

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.)

Editorial Notes

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 "individual's" for "veteran's" 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".

Statutory Notes and Related Subsidiaries

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."

§ 2102B. Adaptations to residences of veterans in rehabilitation programs

(a) IN GENERAL.—Subject to subsections (b) and (c), the Secretary may assist a veteran who is entitled to services and assistance under chapter 31 of this title and is pursuing a rehabilitation program under such chapter in acquiring such adaptations to such veteran's residence as are determined necessary by the Secretary to accomplish the purposes of such rehabilitation program.

(b) AMOUNT.—(1) The aggregate amount of assistance available to a veteran under subsection (a) may not exceed \$77,307. The Secretary may waive this limitation for a veteran if the Secretary determines a waiver is necessary for the rehabilitation program of the veteran.

(2) Effective on October 1 of each year (beginning in 2017), the Secretary shall increase the amount described in paragraph (1) by the percentage calculated under section 2102(e)(2) of this title.

(3) Beginning on October 1, 2019, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a biennial report on the use of the waiver authority under paragraph (1).

(c) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out this section.

(d) REHABILITATION PROGRAM DEFINED.—In this section, the term "rehabilitation program" has the meaning given such term in section 3101 of this title.

(Added Pub. L. 115-177, §1(a), June 1, 2018, 132 Stat. 1376.)

Statutory Notes and Related Subsidiaries

REGULATIONS

Pub. L. 115-177, §1(b), June 1, 2018, 132 Stat. 1376, provided that: "The Secretary may provide assistance under section 2102B of such title [meaning title 38, United States Code], as added by subsection (a), in advance of regulations by issuing notice specifying the criteria for the application, approval, and oversight processes relating to the provision of assistance under such section."

§ 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.)

Editorial Notes

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.

(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.

(c) The Secretary may not provide assistance to a veteran under this chapter if the Secretary determines such assistance would result in a duplication of benefits under this title to the veteran.

(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; Pub. L. 115–177, § 1(c)(3), June 1, 2018, 132 Stat. 1377.)

Editorial Notes

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

2018—Subsec. (a). Pub. L. 115–177, § 1(c)(3)(A), struck out “; 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” before period at end.

Subsec. (b). Pub. L. 115–177, § 1(c)(3)(B), struck out “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.” at end.

Subsec. (c). Pub. L. 115–177, § 1(c)(3)(C), added subsec. (c).

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).

Statutory Notes and Related Subsidiaries

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.)

Editorial Notes

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.

Statutory Notes and Related Subsidiaries

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 Secretary shall insure any individual under 70 years of age who has received assistance under this chapter against the death of the individual except for an individual who—