

“(4) LIMITATION ON USE OF FUNDS.—Funds may be expended under the pilot program only for the benefit of an eligible veteran who the Secretary determines is residing in and reasonably intends to continue residing in a primary residence owned by such veteran or by a member of such veteran's family. The Secretary shall make this determination on the basis of a certification by the veteran or a member of the veteran's family that the veteran intends to continue residing in the primary residence for a sufficient period of time to be determined by the Secretary.

“(5) OVERSIGHT.—The Secretary shall direct the oversight of the grant funds for the pilot program so that such funds are used efficiently until expended to fulfill the purpose of addressing the adaptive housing needs of eligible veterans.

“(6) MATCHING FUNDS.—

“(A) IN GENERAL.—A qualified organization receiving a grant under the pilot program shall contribute towards the housing modification and rehabilitation services provided to eligible veterans an amount equal to not less than 50 percent of the grant award received by such organization.

“(B) IN-KIND CONTRIBUTIONS.—In order to meet the requirement under subparagraph (A), such organization may arrange for in-kind contributions.

“(7) LIMITATION COST TO THE VETERANS.—A qualified organization receiving a grant under the pilot program shall modify or rehabilitate the primary residence of an eligible veteran at no cost to such veteran (including application fees) or at a cost such that such veteran pays no more than 30 percent of his or her income in housing costs during any month.

“(8) REPORTS.—

“(A) ANNUAL REPORT.—The Secretary shall submit to Congress, on an annual basis, a report that provides, with respect to the year for which such report is written—

“(i) the number of eligible veterans provided assistance under the pilot program;

“(ii) the socioeconomic characteristics of such veterans, including their gender, age, race, and ethnicity;

“(iii) the total number, types, and locations of entities contracted under such program to administer the grant funding;

“(iv) the amount of matching funds and in-kind contributions raised with each grant;

“(v) a description of the housing rehabilitation and modification services provided, costs saved, and actions taken under such program;

“(vi) a description of the outreach initiatives implemented by the Secretary to educate the general public and eligible entities about such program;

“(vii) a description of the outreach initiatives instituted by grant recipients to engage eligible veterans and veteran service organizations in projects utilizing grant funds under such program;

“(viii) a description of the outreach initiatives instituted by grant recipients to identify eligible veterans and their families; and

“(ix) any other information that the Secretary considers relevant in assessing such program.

“(B) FINAL REPORT.—Not later than 6 months after the completion of the pilot program, the Secretary shall submit to Congress a report that provides such information that the Secretary considers relevant in assessing the pilot program.

“(C) INSPECTOR GENERAL REPORT.—Not later than March 31, 2019, the Inspector General of the Department of Housing and Urban Development shall submit to the Chairmen and Ranking Members of the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report containing a review of—

“(i) the use of appropriated funds by the Secretary and by grantees under the pilot program; and

“(ii) oversight and accountability of grantees under the pilot program.

“(9) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the Department of Housing and Urban Development for carrying out this section \$4,000,000 for each of fiscal years 2015 through 2019.”

§ 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 individ-

ual 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; Pub. L. 105-178, title VIII, §8204(a), June 9, 1998, 112 Stat. 494; Pub. L. 106-419, title III, §321, Nov. 1, 2000, 114 Stat. 1855; Pub. L. 107-103, title IV, §404, Dec. 27, 2001, 115 Stat. 993; Pub. L. 108-183, title IV, §402(a), Dec. 16, 2003, 117 Stat. 2664; Pub. L. 109-233, title I, §101(b), June 15, 2006, 120 Stat. 398; Pub. L. 110-289, div. B, title VI, §§2602(b)(2), 2605(a), July 30, 2008, 122 Stat. 2859, 2861; Pub. L. 112-154, title II, §204(a), Aug. 6, 2012, 126 Stat. 1177.)

PRIOR PROVISIONS

Prior section 2102, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1223, related to determination of amount of mustering-out payments, prior to repeal by Pub. L. 89-50, §1(a), June 24, 1965, 79 Stat. 173, effective July 1, 1966.

AMENDMENTS

2012—Subsec. (d). Pub. L. 112-154 amended subsec. (d) generally. Prior to amendment, subsec. (d) read as follows:

“(d)(1) The aggregate amount of assistance available to an individual under sections 2101(a) and 2102A of this title shall be limited to \$60,000.

“(2) The aggregate amount of assistance available to an individual under sections 2101(b) and 2102A of this title shall be limited to \$12,000.

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

2008—Subsec. (a). Pub. L. 110-289, §2602(b)(2)(A)(i), substituted “individual” for “veteran” wherever appearing.

Subsec. (a)(3). Pub. L. 110-289, §2602(b)(2)(A)(ii), substituted “individual’s” for “veteran’s”.

Subsec. (b)(1). Pub. L. 110-289, §2602(b)(2)(B), substituted “an individual” for “a veteran”.

Subsec. (b)(2). Pub. L. 110-289, §2605(a)(1), substituted “\$12,000” for “\$10,000”.

Subsec. (c). Pub. L. 110-289, §2602(b)(2)(C), substituted “an individual” for “a veteran” and substituted “the individual” for “the veteran” in two places.

Subsec. (d). Pub. L. 110-289, §2602(b)(2)(D), substituted “an individual” for “a veteran” in two places.

Subsec. (d)(1). Pub. L. 110-289, §2605(a)(2)(A), substituted “\$60,000” for “\$50,000”.

Subsec. (d)(2). Pub. L. 110-289, §2605(a)(2)(B), substituted “\$12,000” for “\$10,000”.

Subsec. (e). Pub. L. 110-289, §2605(a)(3), added subsec. (e).

2006—Subsec. (a). Pub. L. 109-233, §101(b)(1), in introductory provisions, struck out “shall be limited in the case of any veteran to one housing unit, and necessary land therefor, and” before “shall be afforded” and substituted “veteran—” for “veteran but shall not exceed \$50,000 in any one case—”.

Subsec. (d). Pub. L. 109-233, §101(b)(2), added subsec. (d).

2003—Subsec. (a). Pub. L. 108-183, §402(a)(1), substituted “\$50,000” for “\$48,000” in introductory provisions.

Subsec. (b)(2). Pub. L. 108-183, §402(a)(2), substituted “\$10,000” for “\$9,250”.

2001—Subsec. (a). Pub. L. 107-103, §404(1), substituted “\$48,000” for “\$43,000” in introductory provisions.

Subsec. (b)(2). Pub. L. 107-103, §404(2), substituted “\$9,250” for “\$8,250”.

2000—Subsec. (c). Pub. L. 106-419 added subsec. (c).

1998—Subsec. (a). Pub. L. 105-178, §8204(a)(1), substituted “\$43,000” for “\$38,000” in introductory provisions.

Subsec. (b)(2). Pub. L. 105-178, §8204(a)(2), substituted “\$8,250” for “\$6,500”.

1991—Pub. L. 102-83, §5(a), renumbered section 802 of this title as this section.

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

Pub. L. 102-83, §4(b)(1), (2)(E), substituted “Secretary” for “Administrator” wherever appearing.

Subsec. (b). Pub. L. 102-83, §5(c)(1), substituted “2104(b)” for “804(b)” and substituted “2101(b)” for “801(b)” in two places.

Pub. L. 102-83, §4(b)(1), (2)(E), substituted “Secretary” for “Administrator” in par. (1).

1988—Subsec. (a). Pub. L. 100-322, §301(1), substituted “\$38,000” for “\$35,500”.

Subsec. (b)(2). Pub. L. 100-322, §301(2), substituted “\$6,500” for “\$6,000”.

1986—Subsec. (b)(1). Pub. L. 99-576 substituted “cost, or, in the case of a veteran acquiring a residence already adapted with special features, the fair market value,” for “cost”.

1984—Subsec. (a). Pub. L. 98-543, §304(a)(1), substituted “\$35,500” for “\$32,500” in provisions before par. (1).

Subsec. (b)(2). Pub. L. 98-543, §304(a)(2), substituted “\$6,000” for “\$5,000”.

1982—Subsec. (a). Pub. L. 97-295 substituted “percent” for “per centum” wherever appearing.

1981—Subsec. (a). Pub. L. 97-66, §502(1), substituted “\$32,500” for “\$30,000” in provisions preceding par. (1), “such veteran” for “him” in pars. (1), (2), and (3), and “such veteran’s” for “his” in par. (3).

Subsec. (b). Pub. L. 97-66, §502(2), substituted “section 804(b)” for “section 804(b)(2)”.

1980—Subsec. (a). Pub. L. 96-385, §301(b)(1), (2), designated existing provisions as subsec. (a) and substituted “section 801(a)” for “section 801”.

Subsec. (b). Pub. L. 96-385, §301(b)(3), added subsec. (b).

1978—Pub. L. 95-476 substituted “\$30,000” for “\$25,000”.

1974—Pub. L. 93-569 substituted “\$25,000” for “\$17,500”.

1972—Pub. L. 92-341 substituted “\$17,500” for “\$12,500”.

1970—Par. (3). Pub. L. 91-506 inserted provision authorizing Administrator in the case of assistance to disabled veterans for specially adapted housing, where the veteran elects to remodel a dwelling not adapted to his disability, to pay the cost of remodeling as an alternative to the present provisions still set out in this par. which authorize the Administrator to pay the total of 50 percent of the remodeling cost plus 50 percent of the dwelling’s cost or the full amount of the unpaid balance of the cost of such dwelling, whichever sum is smaller.

1969—Pub. L. 91-22 substituted “\$12,500” for “\$10,000”.

EFFECTIVE DATE OF 2012 AMENDMENT

Pub. L. 112-154, title II, §204(b), Aug. 6, 2012, 126 Stat. 1177, provided that: “The amendments made by sub-

section (a) [amending this section] shall take effect on the date that is one year after the date of the enactment of this Act [Aug. 6, 2012] and shall apply with respect to assistance provided under sections 2101(a), 2101(b), and 2102A of title 38, United States Code, after such date.”

EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110-289, div. B, title VI, §2605(b), July 30, 2008, 122 Stat. 2861, provided that: “The amendments made by this section [amending this section] shall take effect on July 1, 2008, and shall apply with respect to payments made in accordance with section 2102 of title 38, United States Code, on or after that date.”

EFFECTIVE DATE OF 2003 AMENDMENT

Pub. L. 108-183, title IV, §402(c), Dec. 16, 2003, 117 Stat. 2664, provided that: “The amendments made by subsections (a) and (b) [amending this section and section 3902 of this title] shall apply with respect to assistance furnished on or after the date of the enactment of this Act [Dec. 16, 2003].”

EFFECTIVE DATE OF 1998 AMENDMENT

Pub. L. 105-178, title VIII, §8204(b), June 9, 1998, 112 Stat. 494, provided that: “The amendments made by subsection (a) [amending this section] shall apply with respect to limitations under section 2102 of such title on assistance furnished to a veteran under section 2101 of such title on or after October 1, 1998.”

EFFECTIVE DATE OF 1988 AMENDMENT

Pub. L. 100-322, title III, §304, May 20, 1988, 102 Stat. 534, provided that: “The amendments made by sections 301, 302, and 303 [amending this section and sections 907 and 1902 [now 2307 and 3902] of this title] shall take effect on April 1, 1988.”

EFFECTIVE DATE OF 1984 AMENDMENT

Pub. L. 98-543, title III, §304(b), Oct. 24, 1984, 98 Stat. 2748, provided that: “The amendments made by subsection (a) [amending this section] shall take effect on January 1, 1985.”

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-66 effective Oct. 17, 1981, see section 701(b)(1) of Pub. L. 97-66, set out as a note under section 1114 of this title.

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 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 sub-