

111TH CONGRESS
1ST SESSION

S. 1547

To amend title 38, United States Code, and the United States Housing Act of 1937 to enhance and expand the assistance provided by the Department of Veterans Affairs and the Department of Housing and Urban Development to homeless veterans and veterans at risk of homelessness, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 30, 2009

Mr. REED (for himself, Mr. BOND, Mrs. MURRAY, Mr. JOHNSON, Mr. KERRY, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

AUGUST 5, 2009

Committee discharged; referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, and the United States Housing Act of 1937 to enhance and expand the assistance provided by the Department of Veterans Affairs and the Department of Housing and Urban Development to homeless veterans and veterans at risk of homelessness, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Zero Tolerance for
3 Veterans Homelessness Act of 2009”.

4 **SEC. 2. FINDINGS.**

5 Congress finds that—

6 (1) veterans are at a greater risk of becoming
7 homeless than other people in the United States, be-
8 cause of characteristics that include—

9 (A) having employment-related skills that
10 are unique to military service and that can be
11 difficult to transfer to the civilian sector;

12 (B) combat-related health issues;

13 (C) earning minimal income or being un-
14 employed; and

15 (D) a shortage of safe, affordable housing;

16 (2) the Department of Veterans Affairs esti-
17 mates that—

18 (A) 131,000 veterans are homeless on any
19 given night;

20 (B) more than 200,000 veterans experience
21 homelessness each year; and

22 (C) veterans account for nearly $\frac{1}{5}$ of all
23 homeless people in the United States;

24 (3) approximately 1,500,000 veterans, nearly
25 6.3 percent of the veterans in the United States,
26 have an income that falls below the Federal poverty

1 level, and approximately 634,000 veterans have an
2 income below 50 percent of the Federal poverty
3 level;

4 (4) the Department of Veterans Affairs is only
5 adequately funded to respond to the health, housing,
6 and supportive services needs of approximately $\frac{1}{3}$ of
7 the veterans in the United States; and

8 (5) it is expected that significant increases in
9 services will be needed to serve the aging veterans
10 of the Vietnam war and members of the Armed
11 Forces returning from Operation Iraqi Freedom and
12 Operation Enduring Freedom.

13 **SEC. 3. PROGRAM ON PREVENTION OF VETERAN HOME-**
14 **LESSNESS.**

15 (a) PROGRAM ON PREVENTION OF VETERAN HOME-
16 LESSNESS.—

17 (1) IN GENERAL.—Subchapter VII of chapter
18 20 of title 38, United States Code, is amended by
19 adding at the end the following new section:

20 **“§ 2067. Prevention of veteran homelessness**

21 **“(a) PREVENTION OF VETERAN HOMELESSNESS.—**
22 Not later than 180 days after the date of the enactment
23 of this section, the Secretary shall establish a program
24 within the Veterans Benefits Administration to prevent
25 veteran homelessness by—

1 “(1) identifying in a timely fashion any veteran
2 who is homeless or at imminent risk of becoming
3 homeless; and

4 “(2) providing assistance sufficient to ensure
5 that each veteran identified under paragraph (1)
6 does not become or remain homeless.

7 “(b) TYPES OF ASSISTANCE.—The assistance pro-
8 vided under subsection (a)(2) may include the following:

9 “(1) The provision of short-term or medium-
10 term rental assistance.

11 “(2) Housing relocation and stabilization serv-
12 ices, including housing search, mediation, and out-
13 reach to property owners.

14 “(3) Services to resolve personal credit issues
15 that have led to negative credit reports.

16 “(4) Assistance with paying security or utility
17 deposits and utility payments.

18 “(5) Assistance with covering costs associated
19 with moving.

20 “(6) A referral to a program of another depart-
21 ment or agency of the Federal Government.

22 “(7) Such other activities as the Secretary con-
23 siders appropriate to prevent veterans homelessness.

24 “(c) NO DUPLICATION OF SERVICES.—The Secretary
25 may provide assistance under subsection (a)(2) to a vet-

1 eran receiving supportive services from an eligible entity
 2 receiving financial assistance under section 2044 of this
 3 title only to the extent that the assistance provided under
 4 subsection (a)(2) does not duplicate the supportive serv-
 5 ices provided to such veteran by such entity.

6 “(d) STAFFING.—The Secretary shall assign such
 7 employees at such locations as the Secretary considers
 8 necessary to carry out this section.

9 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
 10 are authorized to be appropriated to carry out this section
 11 \$50,000,000 for each of fiscal years 2010 through 2014.”.

12 (2) CLERICAL AMENDMENT.—The table of sec-
 13 tions at the beginning of chapter 20 of such title is
 14 amended by adding at the end the following new
 15 item:

“2067. Prevention of veteran homelessness.”.

16 (b) RESPONSIBILITIES OF HOMELESS VETERANS
 17 PROGRAM COORDINATORS.—Section 2003(a) of such title
 18 is amended—

19 (1) in paragraph (3), by striking “The housing”
 20 and inserting “Any housing”;

21 (2) by redesignating paragraph (7) as para-
 22 graph (8); and

23 (3) by inserting after paragraph (6) the fol-
 24 lowing new paragraph (7):

1 “(7) The program under section 2067 of this
2 title.”.

3 (c) REPORT.—Not later than 180 days after the date
4 of the establishment of the program required by section
5 2067 of title 38, United States Code, as added by para-
6 graph (1), the Secretary of Veterans Affairs shall submit
7 to Congress a report on the operation of such program.

8 **SEC. 4. ENHANCEMENT OF COMPREHENSIVE SERVICE PRO-**
9 **GRAMS.**

10 (a) ENHANCEMENT OF GRANTS.—Section 2011 of
11 title 38, United States Code, is amended—

12 (1) in subsection (a), by striking “Subject to
13 the availability of appropriations provided for such
14 purpose, the” and inserting “The”;

15 (2) in subsection (b)(1)(A), by inserting “new
16 construction,” before “expansion”; and

17 (3) in subsection (c)—

18 (A) in the first sentence, by striking “A
19 grant” and inserting “(1) A grant”;

20 (B) in the second sentence of paragraph
21 (1), as designated by subparagraph (A), by
22 striking “The amount” and inserting the fol-
23 lowing:

24 “(2) The amount”; and

1 (C) by adding at the end the following new
2 paragraph:

3 “(3)(A) The Secretary may not deny an application
4 from an entity that seeks a grant under this section to
5 carry out a project described in subsection (b)(1)(A) solely
6 on the basis that the entity proposes to use funding from
7 other private or public sources, if the entity demonstrates
8 that a private nonprofit organization will provide oversight
9 and site control for the project.

10 “(B) In this paragraph, the term ‘private nonprofit
11 organization’ means the following:

12 “(i) An incorporated private institution, organi-
13 zation, or foundation—

14 “(I) that has received, or has temporary
15 clearance to receive, tax-exempt status under
16 paragraphs (2), (3), or (19) of section 501(c) of
17 the Internal Revenue Code of 1986;

18 “(II) for which no part of the net earnings
19 of the institution or foundation inures to the
20 benefit of any member, founder, or contributor
21 of the institution or foundation; and

22 “(III) that the Secretary determines is fi-
23 nancially responsible.

24 “(ii) A for-profit limited partnership or limited
25 liability company, the sole general partner of which

1 is an organization that is described by subclauses (I)
2 through (III) of clause (i).

3 “(iii) A corporation wholly owned and controlled
4 by an organization that is described by subclauses
5 (I) through (III) of clause (i).”.

6 (b) STUDY AND REPORT ON PER DIEM PAY-
7 MENTS.—

8 (1) STUDY AND DEVELOPMENT OF PAYMENT
9 METHOD.—Not later than one year after the date of
10 the enactment of this Act, the Secretary of Veterans
11 Affairs shall—

12 (A) complete a study of all matters relat-
13 ing to the method used by the Secretary to
14 make per diem payments under section 2012(a)
15 of title 38, United States Code; and

16 (B) develop an improved method for ade-
17 quately reimbursing recipients of grants under
18 section 2011 of such title for services furnished
19 to homeless veterans.

20 (2) CONSIDERATION.—In developing the meth-
21 od required by paragraph (1)(B), the Secretary may
22 consider payments and grants received by recipients
23 of grants described in such paragraph from other
24 departments and agencies of Federal and local gov-
25 ernments and from private entities.

1 (3) REPORT.—Not later than one year after the
2 date of the enactment of this Act, the Secretary of
3 Veterans Affairs shall submit to Congress a report
4 on—

5 (A) the findings of the Secretary with re-
6 spect to the study required by subparagraph
7 (A) of paragraph (1);

8 (B) the method developed under subpara-
9 graph (B) of such paragraph; and

10 (C) any recommendations of the Secretary
11 for revising the method described in subpara-
12 graph (A) of such paragraph and any legislative
13 action the Secretary considers necessary to im-
14 plement such method.

15 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
16 2013 of such title is amended by striking “subchapter
17 \$150,000,000” and all that follows through the period and
18 inserting the following: “subchapter—

19 “(1) \$200,000,000 for fiscal year 2010; and

20 “(2) such sums as may be necessary for each
21 of fiscal years 2011 through 2014.”.

1 **SEC. 5. HUD VETERANS AFFAIRS SUPPORTIVE HOUSING**
2 **VOUCHERS.**

3 Section 8(o)(19) of the United States Housing Act
4 of 1937 (42 U.S.C. 1437f(o)(19)) is amended to read as
5 follows:

6 “(19) RENTAL VOUCHERS FOR VETERANS AF-
7 FAIRS SUPPORTED HOUSING PROGRAM.—

8 “(A) RENTAL VOUCHERS.—The Secretary
9 shall make available to public housing agencies
10 described in subparagraph (C) the amounts de-
11 scribed in subparagraph (B), to provide rental
12 assistance through a supported housing pro-
13 gram administered in conjunction with the De-
14 partment of Veterans Affairs.

15 “(B) AMOUNT.—The amounts specified in
16 this subparagraph are the amounts necessary to
17 ensure that—

18 “(i) not more than 30,000 vouchers
19 for rental assistance under this paragraph
20 are outstanding at any one time during fis-
21 cal year 2010;

22 “(ii) not more than 40,000 vouchers
23 for rental assistance under this paragraph
24 are outstanding at any one time during fis-
25 cal year 2011;

1 “(iii) not more than 50,000 vouchers
2 for rental assistance under this paragraph
3 are outstanding at any one time during fis-
4 cal year 2012; and

5 “(iv) not more than 60,000 vouchers
6 for rental assistance under this paragraph
7 are outstanding at any one time during fis-
8 cal year 2013 and each fiscal year there-
9 after.

10 “(C) PUBLIC HOUSING AGENCIES.—A pub-
11 lic housing agency described in this subpara-
12 graph is a public housing agency that—

13 “(i) has a partnership with a Depart-
14 ment of Veterans Affairs medical center or
15 an entity determined to be appropriate by
16 the Secretary of Veterans Affairs;

17 “(ii) is located in an area that the
18 Secretary of Veterans Affairs determines
19 has a high concentration of veterans in
20 need of assistance;

21 “(iii) has demonstrated expertise in
22 providing housing for homeless individuals;
23 and

1 “(iv) meets any other criteria that the
2 Secretary, in consultation with the Sec-
3 retary of Veterans Affairs may prescribe.

4 “(D) CASE MANAGEMENT.—The Secretary
5 of Veterans Affairs shall ensure that the case
6 managers described in section 2003(b) of title
7 38, United States Code, provide appropriate
8 case management for each veteran who receives
9 rental assistance under this paragraph that—

10 “(i) assists the veteran in—

11 “(I) locating available housing;

12 “(II) working with the appro-
13 priate public housing agency;

14 “(III) accessing benefits and
15 health services provided by the De-
16 partment of Veterans Affairs and
17 other departments and agencies of the
18 Federal Government;

19 “(IV) negotiating with landlords;
20 and

21 “(V) other areas, as the Sec-
22 retary determines is necessary to help
23 the veteran maintain housing or avoid
24 homelessness; and

1 “(ii) ensures that a veteran with a se-
2 vere disability, including a veteran that has
3 been homeless for a substantial period of
4 time, is referred to sufficient supportive
5 services to provide the veteran with stable
6 housing, including—

7 “(I) mental health services, in-
8 cluding treatment and recovery sup-
9 port services;

10 “(II) substance abuse treatment
11 and recovery support services, includ-
12 ing counseling, treatment planning,
13 recovery coaching, and relapse preven-
14 tion;

15 “(III) integrated, coordinated
16 treatment and recovery support serv-
17 ices for co-occurring disorders;

18 “(IV) health education, including
19 referrals for medical and dental care;

20 “(V) services designed to help in-
21 dividuals make progress toward self-
22 sufficiency and recovery, including job
23 training, assistance in seeking employ-
24 ment, benefits advocacy, money man-
25 agement, life-skills training, self-help

1 programs, and engagement and moti-
 2 vational interventions;

3 “(VI) parental skills and family
 4 support; and

5 “(VII) other supportive services
 6 that promote an end to chronic home-
 7 lessness.”.

8 **SEC. 6. SPECIAL ASSISTANT FOR VETERANS AFFAIRS IN OF-**
 9 **FICE OF SECRETARY OF HOUSING AND**
 10 **URBAN DEVELOPMENT.**

11 Section 4 of the Department of Housing and Urban
 12 Development Act (42 U.S.C. 3533) is amended by adding
 13 at the end the following new subsection:

14 “(g) SPECIAL ASSISTANT FOR VETERANS AF-
 15 FAIRS.—

16 “(1) ESTABLISHMENT.—There shall be in the
 17 Department a Special Assistant for Veterans Af-
 18 fairs, who shall be in the Office of the Secretary.

19 “(2) APPOINTMENT.—The Special Assistant for
 20 Veterans Affairs shall be appointed by the Secretary,
 21 based solely on merit and shall be covered under the
 22 provisions of title 5, United States Code, governing
 23 appointments in the competitive service.

24 “(3) RESPONSIBILITIES.—The Special Assist-
 25 ant for Veterans Affairs shall be responsible for—

1 “(A) ensuring that veterans have access to
 2 housing and homeless assistance under each
 3 program of the Department providing such as-
 4 sistance;

5 “(B) coordinating all programs and activi-
 6 ties of the Department relating to veterans; and

7 “(C) carrying out such other duties as may
 8 be assigned to the Special Assistant by the Sec-
 9 retary or by law.”.

10 **SEC. 7. HOMELESS VETERANS MANAGEMENT INFORMA-**
 11 **TION SYSTEM.**

12 (a) IN GENERAL.—Subchapter VII of chapter 20 of
 13 title 38, United States Code, as amended by section 3(b),
 14 is further amended by adding at the end the following new
 15 section:

16 **“§ 2068. Homeless Veterans Management Information**
 17 **System**

18 “(a) METHOD FOR DATA COLLECTION AND AGGRE-
 19 GATION.—(1) Not later than one year after the date of
 20 the enactment of this section, the Secretary shall, in con-
 21 sultation with the Special Assistant for Veterans Affairs
 22 of the Department of Housing and Urban Development
 23 and the United States Interagency Council on Homeless-
 24 ness established under section 201 of the McKinney-Vento
 25 Homeless Assistance Act (42 U.S.C. 11311), establish a

1 method for the collection and aggregation of data on
2 homeless veterans participating in programs of the De-
3 partment of Veterans Affairs and the Department of
4 Housing and Urban Development, including the following:

5 “(A) The age, race, sex, disability status, mar-
6 ital status of the veteran, income, employment his-
7 tory, and whether the veteran is a parent.

8 “(B) If the veteran received housing assistance,
9 the number of days that the veteran resided in such
10 housing, and the type of housing in which the vet-
11 eran resided.

12 “(C) If the veteran is no longer participating in
13 a program, the reason the veteran left the program.

14 “(2) The method required by paragraph (1) shall be
15 established in a manner that ensures that each veteran
16 is counted only once.

17 “(b) ANNUAL DATA COLLECTION AND AGGREGA-
18 TION.—Not later than one year after the method is estab-
19 lished under subsection (a), and annually thereafter, the
20 Secretary shall collect and aggregate data using the meth-
21 od established under subsection (a).

22 “(c) ANNUAL REPORTS.—Not later than two years
23 after the date of enactment of this section and annually
24 thereafter, the Secretary shall submit to Congress a report
25 on the data collected and aggregated under subsection (b).

1 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this sec-
3 tion—

4 “(1) \$10,000,000 for fiscal year 2010; and

5 “(2) such sums as may be necessary for fiscal
6 years 2011 through 2014.”.

7 (b) CLERICAL AMENDMENT.—The table of sections
8 at the beginning of chapter 20 of such title is amended
9 by adding at the end the following new item:

“2068. Homeless Veterans Management Information System.”.

10 **SEC. 8. PLAN TO END VETERAN HOMELESSNESS.**

11 (a) IN GENERAL.—Not later than 1 year after the
12 date of enactment of this Act, the Secretary of Veterans
13 Affairs shall submit to Congress a comprehensive plan to
14 end homelessness among veterans that includes—

15 (1) an analysis of programs of the Department
16 of Veterans Affairs and other departments and
17 agencies of the Federal Government that are de-
18 signed to prevent homelessness among veterans and
19 assist veterans who are homeless;

20 (2) an evaluation of whether and how partner-
21 ships between the programs described in paragraph
22 (1) would contribute to ending homelessness among
23 veterans;

24 (3) recommendations for improving the pro-
25 grams described in paragraph (1), creating partner-

1 ships between such programs, or eliminating pro-
2 grams that are no longer effective;

3 (4) recommendations for new programs to pre-
4 vent and end homelessness among veterans, includ-
5 ing an estimation of the cost of such programs;

6 (5) a timeline for implementing the plan; and

7 (6) such other information as the Secretary de-
8 termines necessary.

9 (b) CONSIDERATION OF VETERANS LOCATED IN
10 RURAL AREAS.—The analysis, evaluation, and rec-
11 ommendations included in the report required by sub-
12 section (a) shall include consideration of the circumstances
13 and requirements that are unique to veterans located in
14 rural areas.

○