

109TH CONGRESS
2D SESSION

H. R. 5960

To amend title 38, United States Code, to reauthorize various programs providing for the needs of homeless veterans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2006

Mr. MICHAUD introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to reauthorize various programs providing for the needs of homeless veterans, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Homeless Veterans Assistance Act of 2006”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Comprehensive service programs.

Sec. 3. Treatment and rehabilitation for seriously mentally ill and homeless veterans.

- Sec. 4. Extension of authority for transfer of properties obtained through foreclosure of home mortgages.
- Sec. 5. Enhancement of capacity of domiciliary care programs for female veterans.
- Sec. 6. Grant program for homeless veterans with special needs.
- Sec. 7. Expansion of eligibility for dental care.
- Sec. 8. Authorization of appropriations for technical assistance grant program.
- Sec. 9. Advisory Committee on Homeless Veterans.
- Sec. 10. Staffing requirements.
- Sec. 11. Emergency grants for replacement or repair of homeless veteran facilities.
- Sec. 12. Supportive services grants for very low-income veterans residing in permanent housing.
- Sec. 13. Demonstration program on preventing veterans at-risk of homelessness from becoming homeless.
- Sec. 14. Permanent authority for program of referral and counseling services for at-risk veterans transitioning from certain institutions.

1 SEC. 2. COMPREHENSIVE SERVICE PROGRAMS.

2 (a) EXTENSION OF GRANT PROGRAM AUTHORITY.—
 3 Section 2011(a)(2) of title 38, United States Code, is
 4 amended by striking “expires on” and all that follows and
 5 inserting “expires on September 30, 2011.”.

6 (b) PER DIEM RATE FOR PAYMENTS UNDER HOME-
 7 LESS PROVIDERS GRANT PROGRAM.—Paragraph (2) of
 8 section 2012(a) of such title is amended to read as follows:
 9 “(2) The rate for per diem payments under para-
 10 graph (1) shall be not less than the rate in effect for per
 11 diem payments to State homes for domiciliary care under
 12 section 1741(a)(1)(A) of this title.”.

13 (c) PROGRAM PERFORMANCE STANDARDS.—Section
 14 2012 of such title is further amended by adding at the
 15 end the following new subsection:

16 “(d) PROGRAM PERFORMANCE STANDARDS.—(1)
 17 The Secretary shall establish program performance stand-

ards for grant recipients and entities that are eligible for payments under subsection (a). The Secretary shall apply those standards in evaluating program performance and outcomes.

“(2) The standards shall include a requirement that each grant recipient or eligible entity, as a condition of payments under subsection (a), document clinical activities and outcomes.

“(3) The program evaluation shall include a review of program performance and evaluation of data with each grant recipient or eligible entity.”.

(d) FINANCIAL INFORMATION.—Section 2012(a) of such title, as amended by subsection (b), is further amended by adding at the end the following new paragraph:

“(3) As condition of payments under subsection (a), the Secretary shall require that each grant recipient or eligible entity receiving such payments shall provide to the Secretary such information as the Secretary considers necessary to verify that such recipient is using the payments under subsection (a) for the provision of services for homeless veterans.”.

(e) AUTHORIZATION OF APPROPRIATIONS FOR HOMELESS PROGRAMS.—Section 2013 of such title is amended by adding at the end the following new paragraph:

1 “(5) \$200,000,000 for each of fiscal years 2007
2 through 2011.”.

3 (f) AVAILABILITY OF GRANT FUNDS.—Section 2011
4 of title 38, United States Code, is amended by adding at
5 the end the following new subsection:

6 “(i) AVAILABILITY OF GRANT FUNDS FOR SERVICE
7 CENTER PERSONNEL.—A grant under this section for a
8 service center for homeless veterans may be used to pro-
9 vide funding for staff as necessary in order for the center
10 to meet the service availability requirements of subsection
11 (g)(1).”.

12 (g) DEADLINE FOR IMPLEMENTING REGULATIONS.—
13 The Secretary of Veterans Affairs shall prescribe regula-
14 tions for the implementation of the amendments made by
15 subsections (b), (c), (d), and (f) not later than 180 days
16 after the date of the enactment of this Act.

17 **SEC. 3. TREATMENT AND REHABILITATION FOR SERIOUSLY**
18 **MENTALLY ILL AND HOMELESS VETERANS.**

19 (a) EXTENSION OF GENERAL TREATMENT AUTHOR-
20 IZATION.—Section 2031 of title 38, United States Code,
21 is amended—

22 (1) in subsection (a), by striking “may provide
23 (directly” and inserting “shall provide (subject to
24 the availability of appropriations and directly” ; and

1 (2) in subsection (b), by striking “December
2 31, 2006” and inserting “December 31, 2011”.

3 (b) EXTENSION OF ADDITIONAL SERVICES AUTHOR-
4 IZATION.—Section 2033(d) of such title is amended by
5 striking “December 31, 2006” and inserting “December
6 31, 2011”.

7 **SEC. 4. EXTENSION OF AUTHORITY FOR TRANSFER OF**
8 **PROPERTIES OBTAINED THROUGH FORE-**
9 **CLOSURE OF HOME MORTGAGES.**

10 Section 2041(c) of title 38, United States Code, is
11 amended by striking “December 31, 2008” and inserting
12 “December 31, 2011”.

13 **SEC. 5. ENHANCEMENT OF CAPACITY OF DOMICILIARY**
14 **CARE PROGRAMS FOR FEMALE VETERANS.**

15 Subsection (b) of section 2043 of title 38, United
16 States Code, is amended to read as follows:

17 “(b) ENHANCEMENT OF CAPACITY OF DOMICILIARY
18 CARE PROGRAMS FOR FEMALE VETERANS.—The Sec-
19 retary shall take such steps as necessary to ensure that
20 the domiciliary care programs of the Department are ade-
21 quate, with respect to capacity and with respect to safety,
22 to meet the needs of veterans who are women.”.

1 **SEC. 6. GRANT PROGRAM FOR HOMELESS VETERANS WITH**
2 **SPECIAL NEEDS.**

3 (a) INCLUSION OF VETERANS IN RURAL AREAS.—

4 Subsection (b) of section 2061 of title 38, United States
5 Code, is amended—

6 (1) by striking “or” at the end of paragraph
7 (3);

8 (2) by striking the period at the end of para-
9 graph (4) and inserting “; or”; and

10 (3) by adding at the end the following new
11 paragraph:

12 “(5) residents of rural areas, as determined by
13 the Secretary.”.

14 (b) FUNDING.—Subsection (c) of such section is
15 amended—

16 (1) in paragraph (1)—

17 (A) by striking “Medical Care” and insert-
18 ing “Medical Services”; and

19 (B) by striking “fiscal years 2003, 2004,
20 and 2005” and inserting “fiscal years 2007
21 through 2011”; and

22 (2) in paragraph (2), by striking “for the first
23 three years of operation of the program under this
24 section”.

1 **SEC. 7. EXPANSION OF ELIGIBILITY FOR DENTAL CARE.**

2 Section 2062(b) of title 38, United States Code, is
3 amended—

4 (1) in paragraph (2), by striking “, for a period
5 of 60 consecutive days,”; and

6 (2) by striking paragraph (3).

7 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS FOR TECH-**
8 **NICAL ASSISTANCE GRANT PROGRAM.**

9 Subsection (b) of section 2064 of title 38, United
10 States Code, is amended to read as follows:

11 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
12 are authorized to be appropriated \$1,000,000 for each of
13 fiscal years 2007 through 2011 to carry out the programs
14 under this section.”.

15 **SEC. 9. ADVISORY COMMITTEE ON HOMELESS VETERANS.**

16 Section 2066 of title 38, United States Code, is
17 amended—

18 (1) by adding at the end of subsection (a)(3)
19 the following new subparagraphs:

20 “(E) The Executive Director (or a representa-
21 tive of the Executive Director) of the Interagency
22 Council on Homelessness established under section
23 201 of the McKinney-Vento Homeless Assistance
24 Act (42 U.S.C. 11311).

25 “(F) The Under Secretary for Health (or a rep-
26 resentative of the Under Secretary designated after

1 consultation with the Director of the Office of
2 Homeless Veterans Programs).

3 “(G) The Under Secretary for Benefits (or a
4 representative of the Under Secretary designated
5 after consultation with the Director of the Office of
6 Homeless Veterans Programs).”; and

7 (2) in subsection (d), by striking “December
8 31, 2006” and inserting “September 30, 2011”.

9 **SEC. 10. STAFFING REQUIREMENTS.**

10 Section 2003 of title 38, United States Code, by add-
11 ing at the end the following new subsection:

12 “(c) VHA STAFFING AT VISN LEVEL.—The Sec-
13 retary shall ensure that there is at least one full-time em-
14 ployee of the Veterans Health Administration assigned to
15 oversee and coordinate homeless veterans programs at the
16 office of each of the regional health delivery networks, re-
17 ferred to as Veterans Integrated Service Networks, of that
18 Administration.”.

19 **SEC. 11. EMERGENCY GRANTS FOR REPLACEMENT OR RE-**
20 **PAIR OF HOMELESS VETERAN FACILITIES.**

21 (a) EMERGENCY GRANT AUTHORITY.—Subchapter II
22 of chapter 20 of title 38, United States Code, is amended
23 by adding at the end the following new section:

1 **“§ 2014. Emergency grants for repair or replacement**
2 **of homeless veteran facilities**

3 “(a) **AUTHORITY.**—The Secretary may make emer-
4 gency grants to eligible entities providing care for home-
5 less veterans for the purpose of repairing or replacing fa-
6 cilities used for the provision of such care that are dam-
7 aged or destroyed by a disaster.

8 “(b) **ELIGIBLE ENTITY.**—In this section, the term
9 ‘eligible entity’ has the meaning given that term in section
10 2011(d) of this title.

11 “(c) **ESTABLISHMENT OF CRITERIA AND REQUIRE-**
12 **MENTS.**—The Secretary shall establish criteria and re-
13 quirements for grants under this section and shall publish
14 such criteria and requirements in the Federal Register.

15 “(d) **DISASTER.**—In this section, the term ‘disaster’
16 means any hurricane, tornado, storm, flood, high water,
17 wind-driven water, tidal wave, tsunami, earthquake, vol-
18 canic eruption, landslide, mudslide, snowstorm, drought,
19 fire, explosion, or other catastrophe in any part of the
20 United States which causes, or which may cause, substan-
21 tial damage or injury to civilian property or persons.”.

22 (b) **CLERICAL AMENDMENT.**—The table of sections
23 at the beginning of chapter 20 of such title is amended
24 by inserting after the item relating to section 2013 the
25 following new item:

“2014. Emergency grants for repair or replacement of homeless veteran facilities.”.

1 **SEC. 12. SUPPORTIVE SERVICES GRANTS FOR VERY LOW-**
 2 **INCOME VETERANS RESIDING IN PERMA-**
 3 **NENT HOUSING.**

4 (a) AUTHORIZATION OF FINANCIAL ASSISTANCE.—
 5 Subchapter V of chapter 20 of title 38, United States
 6 Code, is amended by adding at the end the following new
 7 section:

8 **“§ 2044. Financial assistance for supportive services**
 9 **for very low-income veteran families re-**
 10 **siding in permanent housing**

11 “(a) DISTRIBUTION OF FINANCIAL ASSISTANCE.—
 12 (1) The Secretary shall provide financial assistance to eli-
 13 gible entities approved under this section to provide and
 14 coordinate the provision of the supportive services for very
 15 low-income veteran families residing in permanent hous-
 16 ing.

17 “(2)(A) Financial assistance under this section shall
 18 consist of payments for each such family for which an ap-
 19 proved eligible entity provides or coordinates the provision
 20 of supportive services.

21 “(B) The Secretary shall establish a formula for de-
 22 termining the rate of payments provided to a very low-
 23 income veteran family receiving supportive services under
 24 this section. The rate shall be adjusted not less than once

1 annually to reflect changes in the cost of living. In calcu-
2 lating the payment formula under this subparagraph, the
3 Secretary may consider geographic cost of living variances,
4 family size, and the cost of services provided.

5 “(3) In providing financial assistance under para-
6 graph (1), the Secretary shall give preference to an entity
7 that provides or coordinates the provision of supportive
8 services for very low-income veteran families who are
9 transitioning from homelessness to permanent housing.

10 “(4) The Secretary shall ensure that, to the max-
11 imum extent practicable, financial assistance under this
12 subsection is equitably distributed across geographic re-
13 gions, including rural communities and tribal lands.

14 “(5) Each entity receiving financial assistance under
15 this section to provide supportive services to a very low-
16 income veteran family shall notify the family that such
17 services are being paid for, in whole or in part, by the
18 Department.

19 “(6) The Secretary may require an entity receiving
20 financial assistance under this section to submit a report
21 to the Secretary describing the supportive services pro-
22 vided with such financial assistance.

23 “(7) In selecting entities to receive financial assist-
24 ance under this section, the Secretary shall consult with

1 the Secretary of Housing and Urban Development and the
2 Secretary of Health and Human Services.

3 “(b) APPLICATION FOR FINANCIAL ASSISTANCE.—

4 (1) An eligible entity seeking financial assistance under
5 subsection (a) shall submit to the Secretary an application
6 in such form, in such manner, and containing such com-
7 mitments and information as the Secretary determines to
8 be necessary.

9 “(2) An application submitted under paragraph (1)
10 shall contain the following:

11 “(A) A description of the supportive services
12 proposed to be provided by the eligible entity.

13 “(B) A description of the types of very low-in-
14 come veteran families proposed to be provided such
15 services.

16 “(C) An estimate of the number of very low-in-
17 come veteran families proposed to be provided such
18 services.

19 “(D) Evidence of the experience of the eligible
20 entity in providing supportive services to very low-in-
21 come veteran families.

22 “(E) A description of the managerial capacity
23 of the eligible entity to—

24 “(i) coordinate the provision of supportive
25 services with the provision of permanent hous-

1 ing, by the eligible entity or by other organiza-
2 tions;

3 “(ii) continuously assess the needs of very
4 low-income veteran families for supportive serv-
5 ices;

6 “(iii) coordinate the provision of supportive
7 services with the services of the Department;

8 “(iv) tailor supportive services to the needs
9 of very low-income veteran families; and

10 “(v) continuously seek new sources of as-
11 sistance to ensure the long-term provision of
12 supportive services to very low-income veteran
13 families.

14 “(3) The Secretary shall establish criteria for the se-
15 lection of eligible entities to receive financial assistance
16 under this section.

17 “(4) The Secretary shall establish performance
18 standards for eligible entities who receive financial assist-
19 ance under this subsection and evaluate eligible entities
20 who receive financial assistance under this subsection as
21 to their performance and outcomes.

22 “(c) TECHNICAL ASSISTANCE.—(1) The Secretary
23 shall provide training and technical assistance to eligible
24 entities that receive financial assistance under this section
25 with respect to the planning, development, and provision

1 of supportive services to very low-income veteran families
2 occupying permanent housing.

3 “(2) The Secretary may provide the training de-
4 scribed in paragraph (1) directly or through grants or con-
5 tracts with appropriate public or nonprofit private entities.

6 “(d) FUNDING.—Of the amounts available each fiscal
7 year to the Department for Medical Services for veterans,
8 \$25,000,000 shall be available in each such fiscal year to
9 carry out the provisions of this section, of which not more
10 than \$750,000 may be used to provide technical assistance
11 under subsection (c).

12 “(e) DEFINITIONS.—For the purposes of this section:

13 “(1) The term ‘very low-income veteran family’
14 means a veteran family whose income does not ex-
15 ceed 50 percent of the median income for the area,
16 as determined by the Secretary, except that—

17 “(A) the Secretary shall make appropriate
18 adjustments to the income requirement under
19 subparagraph (A) based on family size; and

20 “(B) the Secretary may establish an in-
21 come ceiling higher or lower than 50 percent of
22 the median income for an area if the Secretary
23 determines that such variations are necessary
24 because the area has unusually high or low con-
25 struction costs, fair market rents (as deter-

1 mined under section 8 of the United States
2 Housing Act of 1937 (42 U.S.C. 1437f)), or
3 family incomes.

4 “(2) The term ‘veteran family’ includes—

5 “(A) a veteran who is a single person; and

6 “(B) a family in which the head of house-
7 hold or the spouse of the head of household is
8 a veteran.

9 “(3) The term ‘consumer cooperative’ has the
10 meaning given such term in section 202 of the
11 Housing Act of 1959 (12 U.S.C. 1701q).

12 “(4) The term ‘eligible entity’ means—

13 “(A) a private nonprofit organization; or

14 “(B) a consumer cooperative.

15 “(5) The term ‘homeless’ has the meaning
16 given that term in section 103 of the McKinney-
17 Vento Homeless Assistance Act (42 U.S.C. 11302)).

18 “(6) The term ‘permanent housing’ means com-
19 munity-based housing without a designated length of
20 stay.

21 “(7) The term ‘private nonprofit organization’
22 means any of the following:

23 “(A) Any incorporated private institution
24 or foundation—

1 “(i) no part of the net earnings of
2 which inures to the benefit of any member,
3 founder, contributor, or individual;

4 “(ii) that has a governing board that
5 is responsible for the operation of the sup-
6 portive services provided under this sec-
7 tion; and

8 “(iii) that is approved by the Sec-
9 retary as to financial responsibility.

10 “(B) A for-profit limited partnership, the
11 sole general partner of which is an organization
12 meeting the requirements of clauses (i), (ii),
13 and (iii) of subparagraph (A).

14 “(C) A corporation wholly owned and con-
15 trolled by an organization meeting the require-
16 ments of clauses (i), (ii), and (iii) of subpara-
17 graph (A).

18 “(D) A tribally designated housing entity
19 (as defined in section 4 of the Native American
20 Housing Assistance and Self-Determination Act
21 of 1996 (25 U.S.C. 4103)).

22 “(8) The term ‘supportive services’ means the
23 following:

24 “(A) Services provided by an eligible entity
25 or subcontractors that address the needs of very

1 low-income veteran families occupying perma-
2 nent housing, including—

3 “(i) outreach services;

4 “(ii) health care services, including di-
5 agnosis, treatment, and counseling for
6 mental health and substance abuse dis-
7 orders and for post-traumatic stress dis-
8 order, if such services are not readily avail-
9 able through the Department medical cen-
10 ter serving the geographic area in which
11 the veteran family is housed;

12 “(iii) habilitation and rehabilitation
13 services;

14 “(iv) case management services;

15 “(v) daily living services;

16 “(vi) personal financial planning;

17 “(vii) transportation services;

18 “(viii) vocational counseling;

19 “(ix) employment and training;

20 “(x) educational services;

21 “(xi) assistance in obtaining veterans
22 benefits and other public benefits, includ-
23 ing health care provided by the Depart-
24 ment;

1 “(xii) assistance in obtaining income
2 support;

3 “(xiii) assistance in obtaining health
4 insurance;

5 “(xiv) fiduciary and representative
6 payee services;

7 “(xv) legal services to assist the vet-
8 eran family with reconsiderations or ap-
9 peals of veterans and public benefit claim
10 denials and to resolve outstanding war-
11 rants that interfere with the family’s abil-
12 ity to obtain or retain housing or sup-
13 portive services;

14 “(xvi) child care;

15 “(xvii) housing counseling;

16 “(xviii) other services necessary for
17 maintaining independent living;

18 “(xix) coordination of services de-
19 scribed in this paragraph; and

20 “(xx) other such services as the Sec-
21 retary determines are necessary to serve
22 the purposes of this subsection.

23 “(B) Services provided by an eligible entity
24 or subcontractors, including services described
25 in clauses (i) through (xx) of subparagraph (A),

1 that are delivered to very low-income veteran
2 families who are homeless and who are sched-
3 uled to become residents of permanent housing
4 within 90 days of the date on which the service
5 is provided pending the location or development
6 of housing suitable for permanent housing.

7 “(C) Services provided by an eligible entity
8 or subcontractors, including services described
9 in clauses (i) through (xx) of subparagraph (A),
10 for very low-income veteran families who have
11 voluntarily chosen to seek other housing after a
12 period of tenancy in permanent housing, that
13 are provided, for a period of 90 days beginning
14 on the date on which such a family exits perma-
15 nent housing or until such a family commences
16 receipt of other housing services adequate to
17 meet the needs of the family, but only to the ex-
18 tent that services under this paragraph are de-
19 signed to support such a family in the choice to
20 transition into housing that is responsive to the
21 individual needs and preferences of the fam-
22 ily.”.

23 (b) CLERICAL AMENDMENT.—The table of sections

24 at the beginning of such chapter is amended by inserting

1 after the item relating to section 2043 the following new
2 item:

“2044. Financial assistance for supportive services for very low-income veteran families in permanent housing.”.

3 (c) DEADLINE FOR IMPLEMENTING REGULATIONS.—
4 The Secretary of Veterans Affairs shall prescribe regula-
5 tions for the implementation section 2044 of title 38,
6 United States Code, as added by subsection (a), not later
7 than nine months after the date of the enactment of this
8 Act.

9 **SEC. 13. DEMONSTRATION PROGRAM ON PREVENTING VET-**
10 **ERANS AT-RISK OF HOMELESSNESS FROM BE-**
11 **COMING HOMELESS.**

12 (a) DEMONSTRATION PROGRAM AUTHORIZED.—The
13 Secretary of Veterans Affairs shall carry out (subject to
14 the availability of appropriations) a demonstration pro-
15 gram for the purpose of—

16 (1) identifying members of the Armed Forces
17 on active duty who are at risk of becoming homeless
18 after they are discharged or released from active
19 duty; and

20 (2) providing referral, counseling, and sup-
21 portive services, as appropriate, to help prevent such
22 members, upon becoming veterans, from becoming
23 homeless.

1 (b) PROGRAM LOCATIONS.—The Secretary shall
2 carry out the demonstration program in at least three lo-
3 cations.

4 (c) IDENTIFICATION CRITERIA.—In developing and
5 implementing the criteria to identify veterans who are at-
6 risk of becoming homeless, the Secretary shall consult with
7 the Interagency Council on Homelessness established
8 under section 201 of the McKinney-Vento Homeless As-
9 sistance Act (42 U.S.C. 11311) and such other officials
10 and experts as the Secretary determine appropriate.

11 (d) CONTRACTS.—The Secretary may enter into con-
12 tracts to provide the referral, counseling, and supportive
13 services required under the demonstration program with
14 entities or organizations that meet such requirements as
15 the Secretaries may establish.

16 (e) EXPIRATION.—The authority of the Secretary
17 under subsection (a) expires on September 30, 2011.

18 **SEC. 14. PERMANENT AUTHORITY FOR PROGRAM OF RE-**
19 **FERRAL AND COUNSELING SERVICES FOR**
20 **AT-RISK VETERANS TRANSITIONING FROM**
21 **CERTAIN INSTITUTIONS.**

22 (a) PROGRAM AUTHORITY.—Subsection (a) of section
23 2023 of title 38, United States Code, is amended by strik-
24 ing “a demonstration program for the purpose of deter-

1 mining the costs and benefits of providing” and inserting
2 “a program of”.

3 (b) SCOPE OF PROGRAM.—Subsection (b) of such
4 section is amended—

5 (1) by striking “DEMONSTRATION” in the sub-
6 section heading;

7 (2) by striking “demonstration”; and

8 (3) by striking “in at least six locations” and
9 inserting “in at least 12 locations”.

10 (c) EXTENSION OF AUTHORITY.—Subsection (d) of
11 such section is amended by striking “shall cease” and all
12 that follows and inserting “shall cease on September 30,
13 2011.”.

14 (d) CONFORMING AMENDMENTS.—

15 (1) Subsection (c)(1) of such section is amend-
16 ed by striking “demonstration”.

17 (2) The heading of such section is amended to
18 read as follows:

19 **“§ 2023. Referral and counseling services: veterans at**
20 **risk of homelessness who are**
21 **transitioning from certain institutions”.**

22 (3) The item relating to such section in the
23 table of sections at the beginning of such chapter is
24 amended to read as follows:

“2023. Referral and counseling services: veterans at risk of homelessness who are transitioning from certain institutions.”.

