



# **Homeless Veterans' Reintegration Program (HVRP) Participant Eligibility Eligibility Definitions**

VPL 02-23  
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Attachment 1

United States Department of Labor  
Veterans' Employment and Training Service

## **Attachment 1: Eligibility Definitions**

### **Veteran Definition [38 U.S.C. § 101](#)**

The term “veteran” means a person who served in the United States Army, Navy, Marine Corps, Air Force, Space Force, Coast Guard, or Reserve Component (National Guard and Reserve), who meet the following criteria:

- Received a discharge or release under conditions other than dishonorable (see 38 U.S.C. § 101(18)); and
- At least one day of active duty (see 38 U.S.C. § 101(21)) to include time spent in basic training for active-duty members; or
- Federal active duty for National Guard and Reserve members (not including inactive duty and active duty for training, see 38 U.S.C. § 101(22), (23)); or
- Any period of inactive duty or active duty for training during which National Guard and Reserve members received a service-connected disability resulting from a disease or injury incurred or aggravated in line of duty (see 38 U.S.C. § 101(24)).

### **Veterans Transitioning from Incarceration**

- A veteran who is a resident of a penal institution, or an institution that provides long-term care for mental illness; and
- Is at risk of homelessness absent referral and counseling services provided under the program.

**Note:** Veterans’ Employment and Training Service (VETS) considers an “at risk” determination to involve factors deemed appropriate by the grant recipient; however, VETS does not permit grant recipients to determine that a veteran is “at risk” if the veteran is not scheduled to be released from incarceration within 12 months.

### **Veterans with Children**

For the purposes of defining child, VETS uses the definition of “child” at [38 U.S.C. § 101\(4\): Definitions](#).

### **Recently Released from Incarceration**

For purposes of determining a veteran’s eligibility for the HVRP programs, VETS considers “recently released from incarceration” to mean a veteran released from incarceration in the last 12 months who is at risk of homelessness.

### **Veterans Benefits and Transition Act of 2018, amending Title 38, established new criteria for program eligibility**

- A. Homeless veterans (including veterans who were homeless, but have found housing during the 60-day period preceding the date on which the veteran begins to participate in a program under this section);

- B. Veterans participating in the Department of Veterans Affairs Supported Housing program for which rental assistance is provided pursuant to section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. § 1437f(o)(19)) or the Tribal Housing and Urban Development-Veterans Affairs Supportive Housing (Tribal HUD-VASH) program;
- C. American Indians who are veterans and receiving assistance under the Native American Housing Assistance and Self Determination Act of 1996 (25 U.S.C. § 4101 *et seq.*);
- D. Veterans described in section 2023(e) of this title or any other veterans who are transitioning from being incarcerated; and
- E. Veterans participating in the Department of Veterans Affairs rapid rehousing and prevention program authorized in section 2044 of this title.

**Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2020 (Further Consolidated Appropriations Act, 2020) and subsequent appropriations laws have also included additional language to HVRP program eligibility to provide services to those veterans who are “at risk of homelessness”**

- A. Services provided under sections 2021 or under 2021A (Title 38 U.S.C.) may include...services to veterans who were homeless at some point within the 60 days prior to program entry, or veterans who are at risk of homelessness within the next 60 days.
- B. Services provided under section 2023 (38 U.S.C. § 2023) may include...services to veterans recently released from incarceration who are at risk of homelessness.

**Additional References**

**“Homeless” as defined by the HEARTH Act**

- An individual or family who lacks a fixed, regular, and adequate nighttime residence;
- An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
- An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by federal, state, or local government programs for low-income individuals or by charitable organizations, congregate shelters, and transitional housing);
- An individual who resided in a shelter or place not meant for human habitation and who is exiting an institution where he or she temporarily resided;
- An individual or family who—
  - will imminently lose their housing, including housing they own, rent, or live in without paying rent, are sharing with others, and rooms in hotels or motels not paid for by federal, state, or local government programs for low-income individuals or by charitable organizations, as evidenced by—
    - A court order resulting from an eviction action that notifies the individual or family that they must leave within 14 days;

- The individual or family having a primary nighttime residence that is a room in a hotel or motel and where they lack the resources necessary to reside there for more than 14 days; or
- Credible evidence indicating that the owner or renter of the housing will not allow the individual or family to stay for more than 14 days, and any oral statement from an individual or family seeking homeless assistance that is found to be credible shall be considered credible evidence for purposes of this clause;
  - Has no subsequent residence identified; and
  - Lacks the resources or support networks needed to obtain other permanent housing;
- Unaccompanied youth and homeless families with children and youth defined as homeless under other federal statutes who—
  - Have experienced a long-term period without living independently in permanent housing,
  - Have experienced persistent instability as measured by frequent moves over such period, and
  - Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse, the presence of a child or youth with a disability, or multiple barriers to employment; or
- Any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions in the individual's or family's current housing situation, including where the health and safety of children are jeopardized, and who have no other residence and lack the resources or support networks to obtain other permanent housing.

### **At Risk of Homelessness**

For purposes of determining a veteran's "at risk of homelessness" status, the individual or family:

- has income below 30 percent of median income for the geographic area;<sup>1</sup>
- has insufficient resources immediately available to attain housing stability; and
  - has moved frequently because of economic reasons;
  - is living in the home of another because of economic hardship;
  - has been notified that their right to occupy their current housing or living situation will be terminated;
  - lives in a hotel or motel;
  - lives in severely overcrowded housing;
  - is exiting an institution; or
  - otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness.

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<sup>1</sup> Median Income for the geographic area can be found at [U.S. Census Bureau QuickFacts: United States](#)

**Welfare and/or Public Assistance Recipients**

- VETS defines this as an individual who, during the course of the program year, receives or is a member of a family who receives, cash, welfare or public assistance payments under a federal, state, or local program.

**Episodic Homelessness**

- An episodically homeless person is an individual who has been continuously homeless for one (1) year or more or has experienced at least four (4) episodes of homelessness in the last three (3) years with a combined length of time homeless of least 12 months.

**Note:** The definition of episodically homeless differs from the chronically homeless definition used by the Department of Housing and Urban Development, as the individual is not required to have a verified disability.