



[Docket No. VA-2026-VACO-0001]

Implementation of Section 403 of the Senator Elizabeth Dole 21st Century Veterans Healthcare and Benefits Improvement Act

AGENCY: Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Department of Veterans Affairs (VA) is announcing its implementation plan for section 403 of the Senator Elizabeth Dole 21st Century Veterans Healthcare and Benefits Improvement Act, which authorizes VA to provide food, shelter, transportation, and other items to homeless Veterans when necessary.

DATES: This notice is effective [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

FOR FURTHER INFORMATION CONTACT: Steven Tillman, 810 Vermont Avenue NW, Washington DC 20420; HCHVNPO@va.gov (202) 461-0056. This is not a toll-free telephone number.

SUPPLEMENTARY INFORMATION: VA furnishes assistance to homeless Veterans and Veterans at risk for homelessness through multiple programs, including but not limited to: Homeless Providers Grant and Per Diem (GPD); Housing and Urban Development (HUD) – VA Supportive Housing (HUD-VASH); and Supportive Services for Veteran Families (SSVF). Assistance under some of these programs is furnished by VA predominantly through non-VA third parties by way of grant funding, where funding announcements, grant agreements, and VA regulations establish criteria for awarding grant funds, among other requirements. See, for example, VA regulations at title 38 Code of Federal Regulations (CFR) parts 61 and 62.

On January 2, 2025, the President signed into law the Senator Elizabeth Dole 21st Century Veterans Healthcare and Benefits Improvement Act (the Act; P.L.118-210).

Section 403(a) of the Act provides that during the period beginning on the date of the enactment of the Act and ending on the termination date specified in section 403(d) (September 30, 2027), VA may provide to a covered Veteran, as the Secretary determines necessary: (1) food, shelter, clothing, blankets, and hygiene items required for the safety and survival of the Veteran; (2) transportation required to support the stability and health of the Veteran for appointments with service providers, the conduct of housing and employment searches, and the obtainment of food and supplies; and (3) tablets, smartphones, disposable phones and other technology, and related service plans required to support the stability and health of the Veteran through the maintenance of contact with service providers, prospective landlords, and family members.

This notice establishes VA's implementation plan for section 403(a) of the Act; it describes covered Veterans that may receive assistance, the types of assistance that VA may provide, and how VA will determine whether assistance is necessary. This notice provides information on how VA will implement section 403(a) of the Act and is not a solicitation for public comment or a request for information regarding VA's implementation of section 403(a) of the Act. Therefore, responses to this notice may not be used to inform VA's implementation of section 403 of the Act, and VA will not address such responses.

Scope of Section 403(a) of the Act

The assistance under section 403(a) of the Act is time-limited, as VA cannot provide this assistance after September 30, 2027. The provision of assistance is limited to the items and services described in section 403(a) and will be provided "to a covered Veteran." VA interprets section 403(a) of the Act to be a time-limited authority that is framed in the context of VA directly providing assistance to homeless Veterans through

VA Medical Centers (VAMC). Section 403(a) gives the Secretary discretion to exercise this authority (“the Secretary...may provide”), and section 403(c) requires VA to submit reports to Congress, “disaggregated by each...medical center.” VA also interprets section 403(a) of the Act to further restrict the provision of assistance to homeless Veterans only as the Secretary may determine to be “necessary” for each covered Veteran, making the provision of assistance dependent on case-by-case determinations of need as assessed through VA staff at VAMCs. VA staff will furnish services to covered homeless veterans who may use this assistance differently in terms of type or frequency.

VA is publishing this notice as a statement of general policy or interpretation of general applicability formulated and adopted by the agency as required by 5 U.S.C. 552(a)(1)(D). VA will use this notice, as well as other internal guidance, to assist VA staff in providing to covered homeless Veterans the assistance authorized by section 403(a) of the Act. VA clinical staff will assess the needs of covered homeless Veterans on a case-by-case basis in real time.

Covered Veterans Who May Receive Assistance Under Section 403 of the Act

Section 403(e) of the Act defines the term “covered Veteran” to include two populations: first, it includes a “homeless Veteran, as such term is defined in section 2002 of title 38, United States Code” (U.S.C.). 38 U.S.C. 2002 defines the term “homeless Veteran” to mean a Veteran (as defined in 38 U.S.C. 101(2)) who is homeless (as that term is defined in section 103(a) or (b) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302). The McKinney-Vento Homeless Assistance Act generally defines homeless as meaning the lack of a fixed, regular, and adequate nighttime residence, a residence that is a public or private place not designed

for or ordinarily used as a regular sleeping accommodation for human beings, and a shelter designed to provide temporary living arrangements; it also includes individuals or families who will imminently lose housing, have no adequate residence identified, and lack the resources or support networks needed to obtain other permanent housing. The definition also generally includes individuals or families who are experiencing trauma or a lack of safety related to domestic violence or similar threats.

Section 403(e)(2) defines the second type of covered Veterans as “a Veteran participating in the program carried out under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)),” which authorizes a collaborative program between the U.S. Department of Housing and Urban Development (HUD) and VA, known as HUD-VASH, designed to combine HUD Housing Choice Voucher rental assistance for homeless Veterans administered by public housing agencies with case management and supportive services provided through VA. We note for awareness that HUD-VASH uses a broader definition of “Veteran,” set forth at 38 U.S.C. 2002(b), which applies notwithstanding the definition of “Veteran” in 38 U.S.C. 101(2), and which means a person who served in the active military, naval, air, or space service, regardless of length of service, and who was discharged or released therefrom, except for persons who received a dishonorable discharge from the Armed Forces or who were discharged or dismissed from the Armed Forces by reason of the sentence of a general court-martial. See 42 U.S.C. 1437f(o)(19)(D).

VA currently identifies homeless Veterans in a manner consistent with the criteria described above and will ensure these same Veterans are identified as able to receive services under section 403(a) of the Act, if such services are determined to be needed as outlined further in this notice.

Types of assistance

Section 403(a) of the Act provides that VA may furnish, as it determines

necessary, the following assistance to covered Veterans: (1) food, shelter, clothing, blankets, and hygiene items required for the safety and survival of the Veteran; (2) transportation required to support the stability and health of the Veteran for appointments with service providers, the conduct of housing and employment searches, and the obtainment of food and supplies; and (3) tablets, smartphones, disposable phones and other technology, and related service plans required to support the stability and health of the veteran through the maintenance of contact with service providers, prospective landlords, and family members.

This notice does not include an exhaustive list of the specific items or services that comprise the assistance available within each of the noted categories above, as this would not allow VA to deliver necessary assistance to covered Veterans. VA will issue more specific guidance on assistance available under section 403(a) of the Act in separate guidance for VAMCs. This guidance may establish certain parameters (including recommended restrictions) to ensure that only necessary assistance is provided, and that the provision of assistance is also consistent with relevant Federal statutes, regulations, and policies. We note that, to the extent a clinician determined that a Veteran was in need of assistance, that the assistance was available under section 403(a), and that certain parameters in guidance would create a barrier or impediment to the provision of that assistance, VA may make an exception to the parameter to ensure that the Veteran receives necessary assistance; however, VA cannot make an exception for any assistance expressly barred in statute or regulation. The following descriptions provide a non-exhaustive list of examples of assistance VA may provide under section 403(a) of the Act:

A. Food assistance: Food assistance may include direct purchase of meals, groceries, or meal delivery services. This may include payments for ready-to-eat meals as sourced from local restaurants or catering services, or prepared on-site at VAMCs,

and distributed through VAMCs, mobile food units, or community homeless shelters. Basic grocery items may be purchased and distributed through food pantries, or vouchers provided as redeemable at grocery stores. Meal delivery services may include purchases through commercial meal delivery companies. VA may issue guidance that could include limitations on the types of grocery items that could be obtained (for instance, standard items versus gourmet items) and reasonable limitations on tip payments for delivery of ready-to-eat meals.

B. Shelter assistance: Shelter assistance may include the provision of housing vouchers, rental assistance, and utility payments. VA's provision of shelter assistance under section 403(a) of the Act may be made only to the extent it is not a duplication of shelter assistance or housing payments or benefits provided for the same time period by another Federal housing subsidy or benefits program (such as HUD-VASH, VA's SSVF, or VA's Homeless GPD programs), as a duplication of assistance would not be necessary. As noted below, VA may apply certain criteria from VA's SSVF program (38 CFR part 62) to some shelter assistance payments under section 403(a) of the Act (for instance, limitations on the number of rental assistance or utility payments to be made within a certain timeframe). These criteria from VA's SSVF program may be appropriate to apply to shelter assistance under section 403(a) of the Act because VA intends to use the authority under section 403 of the Act in the same manner as the temporary financial assistance provided by SSVF, to help Veterans remain in or obtain housing. We note that shelter assistance under section 403 of the Act could be provided to a veteran who may have already exhausted available SSVF assistance.

In making a determination as to whether the provision of shelter assistance under section 403(a) of the Act is necessary, the clinician must assess whether the Veteran would become homeless (for example, is at risk for homelessness, will imminently lose housing, has no adequate residence identified, or lacks the resources or support

networks needed to obtain other permanent housing) or continue to experience homelessness without the assistance. The criteria below will aid the clinician in ensuring that shelter assistance is used only as necessary to help the Veteran remain in or obtain housing, and only for as long as necessary. To the extent a clinician may determine that any of the SSVF criteria (such as restrictions on payments within certain timeframes) create a barrier or impediment to the provision of assistance available under section 403(a), VA may make an exception to ensure that the Veteran receives the necessary assistance. As noted earlier, though, VA cannot make an exception for any assistance expressly barred in statute or regulation. VA's provision of shelter assistance under section 403(a) of the Act will also require a covered Veteran to develop, with the assistance of VA, a reasonable plan to ensure future housing stability. In addition, VA may require a covered Veteran to share in the cost of some of the payments VA makes as shelter assistance.

1. Shelter assistance can include payment of security deposits or utility deposits once every two years (from the time VA first pays such a deposit) to help the covered Veteran remain in or obtain housing. Payments for fees associated with rental applications can be made towards securing housing, as well as costs associated with obtaining necessary documentation such as but not limited to birth certificates, and State identification/driver's license. Assistance with utilities may be for payments currently due or in arrears and is available only if a covered Veteran, a legal representative of the covered Veteran, or a household member of the covered Veteran has an account in their name with the utility company, or if they can provide proof of responsibility for making the payments, such as canceled checks or receipts in their name. Rental and utility assistance is only provided if it permits a covered Veteran to remain in or obtain housing. To the extent that a clinician determines that a security deposit or utility deposit payment more than once every two years is necessary, such as

if a VA social worker determined that a Veteran needed to change rental units for safety reasons, VA may make an exception to the limitation on security deposits and utility deposit payments to ensure that the Veteran receives the necessary assistance.

2. Shelter assistance can include payment of moving costs. Payments may include reasonable expenses such as truck rental, hiring a moving company, or short-term storage fees (for a maximum of three months, or until the participant secures permanent housing).

3. Shelter assistance can include payments for rental assistance for a maximum of 10 months within a 2-year period, starting from the date that VA first covers these costs. Assistance with rent may be for rental payments currently due or in arrears, and for the payment of penalties or fees incurred and required to be paid under an existing lease. Rental assistance is only provided if it permits a covered veteran to remain in or obtain housing. To the extent that a clinician determines that payment of rental assistance for more than 10 months within a 2-year period is necessary, such as if a VA social worker determined that additional assistance was required to permit a Veteran to remain in their current housing, VA may make an exception to the limitation on payments for rental assistance.

4. Shelter assistance can include payments for utility assistance for a maximum of 10 months within a 2-year period, starting from the date that VA first covers these costs. Assistance with utilities may be for utility payments currently due or in arrears and is available only if a covered veteran, a legal representative of the covered Veteran, or a household member of the covered Veteran has an account in their name with the utility company, or if they can provide proof of responsibility for making the payments, such as canceled checks or receipts in their name. Utility assistance is only provided if it permits a covered Veteran to remain in or obtain housing. Similar to rental assistance, if a clinician determined that payment of utility assistance for more than 10 months within a

2-year period was necessary, such as if a VA social worker determined that a particularly cold winter season or higher electricity pricing required additional payments for heating, VA may make an exception to the limitation on payments for utility assistance.

5. Shelter assistance can include payments for items needed for daily living such as essential furniture (for example, bed, tables, and chairs), bedding, cookware necessary for meal preparation (for examples, kitchenware pots, pans, utensils), small household appliances necessary for meal preparation (for example, microwave, coffee makers, and toasters), and household cleaning supplies.

6. Shelter assistance can include vouchers or payments for stays in hotels or motels.

C. Personal items: Personal items may include clothing, blankets, and hygiene items required for the safety of the covered Veteran. VA's provision of personal items can include clothing items (for example, socks, underwear, pants, shirts, footwear, coats, gloves, and hats), items required for warmth for covered veterans who may be sleeping outdoors (such as, blankets and quilts, sleeping bags, tents), and hygiene items. VA's provision of personal items will be dependent on a case-by-case determination of a covered Veteran's needs.

D. Transportation: In making a determination as to whether the provision of transportation assistance is necessary, the clinician must assess whether the Veteran would be unable to travel to appointments with service providers, conduct housing or employment searches, or obtain food and supplies without transportation assistance. VA may provide transportation assistance to eligible Veterans if the clinician determines such assistance is necessary to travel to appointments with service providers, conduct housing or employment searches, or obtain food and supplies, and only as long as necessary. Transportation assistance may include vouchers for public transportation or

purchase of rideshare services to allow covered Veterans to travel to and from medical and mental health appointments, housing searches, employment opportunities, court appointments or meetings related to legal services, emergency housing or interim housing placements, and to obtain food and other supplies. VA's provision of transportation assistance will be dependent on a case-by-case determination of a Veteran's needs.

E. Technology: In making a determination as to whether the provision of assistance for technology is necessary, the clinician must assess whether the Veteran would be unable to maintain contact with service providers, prospective landlords, and family members without the assistance. VA may provide assistance for technology to eligible Veterans if the clinician determines such assistance is necessary to maintain contact with service providers, prospective landlords, and family members, and only as long as necessary. VA's provision of smartphones or other technology can include payments for devices and related service plans to support the stability and health of the veteran, such as through the maintenance of contact with service providers, prospective landlords, and family members. VA's provision of smart phones or other technology will be dependent on a case-by-case determination of a veteran's needs.

VA will provide assistance to covered veterans through VAMCs. Funding may only be used to directly purchase or pay for supplies or services in the provision of assistance under section 403(a) of the Act; such funding may not be provided to covered veterans or other parties to be spent on VA's behalf.

The provision of certain items or services that comprise assistance as described above may also be accompanied by certain administrative requirements, such as signing a user agreement or some similar documentation. For instance, VA's provision of durable goods (versus consumable goods) will require a covered veteran to review and sign a VHA Homeless Program Durable Goods User Agreement. Similarly, VA's

provision of a smartphone or other technology (to include any related service plan) will require a covered veteran to sign a VHA Homeless Programs Smartphone User Agreement. These are standard administrative requirements consistent with other VA authorities.

Determination of Need

VA may only provide assistance under section 403(a) of the Act to a covered veteran when VA determines the assistance is necessary. VA will determine whether assistance is necessary based on a clinician's evaluation of the covered Veteran's needs and circumstances. This evaluation is specific to each veteran and will consider, on a case-by-case basis, whether the assistance will enhance the safety, survival, well-being, or living conditions of the covered veteran, consistent with the language of section 403(a)(1)-(3). This includes, but is not limited to, considering whether the assistance will prevent or lessen: the loss of housing; the continuation of homelessness; the spread of infection; hunger; hypothermia; poor hygiene; unemployment; missed health care and service appointments; social isolation; and the exacerbation of physical and mental health symptoms.

In the context of VA's homeless Veterans programs, VA clinical staff (primarily social workers) conduct comprehensive assessments to determine the needs of homeless veterans by identifying biopsychosocial functioning during an initial intake interview. The assessment covers key areas such as housing status, health care needs (both physical and mental), financial and employment status, legal issues, and basic living necessities like food and personal items.

This same process for assessment will occur when VA is determining whether veterans meet the definition of covered Veteran and are in need of the assistance provided under section 403 of the Act, and more specifically whether the assistance will prevent or lessen: the loss of housing; the continuation of homelessness; the spread of

infection; hunger; hypothermia; poor hygiene; unemployment; missed health care and service appointments; social isolation; the exacerbation of physical and mental health symptoms. Clinicians will also use the criteria above regarding the provision of assistance for shelter, personal items, transportation, and technology as part of this assessment. This assessment will continue to inform the level and types of assistance needed under section 403 of the Act. As stated previously in this notice, to the extent a clinician determined that a veteran was in need of assistance, that the assistance was available under section 403(a), and that certain parameters in guidance would create a barrier or impediment to the provision of that assistance, the clinician may make an exception to the parameter to ensure that the veteran receives necessary assistance. VA cannot make an exception for any assistance expressly barred in statute or regulation.

The following is an example of the type of assessment that a VA clinician might conduct to determine the need for assistance under section 403(a). An unsheltered Veteran who is engaged through homeless street outreach services is connected to a VA social worker, who determines that the unsheltered Veteran has been homeless for 6 months, is struggling with inadequate food, has worn-out clothing, and has no means of transportation. Based on an assessment, the VA social worker determines the unsheltered veteran is a covered Veteran for the purposes of section 403 of the Act and needs assistance with shelter, food, clothing, and transportation. The VA social worker arranges for admission to a VA contract residential services program. The VA social worker also uses assistance authorized under section 403 of the Act to provide transportation to the residential services program through a contracted transportation network company (a rideshare service). In addition, the VA social worker purchases a prepared meal, and a package of non-perishable food items, new shoes, and weather appropriate clothing for the covered Veteran.

Signing Authority

Douglas A. Collins, Secretary of Veterans Affairs, approved this document on July 21, 2026, and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs.

Gabriela DeCuir,

Alternate Federal Register Liaison Officer, Department of Veterans Affairs.

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