

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.

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## 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

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## 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.

○