Pub. L. 113-37, set out as a note under section 322 of this title.

EFFECTIVE DATE OF 2012 AMENDMENT

Pub. L. 112-154, title II, § 202(b), Aug. 6, 2012, 126 Stat. 1177, provided that: “The amendment made by subsection (a) [amending this section] shall take effect on October 1, 2012.”

Pub. L. 112-154, title II, § 203(b), Aug. 6, 2012, 126 Stat. 1177, provided that: “The amendment made by subsection (a) [amending this section] shall take effect on October 1, 2012.”

EFFECTIVE DATE OF 2006 AMENDMENT

Pub. L. 109-233, title I, § 105(b), June 15, 2006, 120 Stat. 402, provided that: “The amendments made by subsection (a) [amending this section] shall take effect as of December 10, 2004, as if enacted immediately after the enactment of the Veterans Benefits Improvement Act of 2004 [Pub. L. 108-454] on that date.”

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-385 effective Oct. 1, 1980, see section 601(b) of Pub. L. 96-385, set out as a note under section 1114 of this title.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-117 effective Oct. 1, 1977, see section 501 of Pub. L. 95-117, set out as a note under section 1114 of this title.

§ 2101A. Eligibility for benefits and assistance: members of the Armed Forces with service-connected disabilities; individuals residing outside the United States

(a) MEMBERS WITH SERVICE-CONNECTED DISABILITIES.—(1) The Secretary may provide assistance under this chapter to a member of the Armed Forces serving on active duty who is suffering from a disability that meets applicable criteria for benefits under this chapter if the disability is incurred or aggravated in line of duty in the active military, naval, or air service. Such assistance shall be provided to the same extent as assistance is provided under this chapter to veterans eligible for assistance under this chapter and subject to the same requirements as veterans under this chapter.

(2) For purposes of this chapter, any reference to a veteran or eligible individual shall be treated as a reference to a member of the Armed Forces described in subsection (a) who is similarly situated to the veteran or other eligible individual so referred to.

(b) **BENEFITS AND ASSISTANCE FOR INDIVIDUALS RESIDING OUTSIDE THE UNITED STATES.**—(1) Subject to paragraph (2), the Secretary may, at the Secretary's discretion, provide benefits and assistance under this chapter (other than benefits under section 2106 of this title) to any individual otherwise eligible for such benefits and assistance who resides outside the United States.

(2) The Secretary may provide benefits and assistance to an individual under paragraph (1) only if—

(A) the country or political subdivision in which the housing or residence involved is or will be located permits the individual to have or acquire a beneficial property interest (as determined by the Secretary) in such housing or residence; and

(B) the individual has or will acquire a beneficial property interest (as so determined) in such housing or residence.

(c) **REGULATIONS.**—Benefits and assistance under this chapter by reason of this section shall be provided in accordance with such regulations as the Secretary may prescribe.

(Added Pub. L. 110-289, div. B, title VI, §2602(a), July 30, 2008, 122 Stat. 2858.)

§ 2102. Limitations on assistance furnished

(a) The assistance authorized by section 2101(a) of this title shall be afforded under one of the following plans, at the option of the individual—

(1) where the individual elects to construct a housing unit on land to be acquired by such individual, the Secretary shall pay not to exceed 50 percent of the total cost to the individual of (A) the housing unit and (B) the necessary land upon which it is to be situated;

(2) where the individual elects to construct a housing unit on land acquired by such individual prior to application for assistance under this chapter, the Secretary shall pay not to exceed the smaller of the following sums: (A) 50 percent of the total cost to the individual of the housing unit and the land necessary for such housing unit, or (B) 50 percent of the cost to the individual of the housing unit plus the full amount of the unpaid balance, if any, of the cost to the individual of the land necessary for such housing unit;

(3) where the individual elects to remodel a dwelling which is not adapted to the requirements of such individual's disability, acquired by such individual prior to application for assistance under this chapter, the Secretary shall pay not to exceed (A) the cost to the individual of such remodeling; or (B) 50 percent of the cost to the individual of such remodeling; plus the smaller of the following sums: (i) 50 percent of the cost to the individual of such dwelling and the necessary land upon which it is situated, or (ii) the full amount of the unpaid balance, if any, of the cost to the individual of such dwelling and the necessary land upon which it is situated; and

(4) where the individual has acquired a suitable housing unit, the Secretary shall pay not to exceed the smaller of the following sums: (A) 50 percent of the cost to the individual of such housing unit and the necessary land upon

which it is situated, or (B) the full amount of the unpaid balance, if any, of the cost to the individual of such housing unit and the necessary land upon which it is situated.

(b) Except as provided in section 2104(b) of this title, the assistance authorized by section 2101(b) of this title shall be limited to the lesser of—

(1) the actual cost, or, in the case of an individual acquiring a residence already adapted with special features, the fair market value, of the adaptations determined by the Secretary under such section 2101(b) to be reasonably necessary, or

(2) \$12,000.

(c) The amount of assistance afforded under subsection (a) for an individual authorized assistance by section 2101(a) of this title shall not be reduced by reason that title to the housing unit, which is vested in the individual, is also vested in any other person, if the individual resides in the housing unit.

(d)(1) The aggregate amount of assistance available to an individual under section 2101(a) of this title shall be limited to \$63,780.

(2) The aggregate amount of assistance available to an individual under section 2101(b) of this title shall be limited to \$12,756.

(3) No veteran may receive more than three grants of assistance under this chapter.

(e)(1) Effective on October 1 of each year (beginning in 2009), the Secretary shall increase the amounts described in subsection (b)(2) and paragraphs (1) and (2) of subsection (d) in accordance with this subsection.

(2) The increase in amounts under paragraph (1) to take effect on October 1 of a year shall be by an amount of such amounts equal to the percentage by which—

(A) the residential home cost-of-construction index for the preceding calendar year, exceeds

(B) the residential home cost-of-construction index for the year preceding the year described in subparagraph (A).

(3) The Secretary shall establish a residential home cost-of-construction index for the purposes of this subsection. The index shall reflect a uniform, national average change in the cost of residential home construction, determined on a calendar year basis. The Secretary may use an index developed in the private sector that the Secretary determines is appropriate for purposes of this subsection.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1168, §802; Pub. L. 91-22, §2, June 6, 1969, 83 Stat. 32; Pub. L. 91-506, §6, Oct. 23, 1970, 84 Stat. 1113; Pub. L. 92-341, July 10, 1972, 86 Stat. 432; Pub. L. 93-569, §9, Dec. 31, 1974, 88 Stat. 1867; Pub. L. 95-476, title I, §101, Oct. 18, 1978, 92 Stat. 1497; Pub. L. 96-385, title III, §301(b), Oct. 7, 1980, 94 Stat. 1531; Pub. L. 97-66, title V, §502, Oct. 17, 1981, 95 Stat. 1032; Pub. L. 97-295, §4(33), Oct. 12, 1982, 96 Stat. 1307; Pub. L. 98-543, title III, §304(a), Oct. 24, 1984, 98 Stat. 2748; Pub. L. 99-576, title IV, §401(b), Oct. 28, 1986, 100 Stat. 3280; Pub. L. 100-322, title III, §301, May 20, 1988, 102 Stat. 534; renumbered §2102 and amended Pub. L. 102-83, §§4(b)(1), (2)(E), 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 404-406;