



07/23/2019

VETERANS' PROGRAM LETTER NO. 06-19

TO: ALL VETERANS' EMPLOYMENT AND TRAINING SERVICE STAFF
ALL COMPETITIVE GRANT RECIPIENTS

FROM: J.S. SHELLENBERGER 
Acting Assistant Secretary

SUBJECT: Homeless Veterans' Reintegration Program Participant Eligibility

I. Purpose

To provide an expanded definition of "homeless" and "at risk" with regard to the eligibility of participants in the following U.S. Department of Labor Veterans' Employment and Training Service programs: the Homeless Veterans' Reintegration Program (HVRP), the Incarcerated Veterans' Transition Program (IVTP), and the Homeless Female Veterans and Veterans with Families (HFVWWF) program. Collectively, these programs are referred to as HVRP or homeless veterans programs.

This Veterans' Program Letter (VPL) outlines policy consistent with VETS commitment to safeguard the integrity of the HVRP program and ensure HVRP program grantees continue to provide services to veterans who meet all eligibility requirements.

II. 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; and,
 - ii. 38 U.S.C. § 2021A, Homeless women veterans and homeless veterans with children reintegration grant program; and,

- 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,ⁱ 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): Tribal HUD-VA Supportive Housing program
 - (d) VA-HUD VASH 42 U.S.C. § 1437: Pursuant to section 8(o)(19)
 - (e) 25 U.S.C. § 4101 et seq.: Native American Housing Assistance and Self Determination Act of 1996
 - (f) 38 U.S.C. § 2044: Veterans Affairs Rapid Re-Housing and Prevention Program
 - (g) Departments of Defense, Labor, Health and Human Services and Education Appropriations Act of 2019
 - (h) Veterans' Program Letter 02-17, Quarterly Reporting Guidance Competitive Grant Recipients and Non-Competitive Stand Down Grant Recipients, released February 14, 2017

III. Background

The Department of Labor (DOL) is committed to serving homeless veterans and their families by providing services to assist and prepare them for meaningful careers and to maximize their employment opportunities. DOL's commitment is an important part of fulfilling our national obligation to the men and women who have served our country.

The Veterans Benefits and Transition Act of 2018 amended the HVRP eligibility requirements in 38 U.S.C. § 2021, and the Departments of Defense, Labor, Health and Human Services, and Education Appropriations Act of 2019 further expanded HVRP eligibility, as reflected in the DOL 2019 Funding Opportunity Announcement (FOA).¹ This change to eligibility requirements provides veterans with better access to job training programs to help them towards a path to obtain sustainable employment.

IV. Eligible Veterans

Veterans who are eligible for services under the *new eligibility criteria* are:

- (a) Homeless veterans, as "homeless" is defined by the HEARTH Act;²
- (b) Veterans who are "at risk" of homelessness within 60-days prior to enrollment in HVRP;

¹ FOA-VETS-19-01, <https://www.grants.gov/web/grants/view-opportunity.html?oppld=314315>

² The attachment 1 includes the current HEARTH Act definition of homeless

- (c) Veterans who, upon enrollment, were homeless at any point during the preceding 60-days, but have found permanent housing;
- (d) Veterans participating in the HUD-VASH/Tribal HUD-VASH, or the VA Supportive Services for Veteran Families (SSVF) program;
- (e) Veterans who are receiving assistance under the Native American Housing Assistance and Self Determination Act of 1996 (25 U.S.C. § 4101 et seq.); and
- (f) Incarcerated and/or Transitioning Veterans.³

Complete definitions are contained in Attachment 1.

V. Identifying and Documenting Eligibility Status

To be eligible for HVRP services, grantees must be able to provide, a documented source of homelessness or an “at risk” status in each participant’s case file, as well as a requisite DD-214, Member 4 copy.⁴ Eligibility includes homeless veterans as defined by the HEARTH Act, incarcerated veterans or those transitioning from incarceration, and those veterans who were homeless, but have found housing during the 60-day period preceding the date on which the veteran enrolls in the HVRP program. This may include the following:

- (a) SSVF recipients who have lost or will lose their current housing within 60 days of enrollment and those who have received preventive services within that 60 day time period;
- (b) HUD-VASH/Tribal HUD-VASH recipients who received permanent housing within the previous 60 days prior to enrollment; and
- (c) Veterans who are fleeing or attempting to flee domestic abuse.

Veterans eligible under the new definition of “at risk” 60-days prior to program entry may include:

³ The attachment 1 includes the definition for incarcerated and transitioning from incarceration

⁴ 32 CFR Chapter 1 §45.3(b)(1)(i)(A)<https://www.govinfo.gov/content/pkg/CFR-2011-title32-vol1/pdf/CFR-2011-title32-vol1-subtitleA-chapl.pdf>

- (a) Veterans who are economically disadvantaged;⁵
- (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 U.S. Department of Veterans Affairs, or local Continuum of Care (CoC) provider;
- (d) Welfare and/or Public Assistance recipient;⁶ and
- (e) Veterans with an eviction notice from a landlord or an eviction/foreclosure judgement.

In addition to written documentation of the categories listed above, self-attestation may be used in rare instances for identifying and documenting the circumstances of “at risk” or homelessness.

The “at risk” list provided above is not intended to be exhaustive. If the grantee is unsure of eligibility under the new definitions, they must contact their respective Grant Officer Technical Representative (GOTR). Grantees must not enroll more than 10 percent of the “at risk” population without consulting with their respective GOTR.

VI. Data Collection and Reporting Requirement

Grantees will be required to report, enrollments of homeless and “at risk” participants. Data collected will be used in part to report the number of veterans who are receiving services through HVRP and who may have averted homelessness, due in part to program intervention that may include training/apprenticeship for high-demand occupations within their respective locations. In addition to tracking those participants within the VETS-700 Series workbook,⁷ grantees will also be required to have supporting documentation in the case management file as discussed in section V.

⁵ Economically Disadvantaged is defined by using the poverty/lower living standard income level guidelines provided by DOL/ETA and found at <https://www.doleta.gov/llsil/> or the Department of Housing and Urban Development (HUD) <https://www.huduser.gov/portal/datasets/il.html>

⁶ Defined 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.

⁷ VETS-700 Series workbook, <https://www.dol.gov/agencies/vets/programs/hvrp>

VII. Monitoring

VPL 02-17, states that each grantee is required to report quarterly on the number of enrolled participants, including specific population information. VETS also requires the GOTR to complete on-site assessments, and these on-site monitoring visits must include a random-sample review of participant case files. These files must contain a valid Member 4 copy DD-214 and the documentation surrounding those who are “at risk,” homeless, and those who have recently transitioned from incarceration, as discussed in section V. Any grantee found to have incomplete participant files that do not include the requisite eligibility information are subject to corrective action, removal of participants, and reimbursement of funds paid in support of those erroneously enrolled.

VIII. Effective Date

Immediately upon publication.

IX. Action

(a.) VETS State Directors will transmit this VPL to appropriate HVRP grantees.

(b.) The HVRP grantees will inform local partners and other organizations who may have referrals that are newly eligible for HVRP services.

X. Inquiries

All inquiries are to be directed to the appropriate GOTR.

XI. Attachments

Eligibility Definitions

Attachment 1– Eligibility Definitions

Veteran Definition Title 38 § 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.

Homeless Veterans’ Reintegration Programs Reauthorization Act of 2018 to amend Title 38 establishes 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.*

Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019 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 2021 A [of USC Title 38] may include 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 [of title 38] may include services to veterans recently released from incarceration who are “at risk” of homelessness.*

Additional References

Homeless as defined by the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009 Act:

- *A person who lacks a fixed, regular, and adequate nighttime residence;*
- *A person living in a supervised public or privately operated shelter designated to provide temporary living arrangements;*
- *A person who resided in a shelter or place not meant for human habitation and who is exiting an institution where he or she temporarily resided;*
- *A person 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;*
- *A person who will imminently lose their primary nighttime residence, provided that: (i) Residence will be lost within 60 days of the date of application for homeless assistance; (ii) No subsequent residence has been identified; and (iii) The individual or family lacks the resources or support networks needed to obtain other permanent housing;*
- *A person, defined as homeless under other federal statutes, who have experienced a long period without 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*
- *A person 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 network to obtain other permanent housing.*

Transitioning or Incarcerated Veteran
Veteran Defined in Title 38 § 2023

- *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 [demonstration] program*
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