

(A) establish criteria and requirements for grants under this section, including criteria for entities eligible to receive such grants; and
 (B) publish such criteria and requirements in the Federal Register.

(2) In establishing criteria and requirements under paragraph (1), the Secretary shall—

(A) take into consideration any criteria and requirements needed with respect to carrying out this section in rural communities, on trust lands, and in the territories and possessions of the United States; and

(B) consult with organizations that have experience in providing services to homeless veterans, including—

- (i) veterans service organizations;
- (ii) the Equal Justice Works AmeriCorps Veterans Legal Corps; and
- (iii) such other organizations as the Secretary determines appropriate.

(c) **ELIGIBLE ENTITIES.**—The Secretary may award a grant under this section to an entity applying for such a grant only if the applicant for the grant—

(1) is a public or nonprofit private entity with the capacity (as determined by the Secretary) to effectively administer a grant under this section;

(2) demonstrates that adequate financial support will be available to carry out the services for which the grant is sought consistent with the application;

(3) agrees to meet the applicable criteria and requirements established under subsection (b)(1); and

(4) has, as determined by the Secretary, demonstrated the capacity to meet such criteria and requirements.

(d) **USE OF FUNDS.**—Grants under this section shall be used to provide homeless veterans and veterans at risk for homelessness the following legal services:

(1) Legal services relating to housing, including eviction defense, representation in landlord-tenant cases, and representation in foreclosure cases.

(2) Legal services relating to family law, including assistance in court proceedings for child support, divorce, estate planning, and family reconciliation.

(3) Legal services relating to income support, including assistance in obtaining public benefits.

(4) Legal services relating to criminal defense, including defense in matters symptomatic of homelessness, such as outstanding warrants, fines, and driver's license revocation, to reduce recidivism and facilitate the overcoming of reentry obstacles in employment or housing.

(5) Legal services relating to requests to upgrade the characterization of a discharge or dismissal of a former member of the Armed Forces under section 1553 of title 10.

(6) Such other legal services as the Secretary determines appropriate.

(e) **FUNDS FOR WOMEN VETERANS.**—For any fiscal year, not less than 10 percent of the amount authorized to be appropriated for grants under

this section shall be used to provide legal services described in subsection (d) to women veterans.

(f) **LOCATIONS.**—To the extent practicable, the Secretary shall award grants under this section to eligible entities in a manner that is equitably distributed across the geographic regions of the United States, including with respect to—

(1) rural communities;

(2) trust lands (as defined in section 3765 of this title);

(3) Native Americans; and

(4) tribal organizations (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

(g) **BIENNIAL REPORTS.**—(1) Not less frequently than once every two years, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on grants awarded under this section.

(2) To the extent feasible, each report required by paragraph (1) shall include the following with respect to the period covered by the report:

(A) The number of homeless veterans and veterans at risk for homelessness assisted.

(B) A description of the legal services provided.

(C) A description of the legal matters addressed.

(D) An analysis by the Secretary with respect to the operational effectiveness and cost-effectiveness of the services provided.

(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, 2025.

(Added Pub. L. 105–114, title II, §202(a), Nov. 21, 1997, 111 Stat. 2284, §1771; renumbered §2031 and