

within the area served by the medical center or regional office, as the case may be.

(2) Each such assessment shall be made in coordination with representatives of State and local governments, other appropriate departments and agencies of the Federal Government, and nongovernmental organizations that have experience working with homeless persons in that area.

(3) Each such assessment shall identify the needs of homeless veterans with respect to the following:

- (A) Health care.
- (B) Education and training.
- (C) Employment.
- (D) Shelter.
- (E) Counseling.
- (F) Outreach services.

(4) Each assessment shall also indicate the extent to which the needs referred to in paragraph (3) are being met adequately by the programs of the Department, of other departments and agencies of the Federal Government, of State and local governments, and of nongovernmental organizations.

(5) Each assessment shall be carried out in accordance with uniform procedures and guidelines prescribed by the Secretary.

(6) The Secretary shall review each annual assessment under this subsection and shall consolidate the findings and conclusions of each such assessment into the next annual report submitted to Congress under section 2065 of this title.

(c) In furtherance of subsection (a), the Secretary shall require the director of each medical center and the director of each regional benefits office, in coordination with representatives of State and local governments, other Federal officials, and nongovernmental organizations that have experience working with homeless persons in the areas served by such facility or office, to—

(1) develop a list of all public and private programs that provide assistance to homeless persons or homeless veterans in the area concerned, together with a description of the services offered by those programs;

(2) seek to encourage the development by the representatives of such entities, in coordination with the director, of a plan to coordinate among such public and private programs the provision of services to homeless veterans;

(3) take appropriate action to meet, to the maximum extent practicable through existing programs and available resources, the needs of homeless veterans that are identified in the assessment conducted under subsection (b); and

(4) attempt to inform homeless veterans whose needs the director cannot meet under paragraph (3) of the services available to such veterans within the area served by such center or office.

(Added Pub. L. 105-114, title II, § 202(a), Nov. 21, 1997, 111 Stat. 2286, § 1774; renumbered § 2034 and amended Pub. L. 107-95, §§ 5(b)(1), 6(b), Dec. 21, 2001, 115 Stat. 918, 919.)

AMENDMENTS

2001—Pub. L. 107-95, § 5(b)(1), renumbered section 1774 of this title as this section.

Subsec. (b)(1). Pub. L. 107-95, § 6(b)(1), inserted “annual” after “to make an”.

Subsec. (b)(6). Pub. L. 107-95, § 6(b)(2), added par. (6).

SUBCHAPTER V—HOUSING ASSISTANCE

§ 2041. Housing assistance for homeless veterans

(a)(1) To assist homeless veterans and their families in acquiring shelter, the Secretary may enter into agreements described in paragraph (2) with—

(A) nonprofit organizations, with preference being given to any organization named in, or approved by the Secretary under, section 5902 of this title; or

(B) any State or any political subdivision thereof.

(2) To carry out paragraph (1), the Secretary may enter into agreements to sell, lease, lease with an option to purchase, or donate real property, and improvements thereon, acquired by the Secretary as the result of a default on a loan made, insured, or guaranteed under this chapter. Such sale or lease or donation shall be for such consideration as the Secretary determines is in the best interests of homeless veterans and the Federal Government.

(3) The Secretary may enter into an agreement under paragraph (1) of this subsection only if—

(A) the Secretary determines that such an action will not adversely affect the ability of the Department—

(i) to fulfill its statutory missions with respect to the Department loan guaranty program and the short- and long-term solvency of the Veterans Housing Benefit Program Fund established under section 3722 of this title; or

(ii) to carry out other functions and administer other programs authorized by law;

(B) the entity to which the property is sold, leased, or donated agrees to—

(i) utilize the property solely as a shelter primarily for homeless veterans and their families,

(ii) comply with all zoning laws relating to the property,

(iii) make no use of the property that is not compatible with the area where the property is located, and

(iv) take such other actions as the Secretary determines are necessary or appropriate in the best interests of homeless veterans and the Federal Government; and

(C) the Secretary determines that there is no significant likelihood of the property being sold for a price sufficient to reduce the liability of the Department or the veteran who defaulted on the loan.

(4) The term of any lease under this subsection may not exceed three years.

(5) An approved entity that leases a property from the Secretary under this section shall be responsible for the payment of any taxes, utilities, liability insurance, and other maintenance charges or similar charges that apply to the property.

(6) Any agreement, deed, or other instrument executed by the Secretary under this subsection

shall be on such terms and conditions as the Secretary determines to be appropriate and necessary to carry out the purpose of such agreement.

(b)(1) Subject to paragraphs (2) and (3), the Secretary may make loans to organizations described in paragraph (1)(A) of subsection (a) to finance the purchase of property by such organizations under such subsection.

(2) In making a loan under this subsection, the Secretary—

(A) shall establish credit standards to be used for this purpose;

(B) may, pursuant to section 3733(a)(6) of this title, provide that the loan will bear interest at a rate below the rate that prevails for similar loans in the market in which the loan is made; and

(C) may waive the collection of a fee under section 3729 of this title in any case in which the Secretary determines that such a waiver would be appropriate.

(c) The Secretary may not enter into agreements under subsection (a) after September 30, 2017.

(Added Pub. L. 102-54, §9(a), June 13, 1991, 105 Stat. 272, §1835; renumbered §3735, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406; amended Pub. L. 102-590, §§8, 9, Nov. 10, 1992, 106 Stat. 5140; Pub. L. 103-446, title XII, §1201(d)(13), Nov. 2, 1994, 108 Stat. 4684; Pub. L. 104-110, title I, §101(h), Feb. 13, 1996, 110 Stat. 768; Pub. L. 105-114, title II, §203(a), Nov. 21, 1997, 111 Stat. 2288; Pub. L. 105-368, title VI, §602(e)(1)(G), Nov. 11, 1998, 112 Stat. 3347; Pub. L. 106-117, title IX, §902, Nov. 30, 1999, 113 Stat. 1587; renumbered §2041, Pub. L. 107-95, §5(c), Dec. 21, 2001, 115 Stat. 918; Pub. L. 108-170, title IV, §404, Dec. 6, 2003, 117 Stat. 2063; Pub. L. 109-444, §8(a)(5), Dec. 21, 2006, 120 Stat. 3313; Pub. L. 109-461, title VII, §705, title X, §§1004(a)(5), 1006(b), Dec. 22, 2006, 120 Stat. 3440, 3465, 3468; Pub. L. 112-37, §10(e), Oct. 5, 2011, 125 Stat. 397; Pub. L. 112-191, title II, §205, Oct. 5, 2012, 126 Stat. 1439; Pub. L. 113-59, §10, Dec. 20, 2013, 127 Stat. 662; Pub. L. 113-175, title II, §205, Sept. 26, 2014, 128 Stat. 1904; Pub. L. 114-58, title III, §303, Sept. 30, 2015, 129 Stat. 534; Pub. L. 114-228, title III, §304, Sept. 29, 2016, 130 Stat. 939.)

AMENDMENTS

2016—Subsec. (c). Pub. L. 114-228 substituted “September 30, 2017” for “September 30, 2016”.

2015—Subsec. (c). Pub. L. 114-58 substituted “September 30, 2016” for “September 30, 2015”.

2014—Subsec. (c). Pub. L. 113-175 substituted “September 30, 2015” for “December 31, 2014”.

2013—Subsec. (c). Pub. L. 113-59 substituted “December 31, 2014” for “December 31, 2013”.

2012—Subsec. (c). Pub. L. 112-191 substituted “December 31, 2013” for “December 31, 2012”.

2011—Subsec. (c). Pub. L. 112-37 substituted “December 31, 2012” for “December 31, 2011”.

2006—Subsec. (a)(3)(A)(i). Pub. L. 109-461, §1006(b), provided that as of the enactment of Pub. L. 109-461, the amendments made by Pub. L. 109-444 were deemed for all purposes not to have taken effect and that Pub. L. 109-444 ceased to be in effect. See Amendment notes below and section 1006(b) of Pub. L. 109-461, set out as a Coordination of Provisions With Pub. L. 109-444 note under section 101 of this title.

Pub. L. 109-461, §1004(a)(5), substituted “established under section 3722 of this title” for “under this chapter”.

Pub. L. 109-444, which substituted “established under section 3722 of this title” for “under this chapter”, was terminated by Pub. L. 109-461, §1006(b). See Amendment notes above.

Subsec. (c). Pub. L. 109-461, §705, substituted “December 31, 2011” for “December 31, 2008”.

2003—Subsec. (c). Pub. L. 108-170 substituted “December 31, 2008” for “December 31, 2003”.

2001—Pub. L. 107-95 renumbered section 3735 of this title as this section.

1999—Subsec. (c). Pub. L. 106-117 substituted “December 31, 2003” for “December 31, 1999”.

1998—Subsec. (a)(3)(A)(i). Pub. L. 105-368 substituted “Veterans Housing Benefit Program Fund” for “Loan Guaranty Revolving Fund and the Guaranty and Indemnity Fund”.

1997—Subsec. (c). Pub. L. 105-114 substituted “December 31, 1999” for “December 31, 1997”.

1996—Subsec. (c). Pub. L. 104-110 substituted “December 31, 1997” for “December 31, 1995”.

1994—Subsec. (a)(1)(A). Pub. L. 103-446 substituted “section 5902” for “section 3402”.

1992—Subsec. (a)(2). Pub. L. 102-590, §8(a)(1), inserted “, lease, lease with an option to purchase, or donate” after “sell” and “or lease or donation” after “sale”.

Subsec. (a)(3)(B). Pub. L. 102-590, §8(a)(2), inserted “, leased, or donated” after “sold” in introductory provisions.

Subsec. (a)(4) to (6). Pub. L. 102-590, §8(a)(3), (4), added pars. (4) and (5) and redesignated former par. (4) as (6).

Subsec. (b). Pub. L. 102-590, §9(a)(2), added subsec. (b). Former subsec. (b) redesignated (c).

Pub. L. 102-590, §8(b), substituted “December 31, 1995” for “September 30, 1993”.

Subsec. (c). Pub. L. 102-590, §9(a)(1), redesignated subsec. (b) as (c).

1991—Pub. L. 102-83 renumbered section 1835 of this title as this section.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-368 effective Oct. 1, 1998, see section 602(f) of Pub. L. 105-368, set out as a note under section 2106 of this title.

COLLABORATION IN PROVISION OF CASE MANAGEMENT SERVICES TO HOMELESS VETERANS IN SUPPORTED HOUSING PROGRAM

Pub. L. 112-154, title III, §304, Aug. 6, 2012, 126 Stat. 1185, provided that:

“(a) IN GENERAL.—The Secretary of Veterans Affairs shall consider entering into contracts or agreements, under sections 513 and 8153 of title 38, United States Code, with eligible entities to collaborate with the Secretary in the provision of case management services to covered veterans as part of the supported housing program carried out under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) to ensure that the homeless veterans facing the most significant difficulties in obtaining suitable housing receive the assistance they require to obtain such housing.

“(b) COVERED VETERANS.—For purposes of this section, a covered veteran is any veteran who, at the time of receipt of a housing voucher under such section 8(o)(19)—

“(1) requires the assistance of a case manager in obtaining suitable housing with such voucher; and

“(2) is having difficulty obtaining the amount of such assistance the veteran requires, including because—

“(A) the veteran resides in an area that has a shortage of low-income housing and because of such shortage the veteran requires more assistance from a case manager than the Secretary otherwise provides;

“(B) the location in which the veteran resides is located at such distance from facilities of the Department of Veterans Affairs as makes the provision of case management services by the Secretary to such veteran impractical; or

“(C) the veteran resides in an area where veterans who receive case management services from the Secretary under such section have a significantly lower average rate of successfully obtaining suitable housing than the average rate of successfully obtaining suitable housing for all veterans receiving such services.

“(c) ELIGIBLE ENTITIES.—For purposes of this section, an eligible entity is any State or local government agency, tribal organization (as such term is defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b) [now 25 U.S.C. 5304]), or nonprofit organization that—

“(1) under a contract or agreement described in subsection (a), agrees—

“(A) to ensure access to case management services by covered veterans on an as-needed basis;

“(B) to maintain referral networks for covered veterans for purposes of assisting covered veterans in demonstrating eligibility for assistance and additional services under entitlement and assistance programs available for covered veterans, and to otherwise aid covered veterans in obtaining such assistance and services;

“(C) to ensure the confidentiality of records maintained by the entity on covered veterans receiving services through the supported housing program described in subsection (a);

“(D) to establish such procedures for fiscal control and fund accounting as the Secretary of Veterans Affairs considers appropriate to ensure proper disbursement and accounting of funds under a contract or agreement entered into by the entity as described in subsection (a);

“(E) to submit to the Secretary each year, in such form and such manner as the Secretary may require, a report on the collaboration undertaken by the entity under a contract or agreement described in such subsection during the most recent fiscal year, including a description of, for the year covered by the report—

“(i) the services and assistance provided to covered veterans as part of such collaboration;

“(ii) the process by which covered veterans were referred to the entity for such services and assistance;

“(iii) the specific goals jointly set by the entity and the Secretary for the provision of such services and assistance and whether the entity achieved such goals; and

“(iv) the average length of time taken by a covered veteran who received such services and assistance to successfully obtain suitable housing and the average retention rate of such a veteran in such housing; and

“(F) to meet such other requirements as the Secretary considers appropriate for purposes of providing assistance to covered veterans in obtaining suitable housing; and

“(2) has demonstrated experience in—

“(A) identifying and serving homeless veterans, especially those who have the greatest difficulty obtaining suitable housing;

“(B) working collaboratively with the Department of Veterans Affairs or the Department of Housing and Urban Development;

“(C) conducting outreach to, and maintaining relationships with, landlords to encourage and facilitate participation by landlords in supported housing programs similar to the supported housing program described in subsection (a);

“(D) mediating disputes between landlords and veterans receiving assistance under such supported housing program; and

“(E) carrying out such other activities as the Secretary of Veterans Affairs considers appropriate.

“(d) CONSULTATION.—In considering entering into contracts or agreements as described in subsection (a), the Secretary of Veterans Affairs shall consult with—

“(1) the Secretary of Housing and Urban Development; and

“(2) third parties that provide services as part of the Department of Housing and Urban Development continuum of care.

“(e) TECHNICAL ASSISTANCE FOR COLLABORATING ENTITIES.—

“(1) IN GENERAL.—The Secretary may provide training and technical assistance to entities with whom the Secretary collaborates in the provision of case management services to veterans as part of the supported housing program described in subsection (a).

“(2) GRANTS.—The Secretary may provide training and technical assistance under paragraph (1) through the award of grants or contracts to appropriate public and nonprofit private entities.

“(3) FUNDING.—From amounts appropriated or otherwise made available to the Secretary in the Medical Services account in a year, \$500,000 shall be available to the Secretary in that year to carry out this subsection.

“(f) ANNUAL REPORT.—

“(1) IN GENERAL.—Not later than 545 days after the date of the enactment of this Act [Aug. 6, 2012] and not less frequently than once each year thereafter, the Secretary of Veterans Affairs shall submit to Congress a report on the collaboration between the Secretary and eligible entities in the provision of case management services as described in subsection (a) during the most recently completed fiscal year.

“(2) ELEMENTS.—Each report required by paragraph (1) shall include, for the period covered by the report, the following:

“(A) A discussion of each case in which a contract or agreement described in subsection (a) was considered by the Secretary, including a description of whether or not and why the Secretary chose or did not choose to enter into such contract or agreement.

“(B) The number and types of eligible entities with whom the Secretary has entered into a contract or agreement as described in subsection (a).

“(C) A description of the geographic regions in which such entities provide case management services as described in such subsection.

“(D) A description of the number and types of covered veterans who received case management services from such entities under such contracts or agreements.

“(E) An assessment of the performance of each eligible entity with whom the Secretary entered into a contract or agreement as described in subsection (a).

“(F) An assessment of the benefits to covered veterans of such contracts and agreements.

“(G) A discussion of the benefits of increasing the ratio of case managers to recipients of vouchers under the supported housing program described in such subsection to veterans who reside in rural areas.

“(H) Such recommendations for legislative or administrative action as the Secretary considers appropriate for the improvement of collaboration in the provision of case management services under such supported housing program.”

RATIFICATION OF ACTIONS DURING PERIOD OF EXPIRED AUTHORITY

Any action taken by Secretary of Veterans Affairs before Feb. 13, 1996, under provision of law amended by title I of Pub. L. 104–110 that was taken during period beginning on date on which authority of Secretary under such provision of law expired and ending on Feb. 13, 1996, considered to have same force and effect as if such amendment had been in effect at time of that action, see section 103 of Pub. L. 104–110, set out as a note under section 1710 of this title.

§ 2042. Supported housing for veterans participating in compensated work therapies

The Secretary may authorize homeless veterans in the compensated work therapy program