

(Added Pub. L. 116-315, title IV, § 4202(a), Jan. 5, 2021, 134 Stat. 5011.)

Statutory Notes and Related Subsidiaries

CRITERIA

Pub. L. 116-315, title IV, § 4202(c), Jan. 5, 2021, 134 Stat. 5012, provided that: “Not later than 180 days after the date of the enactment of this Act [Jan. 5, 2021], the Secretary of Veterans Affairs shall establish and publish in the Federal Register the criteria and requirements pursuant to subsection (b)(1) of section 2022A of title 38, United States Code, as added by subsection (a).”

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

(a) PROGRAM AUTHORITY.—The Secretary and the Secretary of Labor (hereinafter in this section referred to as the “Secretaries”) shall carry out a program of referral and counseling services to eligible veterans with respect to benefits and services available to such veterans under this title and under State law.

(b) LOCATION OF PROGRAM.—The program shall be carried out in at least 12 locations. One location shall be a penal institution under the jurisdiction of the Bureau of Prisons.

(c) SCOPE OF PROGRAM.—(1) To the extent practicable, the program shall provide both referral and counseling services, and in the case of counseling services, shall include counseling with respect to job training and placement (including job readiness), housing, health care, and other benefits to assist the eligible veteran in the transition from institutional living.

(2)(A) To the extent that referral or counseling services are provided at a location under the program, referral services shall be provided in person during such period of time that the Secretaries may specify that precedes the date of release or discharge of the eligible veteran, and counseling services shall be furnished after such date.

(B) The Secretaries may, as part of the program, furnish to officials of penal institutions outreach information with respect to referral and counseling services for presentation to veterans in the custody of such officials during the 18-month period that precedes such date of release or discharge.

(3) The Secretaries may make grants to carry out the referral and counseling services required under the program with entities or organizations that meet such requirements as the Secretaries may establish.

(4) In developing the program, the Secretaries shall consult with officials of the Bureau of Prisons, officials of penal institutions of States and political subdivisions of States, and such other officials as the Secretaries determine appropriate.

(d) DEFINITION.—In this section, the term “eligible veteran” means a veteran who—

(1) is a resident of a penal institution or an institution that provides long-term care for mental illness; and

(2) is at risk for homelessness absent referral and counseling services provided under the demonstration program (as determined under guidelines established by the Secretaries).

(Added Pub. L. 107-95, § 5(a)(1), Dec. 21, 2001, 115 Stat. 912; amended Pub. L. 110-28, title V, § 5705, May 25, 2007, 121 Stat. 170; Pub. L. 110-387, title VI, § 602(a)–(d)(2), Oct. 10, 2008, 122 Stat. 4132; Pub. L. 112-239, div. A, title V, § 590, Jan. 2, 2013, 126 Stat. 1769; Pub. L. 113-37, § 2(e)(2), Sept. 30, 2013, 127 Stat. 524; Pub. L. 113-175, title II, § 203, Sept. 26, 2014, 128 Stat. 1904; Pub. L. 114-58, title III, § 308, Sept. 30, 2015, 129 Stat. 534; Pub. L. 114-228, title III, § 303, Sept. 29, 2016, 130 Stat. 939; Pub. L. 115-62, title III, § 303, Sept. 29, 2017, 131 Stat. 1163; Pub. L. 115-251, title I, § 143, Sept. 29, 2018, 132 Stat. 3170; Pub. L. 116-159, div. E, title III, § 5303, Oct. 1, 2020, 134 Stat. 750; Pub. L. 116-315, title IV, § 4205(a), Jan. 5, 2021, 134 Stat. 5014.)

Editorial Notes

PRIOR PROVISIONS

Prior sections 2023 to 2027 were renumbered sections 4303 to 4307 of this title, respectively, and subsequently omitted in the general amendment of chapter 43 of this title by Pub. L. 103-353, § 2(a), Oct. 13, 1994, 108 Stat. 3150.

AMENDMENTS

2021—Subsecs. (d), (e). Pub. L. 116-315 redesignated subsec. (e) as (d) and struck out former subsec. (d). Prior to amendment, text of subsec. (d) read as follows: “The authority of the Secretaries to enter into a contract to provide referral and counseling services under the demonstration program shall cease on September 30, 2022.”

2020—Subsec. (d). Pub. L. 116-159 substituted “September 30, 2022” for “September 30, 2020”.

2018—Subsec. (d). Pub. L. 115-251 substituted “September 30, 2020” for “September 30, 2018”.

2017—Subsec. (d). Pub. L. 115-62 substituted “September 30, 2018” for “September 30, 2017”.

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

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

2014—Subsec. (c)(3). Pub. L. 113-175, § 203(b), substituted “make grants” for “enter into contracts”.

Subsec. (d). Pub. L. 113-175, § 203(a), substituted “September 30, 2015” for “September 30, 2014”.

2013—Subsec. (d). Pub. L. 113-37 inserted “to enter into a contract” before “to provide” and substituted “September 30, 2014” for “September 30, 2013”.

Pub. L. 112-239 substituted “September 30, 2013” for “September 30, 2012”.

2008—Pub. L. 110-387, § 602(d)(2), amended section catchline generally. Prior to amendment, catchline read as follows: “Demonstration program of referral and counseling for veterans transitioning from certain institutions who are at risk for homelessness”.

Subsec. (a). Pub. L. 110-387, § 602(a), substituted “a program of” for “a demonstration program for the purpose of determining the costs and benefits of providing”.

Subsec. (b). Pub. L. 110-387, § 602(b), in heading, struck out “Demonstration” before “Program” and in text, struck out “demonstration” before “program” and substituted “12 locations” for “six locations”.

Subsec. (c)(1). Pub. L. 110-387, § 602(d)(1), struck out “demonstration” before “program”.

Subsec. (d). Pub. L. 110-387, § 602(c), substituted “September 30, 2012.” for “September 30, 2007.”

2007—Subsec. (d). Pub. L. 110-28 substituted “shall cease on September 30, 2007” for “shall cease on the date that is four years after the date of the commencement of the program”.

Statutory Notes and Related Subsidiaries**EFFECTIVE DATE OF 2013 AMENDMENT**

Amendment by Pub. L. 113-37 effective Oct. 1, 2013, see section 4(a) of Pub. L. 113-37, set out as a note under section 322 of this title.

SUBCHAPTER IV—TREATMENT AND REHABILITATION FOR SERIOUSLY MENTALLY ILL AND HOMELESS VETERANS**Editorial Notes****AMENDMENTS**

2001—Pub. L. 107-95, §5(b)(1), Dec. 21, 2001, 115 Stat. 918, redesignated subchapter VII of chapter 17 of this title as this subchapter.

§ 2031. General treatment

(a) In providing care and services under section 1710 of this title to veterans suffering from serious mental illness and to veterans who are homeless, the Secretary may provide (directly or in conjunction with a governmental or other entity)—

- (1) outreach services;
- (2) care, treatment, and rehabilitative services (directly or by contract in community-based treatment facilities, including halfway houses); and
- (3) therapeutic transitional housing assistance under section 2032 of this title, in conjunction with work therapy under subsection (a) or (b) of section 1718 of this title and outpatient care.

(b) The authority of the Secretary under subsection (a) expires on September 30, 2024.

(Added Pub. L. 105-114, title II, §202(a), Nov. 21, 1997, 111 Stat. 2284, §1771; renumbered §2031 and amended Pub. L. 107-95, §5(b), (f), Dec. 21, 2001, 115 Stat. 918; Pub. L. 109-444, §2(c), Dec. 21, 2006, 120 Stat. 3304; Pub. L. 109-461, title VII, §704(a), title X, §1006(b), Dec. 22, 2006, 120 Stat. 3440, 3468; Pub. L. 112-37, §10(c), Oct. 5, 2011, 125 Stat. 397; Pub. L. 112-154, title III, §302, Aug. 6, 2012, 126 Stat. 1184; Pub. L. 112-191, title II, §203, Oct. 5, 2012, 126 Stat. 1439; Pub. L. 113-59, §9(a), Dec. 20, 2013, 127 Stat. 662; Pub. L. 113-175, title II, §204(a), Sept. 26, 2014, 128 Stat. 1904; Pub. L. 114-58, title III, §307(a), Sept. 30, 2015, 129 Stat. 534; Pub. L. 114-228, title III, §308(a), Sept. 29, 2016, 130 Stat. 939; Pub. L. 115-62, title III, §307(a), Sept. 29, 2017, 131 Stat. 1163; Pub. L. 115-251, title I, §144(a), Sept. 29, 2018, 132 Stat. 3170; Pub. L. 116-159, div. E, title III, §5304(a), Oct. 1, 2020, 134 Stat. 750; Pub. L. 117-180, div. E, title III, §303(a), Sept. 30, 2022, 136 Stat. 2138.)

Editorial Notes**AMENDMENTS**

2022—Subsec. (b). Pub. L. 117-180 substituted “September 30, 2024” for “September 30, 2022”.

2020—Subsec. (b). Pub. L. 116-159 substituted “September 30, 2022” for “September 30, 2020”.

2018—Subsec. (b). Pub. L. 115-251 substituted “September 30, 2020” for “September 30, 2019”.

2017—Subsec. (b). Pub. L. 115-62 substituted “September 30, 2019” for “September 30, 2017”.

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

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

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

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

2012—Subsec. (a). Pub. L. 112-154 substituted “and to” for “, including,” in introductory provisions.

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

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

2006—Subsec. (b). 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, §704(a), substituted “December 31, 2011” for “December 31, 2006”.

Pub. L. 109-444, which substituted “December 31, 2007” for “December 31, 2006”, was terminated by Pub. L. 109-461, §1006(b). See Amendment notes above.

2001—Pub. L. 107-95, §5(b)(1), renumbered section 1771 of this title as this section.

Subsec. (a)(3). Pub. L. 107-95, §5(b)(2), substituted “section 2032 of this title” for “section 1772 of this title”.

Subsec. (b). Pub. L. 107-95, §5(f), substituted “December 31, 2006” for “December 31, 2001”.

§ 2032. Therapeutic housing

(a) The Secretary, in connection with the conduct of compensated work therapy programs, may operate residences and facilities as therapeutic housing.

(b) The Secretary may use such procurement procedures for the purchase, lease, or other acquisition of residential housing for purposes of this section as the Secretary considers appropriate to expedite the opening and operation of transitional housing and to protect the interests of the United States.

(c) A residence or other facility may be operated as transitional housing for veterans described in paragraphs (1) and (2) of section 1710(a) of this title under the following conditions:

(1) Only veterans described in those paragraphs and a house manager may reside in the residence or facility.

(2) Each resident, other than the house manager, shall be required to make payments that contribute to covering the expenses of board and the operational costs of the residence or facility for the period of residence in such housing.

(3) In order to foster the therapeutic and rehabilitative objectives of such housing (A) residents shall be prohibited from using alcohol or any controlled substance or item, (B) any resident violating that prohibition may be expelled from the residence or facility, and (C) each resident shall agree to undergo drug testing or such other measures as the Secretary shall prescribe to ensure compliance with that prohibition.

(4) In the establishment and operation of housing under this section, the Secretary shall consult with appropriate representatives of the community in which the housing is established and shall comply with zoning requirements, building permit requirements, and other similar requirements applicable to other