

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-476 effective Oct. 1, 1978, see section 108(a) of Pub. L. 95-476, set out as a note under section 3702 of this title.

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-569 effective Dec. 31, 1974, see section 10 of Pub. L. 93-569, set out as a note under section 3702 of this title.

MAINTENANCE OF HIGHER RATES

Pub. L. 112-154, title II, §204(c), Aug. 6, 2012, 126 Stat. 1177, provided that: "The amendment made by subsection (a) [amending this section] shall not be construed to decrease the aggregate amount of assistance available to an individual under the sections described in subsection (b) [set out as an Effective Date of 2012 Amendment note above], as most recently increased by the Secretary pursuant to section 2102(e) of such title [38 U.S.C. 2102(e)]."

§ 2102A. Assistance for individuals residing temporarily in housing owned by a family member

(a) PROVISION OF ASSISTANCE.—In the case of a disabled individual who is described in subsection (a)(2) or (b)(2) of section 2101 of this title and who is residing, but does not intend to permanently reside, in a residence owned by a member of such individual's family, the Secretary may assist the individual in acquiring such adaptations to such residence as are determined by the Secretary to be reasonably necessary because of the individual's disability.

(b) AMOUNT OF ASSISTANCE.—(1) The assistance authorized under subsection (a) may not exceed—

(A) \$28,000, in the case of an individual described in section 2101(a)(2) of this title; or

(B) \$5,000, in the case of an individual described in section 2101(b)(2) of this title.

(2) Effective on October 1 of each year (beginning in 2012), the Secretary shall use the same percentage calculated pursuant to section 2102(e) of this title to increase the amounts described in paragraph (1) of this subsection.

(c) LIMITATION.—The assistance authorized by subsection (a) shall be limited in the case of any individual to one residence.

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

(e) TERMINATION.—No assistance may be provided under this section after December 31, 2022.

(Added Pub. L. 109-233, title I, §101(a), June 15, 2006, 120 Stat. 398; amended Pub. L. 110-289, div. B, title VI, §§2602(b)(3), (7)(B), 2604, July 30, 2008, 122 Stat. 2859-2861; Pub. L. 112-37, §14, Oct. 5, 2011, 125 Stat. 397; Pub. L. 112-154, title II, §205(a)-(c), Aug. 6, 2012, 126 Stat. 1178.)

AMENDMENTS

2012—Subsec. (b). Pub. L. 112-154, §205(b), redesignated existing provisions as par. (1), redesignated former pars. (1) and (2) as subpars. (A) and (B) of par. (1), and added par. (2).

Subsec. (b)(1). Pub. L. 112-154, §205(a)(1), substituted "\$28,000" for "\$14,000".

Subsec. (b)(2). Pub. L. 112-154, §205(a)(2), substituted "\$5,000" for "\$2,000".

Subsec. (e). Pub. L. 112-154, §205(c), substituted "December 31, 2022" for "December 31, 2012".

2011—Subsec. (e). Pub. L. 112-37 substituted "2012" for "2011".

2008—Pub. L. 110-289, §2602(b)(7)(B), amended section catchline generally. Prior to amendment, catchline read as follows: "Assistance for veterans residing temporarily in housing owned by a family member".

Subsec. (a). Pub. L. 110-289, §2602(b)(3)(A), (B), substituted "individual" for "veteran" and "individuals" for "veterans" in two places each.

Subsec. (b). Pub. L. 110-289, §2602(b)(3)(C), substituted "an individual" for "a veteran" in two places.

Subsec. (c). Pub. L. 110-289, §2602(b)(3)(A), substituted "individual" for "veteran".

Subsec. (e). Pub. L. 110-289, §2604, substituted "after December 31, 2011" for "after the end of the five-year period that begins on the date of the enactment of the Veterans' Housing Opportunity and Benefits Improvement Act of 2006".

EFFECTIVE DATE OF 2012 AMENDMENT

Pub. L. 112-154, title II, §205(d), Aug. 6, 2012, 126 Stat. 1178, provided that: "The amendments made by this section [amending this section] shall take effect on the date of the enactment of this Act [Aug. 6, 2012] and shall apply with respect to assistance furnished in accordance with section 2102A of title 38, United States Code, on or after that date."

§ 2103. Furnishing of plans and specifications

(a) PLANS AND SPECIFICATIONS.—The Secretary is authorized to furnish to individuals eligible for assistance under this chapter, without cost to the individuals, model plans and specifications of suitable housing units.

(b) HANDBOOK FOR DESIGN.—The Secretary shall make available to veterans eligible for assistance under this chapter, without cost to the veterans, a handbook containing appropriate designs for specially adapted housing. The Secretary shall update such handbook at least once every six years to take into account any new or unique disabilities, including vision impairments, impairments specific to the upper limbs, and burn injuries.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1168, §803; renumbered §2103 and amended Pub. L. 102-83, §4(b)(1), (2)(E), 5(a), Aug. 6, 1991, 105 Stat. 404-406; Pub. L. 110-289, div. B, title VI, §2602(b)(4), July 30, 2008, 122 Stat. 2859; Pub. L. 110-389, title V, §503, Oct. 10, 2008, 122 Stat. 4176.)

PRIOR PROVISIONS

Prior section 2103, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1223, related to payment of mustering-out payments to beneficiaries of deceased members, prior to repeal by Pub. L. 89-50, §1(a), June 24, 1965, 79 Stat. 173, effective July 1, 1966.

AMENDMENTS

2008—Pub. L. 110-389 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

Pub. L. 110-289 substituted "individuals" for "veterans" in two places.

1991—Pub. L. 102-83 renumbered section 803 of this title as this section and substituted "Secretary" for "Administrator".

§ 2104. Benefits additional to benefits under other laws

(a) Any individual who accepts the benefits of this chapter shall not by reason thereof be denied the benefits of chapter 37 of this title; however, except as provided in subsection (b) of this section, the assistance authorized by section

2101 of this title shall not be available to any individual more than once.

(b) An individual eligible for assistance under section 2101(b) of this title shall not by reason of such eligibility be denied benefits for which such individual becomes eligible under section 2101(a) of this title or benefits relating to home health services under section 1717(a)(2) of this title. However, no particular type of adaptation, improvement, or structural alteration provided to an individual under section 1717(a)(2) of this title may be provided to such individual under section 2101(b) of this title.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1169, § 804; Pub. L. 96-385, title III, § 301(c), Oct. 7, 1980, 94 Stat. 1531; renumbered § 2104 and amended Pub. L. 102-83, § 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 406; Pub. L. 104-262, title I, § 101(e)(2), Oct. 9, 1996, 110 Stat. 3180; Pub. L. 110-289, div. B, title VI, § 2602(b)(5), July 30, 2008, 122 Stat. 2859.)

PRIOR PROVISIONS

Prior section 2104, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1223, related to time limitations, prior to repeal by Pub. L. 89-50, § 1(a), June 24, 1965, 79 Stat. 173, effective July 1, 1966.

AMENDMENTS

2008—Subsec. (a). Pub. L. 110-289, § 2602(b)(5)(A), substituted “individual” for “veteran” in two places.

Subsec. (b). Pub. L. 110-289, § 2602(b)(5)(B), substituted “An individual” for “A veteran” and “an individual” for “a veteran” and substituted “such individual” for “such veteran” in two places.

1996—Subsec. (b). Pub. L. 104-275 substituted “section 1717(a)(2)” for “section 1712(a)” in two places.

1991—Pub. L. 102-83, § 5(a), renumbered section 804 of this title as this section.

Subsec. (a). Pub. L. 102-83, § 5(c)(1), substituted “2101” for “801”.

Subsec. (b). Pub. L. 102-83, § 5(c)(1), substituted “2101(b)” for “801(b)” in two places, “2101(a)” for “801(a)”, and “1712(a)” for “612(a)” in two places.

1980—Pub. L. 96-385 designated existing provisions as subsec. (a), substituted “except as provided in subsection (b) of this section, the assistance authorized by section 801 of this title” for “the assistance authorized by this chapter”, and added subsec. (b).

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.

§ 2105. Nonliability of United States

The Government of the United States shall have no liability in connection with any housing unit, or necessary land therefor, or adaptation acquired under the provisions of this chapter.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1169, § 805; Pub. L. 96-385, title III, § 301(d), Oct. 7, 1980, 94 Stat. 1531; renumbered § 2105, Pub. L. 102-83, § 5(a), Aug. 6, 1991, 105 Stat. 406.)

PRIOR PROVISIONS

Prior section 2105, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1224, related to administration of mustering-out payments provisions, prior to repeal by Pub. L. 89-50, § 1(a), June 24, 1965, 79 Stat. 173, effective July 1, 1966.

AMENDMENTS

1991—Pub. L. 102-83 renumbered section 805 of this title as this section.

1980—Pub. L. 96-385 made the United States not liable for any adaptation in connection with any housing unit.

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.

§ 2106. Veterans' mortgage life insurance

(a) The United States shall automatically insure any eligible individual age 69 or younger who is or has been granted assistance in securing a suitable housing unit under this chapter against the death of the individual unless the individual (1) submits to the Secretary in writing the individual's election not to be insured under this section, or (2) fails to respond in a timely manner to a request from the Secretary for information on which the premium for such insurance can be based.

(b) The amount of insurance provided an individual under this section may not exceed the lesser of \$150,000, or after January 1, 2012, \$200,000, or the amount of the loan outstanding on the housing unit. The amount of such insurance shall be reduced according to the amortization schedule of the loan and may not at any time exceed the amount of the outstanding loan with interest. If there is no outstanding loan on the housing unit, insurance is not payable under this section. If an eligible individual elects not to be insured under this section, the individual may thereafter be insured under this section, but only upon submission of an application, payment of required premiums, and compliance with such health requirements and other terms and conditions as may be prescribed by the Secretary.

(c) The premiums charged an individual for insurance under this section shall be paid at such time and in such manner as the Secretary prescribes. The rates for such premiums shall be based on such mortality data as the Secretary considers appropriate to cover only the mortality cost of insuring standard lives. In the case of an individual receiving compensation or other cash benefits paid to the individual by the Secretary, the Secretary shall deduct from such compensation or other benefits the premiums charged the individual under this section.

(d)(1) The United States shall bear the costs of insurance under this section to the extent that such costs exceed premiums established by the Secretary. Premiums collected on insurance under this section shall be credited to the “Veterans Insurance and Indemnities” appropriation account, and all disbursements of insurance proceeds under this section shall be made from that account.

(2) There are authorized to be appropriated to the Secretary for such account such amounts as may be necessary to carry out this section.

(e) Any amount of insurance in force under this section on the date of the death of an individual insured under this section shall be paid to the holder of the mortgage loan, for payment of which the insurance was granted, for credit on the loan indebtedness. Any liability of the United States under such insurance shall be satisfied when such payment is made. If the Sec-