



VETERANS' PROGRAM LETTER NO. 01-21

TO: ALL VETERANS' EMPLOYMENT AND TRAINING SERVICE (VETS)
STAFF
ALL RECIPIENTS OF VETS' COMPETITIVE GRANTS

FROM: JOHN LOWRY

SUBJECT: Homeless Veterans' Reintegration Program Participant Eligibility

I. Purpose

The vision of the Veterans' Employment and Training Service (VETS) is to enable all veterans to reach their full potential in the workplace. This Veterans' Program Letter (VPL) clarifies participant eligibility for the Homeless Veterans' Reintegration Program (HVRP) to help VETS' grantees succeed in their efforts to reintegrate homeless veterans. The Veterans Benefits and Transition Act of 2018 amended the eligibility requirements and the Departments of Labor, Health and Human Services, Education, and Related Agencies Appropriations Act of 2020 expanded eligibility in the following programs: HVRP; the Incarcerated Veterans' Transition Program (IVTP); and the Homeless Female Veterans and Veterans with Families (HFVWF) program. Collectively, these programs are referred to as HVRP.

II. Summary of Changes

The following is a list of changes to VPL 06-19:

- (a) Eligible HVRP participants include veterans who, at program entry, are at risk of homelessness within 60 days;
- (b) Eligible HVRP participants include veterans who were recently released from incarceration;
- (c) Grantees must provide, in an individual's participant case file, (i) documentation of homelessness or an "at risk" status and (ii) a Certificate of Release or Discharge from Active Duty (DD 214) that indicates the character of the discharge; any one of member copies 2-8 may be accepted.

III. Rescissions

VPL 06-19, Homeless Veterans' Reintegration Program Participant Eligibility

IV. References

- (a) 38 U.S.C. Chapter 20, as amended by Section 701 of the Veterans Benefits and Transition Act of 2018 (Public Law 115-407), specifically:
 - i. 38 U.S.C. § 2021, Homeless Veterans' Reintegration Program;
 - ii. 38 U.S.C. § 2021A, Homeless Women Veterans and Homeless Veterans with Children Reintegration grant program;
 - iii. 38 U.S.C. § 2022, Coordination of Outreach Services for Veterans at Risk of Homelessness; and
 - iv. 38 U.S.C. § 2023, Referral and Counseling Services: Veterans at Risk of Homelessness Who are Transitioning from Certain Institutions.
- (b) 42 U.S.C. § 11302, Section 103 of the McKinney-Vento Homeless Assistance Act: General Definition of Homeless Individual, as amended, by the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009
- (c) 42 U.S.C. § 1437f(o)(19): HUD-VA Supportive Housing (HUD-VASH) program and Tribal HUD-VASH program
- (d) 25 U.S.C. § 4101 et seq.: Native American Housing Assistance and Self Determination Act of 1996
- (e) 38 U.S.C. § 2044: Veterans Affairs Rapid Re-Housing and Prevention Program
- (f) Public Law 116-94: Departments of Labor, Health and Human Services, Education and Related Agencies Appropriations Act, 2020
- (g) VPL 02-17, Quarterly Reporting Guidance for Competitive Grant Recipients and Non-Competitive Stand Down Grant Recipients, released February 14, 2017
- (h) Public Law No: 115-407: Veterans Benefits and Transition Act of 2018

V. Categories of HVRP Eligibility

- (a) Veterans who were homeless, as defined by the HEARTH Act (see attachment), at any time during the 60 days prior to program entry;
- (b) Veterans who, at program entry, are "at risk" of homelessness within the next 60 days;
- (c) Veterans participating in the HUD-VASH/Tribal HUD-VASH or VA Supportive Services for Veteran Families (SSVF) programs;
- (d) Veterans who are receiving assistance under the Native American Housing Assistance and Self Determination Act of 1996 (25 U.S.C. § 4101 et seq.);
- (e) Veterans recently released from incarceration; and
- (f) Veterans transitioning from incarceration.

Complete definitions are contained in the Attachment.

VI. Identifying and Verifying Status

To provide HVRP services, grantees must be able to provide, in an individual's participant case file, documentation of eligibility, to include a DD 214 that provides the character of discharge (any one of member copies 2 – 8). Grantees can serve homeless veterans based on an attestation of veteran status until a DD 214 is acquired. However, a grantee cannot report participation, and placement into employment, until veteran status is established by a DD 214.

Veterans who meet the definition of “at risk” of homelessness include, but are not limited to:

- (a) Veterans who are low-income;¹
- (b) Veterans who are at risk of losing their current housing due to significant changes in family dynamics (i.e., separated, loss of spousal support, or loss of employment);
- (c) Veterans referred from a shelter, the VA, or local continuum of care provider (CoC);
- (d) Welfare and/or public assistance recipients (defined in the attachment); and
- (e) Veterans with an eviction notice from a landlord or an eviction/foreclosure judgement.

Written documentation of the participant's status in the categories above is required and self-attestation should only be used in rare instances to document the circumstances of “at risk” of homelessness. Recently housed veterans and veterans at imminent risk (14 days or less) of homelessness are considered homeless, not “at risk” of homelessness for HVRP eligibility purposes.

The number of enrollments that can come from the “at-risk” of homelessness category is limited to no more than 10% of planned enrollments unless approved by the Grant Officer Technical Representative (GOTR). This limitation is to ensure the program's integrity and will be reviewed on an annual basis. If a grantee is unsure of participant eligibility, they must contact their respective GOTR.

VII. Data Collection and Reporting Requirement

Grantees will be required to report, separately, enrollments of homeless and “at risk” participants. See VPL 02-17, or subsequently released VPL for detailed reporting requirements.

VIII. Monitoring

Per VPL 02-17, each grantee is required to report the number of enrolled participants, including specific population information, on a quarterly basis. VETS also requires the GOTR to complete on-site assessments, including a randomized review of participant case files. In accordance with section VI of this VPL, grantee case files must include

¹ “Low-income” is defined by using the poverty/lower living standard income level guidelines found at the Department of Housing and Urban Development (HUD) <https://www.huduser.gov/portal/datasets/il.html>, for questions regarding HUD's income level guidelines call 1-800-245-2691 or email helpdesk@huduser.gov.

documentation of eligibility, to include a DD 214. Any grantee found to have incomplete participant files that do not include the requisite eligibility documentation may be subject to corrective action, removal of participants, and disallowance of costs incurred in support of HVRP participants erroneously enrolled.

IX. Inquiries

All inquiries are to be directed to the appropriate GOTR.

X. Expiration Date

This VPL will be reviewed for relevance on or before August 31, 2023. It shall remain in effect until rescinded or superseded.

XI. Attachments

Eligibility Definitions

Veteran Definition 38 U.S.C. § 101.

The term “veteran” means a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable.

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 HUD–VA Supportive Housing (Tribal HUD–VASH) program;*
- (c) 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) has also included additional language to HVRP program eligibility to provide services to those veterans who are “at risk”:

- (a) Services provided under sections 2021 or under 2021A [of U.S.C. Title 38] 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.*

For purposes of determining status as an eligible “veteran,” VETS considers full-time active duty service (see 38 U.S.C. § 101(21)) to include time spent in basic training,

regardless of completion, consistent with program guidance from the Department of Veterans Affairs.²

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 for homelessness absent referral and counseling services provided under the program. VETS considers “at risk” to include that the veteran is scheduled to be released from such institution within 12 months.*

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.*

Welfare and/or Public Assistance Recipients:

- *For purposes of determining a veteran’s “at risk” status, 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 welfare program.*

² See “SSVF Program Update Friday March 2, 2018,”
https://www.va.gov/HOMELESS/ssvf/docs/FY18_SSVF_Email_Update_March2_2018.htm.