

## [Discussion Draft]

### SECTION 8 VOUCHER REFORM PROVISIONS PREPARED FOR THE COMMITTEE ON FINANCIAL SERVICES

1 **TITLE \_\_\_\_\_—SECTION 8 VOUCHER**  
2 **REFORM**

3 **SECTION \_\_\_\_ 1. SHORT TITLE AND TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This title may be cited as the  
5 “Section 8 Voucher Reform Act of 2010”.

6 (b) **TABLE OF CONTENTS.**—The table of contents for  
7 this title is as follows:

- Sec. \_\_\_\_ 1. Short title and table of contents.
- Sec. \_\_\_\_ 2. Inspection of dwelling units.
- Sec. \_\_\_\_ 3. Rent reform and income reviews.
- Sec. \_\_\_\_ 4. Eligibility for assistance based on assets and income.
- Sec. \_\_\_\_ 5. Targeting assistance to low-income working families.
- Sec. \_\_\_\_ 6. Voucher renewal funding.
- Sec. \_\_\_\_ 7. Family self-sufficiency.
- Sec. \_\_\_\_ 8. Homeownership.
- Sec. \_\_\_\_ 9. Enhanced vouchers.
- Sec. \_\_\_\_ 10. PHA project-based assistance.
- Sec. \_\_\_\_ 11. Rent burdens.
- Sec. \_\_\_\_ 12. Establishment of fair market rent.
- Sec. \_\_\_\_ 13. Screening of applicants.
- Sec. \_\_\_\_ 14. Demonstration program waiver authority.
- Sec. \_\_\_\_ 15. Utility data.
- Sec. \_\_\_\_ 16. Access to HUD programs for persons with limited English proficiency.
- Sec. \_\_\_\_ 17. Allowable transfers.
- Sec. \_\_\_\_ 18. Veterans Affairs supportive housing program.
- Sec. \_\_\_\_ 19. Provision of information by State agencies.

1 **SEC. \_\_\_\_ 2. INSPECTION OF DWELLING UNITS.**

2 (a) IN GENERAL.—Section 8(o)(8) of the United  
3 States Housing Act of 1937 (42 U.S.C. 1437f(o)(8)) is  
4 amended—

5 (1) by striking subparagraph (A) and inserting  
6 the following new subparagraph:

7 “(A) INITIAL INSPECTION.—

8 “(i) IN GENERAL.—For each dwelling  
9 unit for which a housing assistance pay-  
10 ment contract is established under this  
11 subsection, the public housing agency (or  
12 other entity pursuant to paragraph (11))  
13 shall inspect the unit before any assistance  
14 payment is made to determine whether the  
15 dwelling unit meets the housing quality  
16 standards under subparagraph (B), except  
17 as provided in clause (ii) or (iii) of this  
18 subparagraph.

19 “(ii) CORRECTION OF NON-LIFE  
20 THREATENING CONDITIONS.—In the case  
21 of any dwelling unit that is determined,  
22 pursuant to an inspection under clause (i),  
23 not to meet the housing quality standards  
24 under subparagraph (B), assistance pay-  
25 ments may be made for the unit notwith-  
26 standing subparagraph (C) if failure to

1 meet such standards is a result only of  
2 non-life threatening conditions, as such  
3 conditions are established by the Secretary.  
4 A public housing agency making assistance  
5 payments pursuant to this clause for a  
6 dwelling unit shall, 30 days after the be-  
7 ginning of the period for which such pay-  
8 ments are made, withhold any assistance  
9 payments for the unit if any deficiency re-  
10 sulting in noncompliance with the housing  
11 quality standards has not been corrected  
12 by such time. The public housing agency  
13 shall recommence assistance payments  
14 when such deficiency has been corrected,  
15 and may use any payments withheld to  
16 make assistance payments relating to the  
17 period during which payments were with-  
18 held.

19 “(iii) USE OF ALTERNATIVE INSPEC-  
20 TION METHOD FOR INTERIM PERIOD.—In  
21 the case of any property that within the  
22 previous 12 months has met the require-  
23 ments of an inspection that qualifies as an  
24 alternative inspection method pursuant to  
25 subparagraph (E), a public housing agency

1 may authorize occupancy before the inspec-  
2 tion under clause (i) has been completed,  
3 and may make assistance payments retro-  
4 active to the beginning of the lease term  
5 after the unit has been determined pursu-  
6 ant to an inspection under clause (i) to  
7 meet the housing quality standards under  
8 subparagraph (B).”;

9 (2) by redesignating subparagraph (E) as sub-  
10 paragraph (H); and

11 (3) by striking subparagraph (D) and inserting  
12 the following new subparagraphs:

13 “(D) BIENNIAL INSPECTIONS.—

14 “(i) REQUIREMENT.—Each public  
15 housing agency providing assistance under  
16 this subsection (or other entity, as pro-  
17 vided in paragraph (11)) shall, for each as-  
18 sisted dwelling unit, make inspections not  
19 less often than biennially during the term  
20 of the housing assistance payments con-  
21 tract for the unit to determine whether the  
22 unit is maintained in accordance with the  
23 requirements under subparagraph (A).

24 “(ii) USE OF ALTERNATIVE INSPEC-  
25 TION METHOD.—The requirement under

1 clause (i) may be complied with by use of  
2 inspections that qualify as an alternative  
3 inspection method pursuant to subpara-  
4 graph (E).

5 “(iii) RECORDS.—The agency (or  
6 other entity) shall retain the records of the  
7 inspection for a reasonable time and shall  
8 make the records available upon request to  
9 the Secretary, the Inspector General for  
10 the Department of Housing and Urban  
11 Development, and any auditor conducting  
12 an audit under section 5(h).

13 “(E) ALTERNATIVE INSPECTION METH-  
14 OD.—An inspection of a property shall qualify  
15 as an alternative inspection method for pur-  
16 poses of this subparagraph if—

17 “(i) the inspection was conducted pur-  
18 suant to requirements under a Federal,  
19 State, or local housing assistance program  
20 (including the HOME investment partner-  
21 ships program under title II of the Cran-  
22 ston-Gonzalez National Affordable Housing  
23 Act (42 U.S.C. 12721 et seq.) and the low-  
24 income housing tax credit program under

1 section 42 of the Internal Revenue Code of  
2 1986); and

3 “(ii) pursuant to such inspection, the  
4 property was determined to meet the  
5 standards or requirements regarding hous-  
6 ing quality or safety applicable to units as-  
7 sisted under such program, and, if a non-  
8 Federal standard was used, the public  
9 housing agency has certified to the Sec-  
10 retary that such standards or requirements  
11 provide the same protection to occupants  
12 of dwelling units meeting such standards  
13 or requirements as, or greater protection  
14 than, the housing quality standards under  
15 subparagraph (B).

16 “(F) INTERIM INSPECTIONS.—Upon notifi-  
17 cation to the public housing agency, by a family  
18 on whose behalf tenant-based rental assistance  
19 is provided under this subsection or by a gov-  
20 ernment official, that the dwelling unit for  
21 which such assistance is provided does not com-  
22 ply with the housing quality standards under  
23 subparagraph (B), the agency shall inspect the  
24 dwelling unit—

1 “(i) in the case of any condition that  
2 is life-threatening, within 24 hours after  
3 receipt of such notice; and

4 “(ii) in the case of any condition that  
5 is not life-threatening, within 15 days after  
6 receipt of such notice.

7 “(G) ENFORCEMENT OF HOUSING QUALITY  
8 STANDARDS.—

9 “(i) DETERMINATION OF NONCOMPLI-  
10 ANCE.—A dwelling unit that is covered by  
11 a housing assistance payments contract  
12 under this subsection shall be considered,  
13 for purposes of subparagraphs (D) and  
14 (F), to be in noncompliance with the hous-  
15 ing quality standards under subparagraph  
16 (B) if—

17 “(I) the public housing agency or  
18 an inspector authorized by the State  
19 or unit of local government deter-  
20 mines upon inspection of the unit that  
21 the unit fails to comply with such  
22 standards;

23 “(II) the agency or inspector no-  
24 tifies the owner of the unit in writing  
25 of such failure to comply; and

1 “(III) the failure to comply is not  
2 corrected—

3 “(aa) in the case of any  
4 such failure that is a result of  
5 life-threatening conditions, within  
6 24 hours after such notice has  
7 been provided; and

8 “(bb) in the case of any  
9 such failure that is a result of  
10 non-life threatening conditions,  
11 within 30 days after such notice  
12 has been provided or such other  
13 reasonable longer period as the  
14 public housing agency may estab-  
15 lish.

16 “(ii) WITHHOLDING OF ASSISTANCE  
17 AMOUNTS DURING CORRECTION.—The  
18 public housing agency may withhold assist-  
19 ance amounts under this subsection with  
20 respect to a dwelling unit for which a no-  
21 tice pursuant to clause (i)(II), of failure to  
22 comply with housing quality standards  
23 under subparagraph (B) as determined  
24 pursuant to an inspection conducted under  
25 subparagraph (D) or (F), has been pro-



1           vided. If the unit is brought into compli-  
2           ance with such housing quality standards  
3           during the periods referred to in clause  
4           (i)(III), the public housing agency shall re-  
5           commence assistance payments and may  
6           use any amounts withheld during the cor-  
7           rection period to make assistance payments  
8           relating to the period during which pay-  
9           ments were withheld.

10           “(iii) ABATEMENT OF ASSISTANCE  
11           AMOUNTS.—The public housing agency  
12           shall abate all of the assistance amounts  
13           under this subsection with respect to a  
14           dwelling unit that is determined, pursuant  
15           to clause (i) of this subparagraph, to be in  
16           noncompliance with housing quality stand-  
17           ards under subparagraph (B). Upon com-  
18           pletion of repairs by the public housing  
19           agency or the owner sufficient so that the  
20           dwelling unit complies with such housing  
21           quality standards, the agency shall recom-  
22           mence payments under the housing assist-  
23           ance payments contract to the owner of the  
24           dwelling unit.

1 “(iv) USE OF ABATED ASSISTANCE TO  
2 PAY FOR REPAIRS.—

3 “(I) AUTHORITY.—The public  
4 housing agency may, in its sole discre-  
5 tion, use such amounts abated to  
6 make repairs to the dwelling unit or  
7 to contract to have repairs made, ex-  
8 cept that a contract to make repairs  
9 may not be entered into with the in-  
10 spector for the dwelling unit referred  
11 to in clause (i)(I).

12 “(II) ABATED FUNDS.—For pur-  
13 poses of this clause, abated amounts  
14 may include amounts withheld during  
15 the correction period described in  
16 clause (ii) of this subparagraph with  
17 respect to a dwelling unit that is sub-  
18 sequently determined under clause (i)  
19 to be in noncompliance with housing  
20 quality standards.

21 “(III) CONSISTENCY WITH STATE  
22 OR LOCAL LAW.—Authority to use  
23 abated assistance to pay for repairs  
24 under this clause shall be limited to  
25 States or localities in which tenants

1 are permitted to withhold rent pay-  
2 ments for the purpose of making re-  
3 pairs, consistent with the authority  
4 under this clause.

5 “(IV) LIMITATION OF LIABILITY  
6 OF PUBLIC HOUSING AGENCIES.—A  
7 public housing agency that uses its  
8 authority under this clause shall not,  
9 if the agency accomplishes the work  
10 through a contractor that is licensed,  
11 bonded, and insured in amounts and  
12 with coverage as required by the Sec-  
13 retary, be liable for any injury or  
14 damages that may result to persons or  
15 to any property owned by the tenant  
16 or owner.

17 “(V) TREATMENT OF CERTAIN  
18 ABATEMENT ASSISTANCE.—Assistance  
19 amounts abated and used to make re-  
20 pairs or to contract for such repairs  
21 pursuant to this clause or used for re-  
22 location assistance pursuant to clause  
23 (viii)(III) shall be treated as costs  
24 which shall be considered in deter-

1 mining the allocation of renewal fund-  
2 ing under subsection (dd)(2).

3 “(v) NOTIFICATION.—If a public  
4 housing agency providing assistance under  
5 this subsection abates rental assistance  
6 payments pursuant to clause (iii) with re-  
7 spect to a dwelling unit, the agency shall,  
8 upon commencement of such abatement—

9 “(I) notify the tenant and the  
10 owner of the dwelling unit that—

11 “(aa) such abatement has  
12 commenced; and

13 “(bb) if the dwelling unit is  
14 not brought into compliance with  
15 housing quality standards within  
16 60 days after the effective date of  
17 the determination of noncompli-  
18 ance under clause (i) or such rea-  
19 sonable longer period as the  
20 agency may establish, the tenant  
21 will have to move; and

22 “(II) issue the tenant the nec-  
23 essary forms to allow the tenant to  
24 move to another dwelling unit and

1 transfer the rental assistance to that  
2 unit.

3 “(vi) PROTECTION OF TENANTS.—An  
4 owner of a dwelling unit may not terminate  
5 the tenancy of any tenant because of the  
6 withholding or abatement of assistance  
7 pursuant to this subparagraph. During the  
8 period that assistance is abated pursuant  
9 to this subparagraph, the tenant may ter-  
10minate the tenancy by notifying the owner.

11 “(vii) TERMINATION OF LEASE OR AS-  
12SISTANCE PAYMENTS CONTRACT.—If as-  
13sistance amounts under this section for a  
14dwelling unit are abated pursuant to clause  
15(iii) and the owner does not correct the  
16noncompliance within 60 days after the ef-  
17fective date of the determination of non-  
18compliance under clause (i), or such other  
19reasonable longer period as the public  
20housing agency may establish, and the  
21agency does not use its authority under  
22clause (iv), the agency shall terminate the  
23housing assistance payments contract for  
24the dwelling unit.

25 “(viii) RELOCATION.—

1                   “(I) LEASE OF NEW UNIT.—The  
2                   agency shall provide the family resid-  
3                   ing in such a dwelling unit a period of  
4                   90 days or such longer period as the  
5                   public housing agency determines is  
6                   reasonably necessary to lease a new  
7                   unit, beginning upon termination of  
8                   the contract, to lease a new residence  
9                   with tenant-based rental assistance  
10                  under this section.

11                  “(II) AVAILABILITY OF PUBLIC  
12                  HOUSING UNITS.—If the family is un-  
13                  able to lease such a new residence  
14                  during such period, the public housing  
15                  agency shall, at the option of the fam-  
16                  ily, provide such family a preference  
17                  for occupancy in a dwelling unit of  
18                  public housing that is owned or oper-  
19                  ated by the agency that first becomes  
20                  available for occupancy after the expi-  
21                  ration of such period.

22                  “(III) ASSISTANCE IN FINDING  
23                  UNIT.—The public housing agency  
24                  shall provide assistance to the family  
25                  in finding a new residence, including

1 use of up to two months of any assist-  
2 ance amounts abated pursuant to  
3 clause (iii) for costs directly associ-  
4 ated with relocation of the family to a  
5 new residence, which shall include se-  
6 curity deposits as necessary and may  
7 include reimbursements for reasonable  
8 moving expenses incurred by the  
9 household, as established by the Sec-  
10 retary. The agency may require that a  
11 family receiving assistance for a secu-  
12 rity deposit shall remit, to the extent  
13 of such assistance, the amount of any  
14 security deposit refunds made by the  
15 owner of the dwelling unit for which  
16 the lease was terminated.

17 “(ix) TENANT-CAUSED DAMAGES.—If  
18 a public housing agency determines that  
19 any damage to a dwelling unit that results  
20 in a failure of the dwelling unit to comply  
21 with housing quality standards under sub-  
22 paragraph (B), other than any damage re-  
23 sulting from ordinary use, was caused by  
24 the tenant, any member of the tenant’s  
25 household, or any guest or other person

1 under the tenant’s control, the agency may  
2 waive the applicability of this subpara-  
3 graph, except that this clause shall not ex-  
4 onerate a tenant from any liability other-  
5 wise existing under applicable law for dam-  
6 ages to the premises caused by such ten-  
7 ant.

8 “(x) APPLICABILITY.—This subpara-  
9 graph shall apply to any dwelling unit for  
10 which a housing assistance payments con-  
11 tract is entered into or renewed after the  
12 date of the effectiveness of the regulations  
13 implementing this subparagraph.”.

14 (b) EFFECTIVE DATE.—The Secretary of Housing  
15 and Urban Development shall issue notice or regulations  
16 to implement the amendments made by subsection (a) of  
17 this section and such amendments shall take effect after  
18 such issuance.

19 **SEC. \_\_\_ 3. RENT REFORM AND INCOME REVIEWS.**

20 (a) RENT FOR PUBLIC HOUSING AND SECTION 8  
21 PROGRAMS.—Section 3 of the United States Housing Act  
22 of 1937 (42 U.S.C. 1437a) is amended—

23 (1) in subsection (a)—

24 (A) in paragraph (3)(A)(ii), by inserting  
25 before the period at the end the following: “or



1 by the owner of the property receiving rental  
2 assistance, as the Secretary may allow”; and

3 (B) by adding at the end the following new  
4 paragraphs:

5 “(6) REVIEWS OF FAMILY INCOME.—

6 “(A) FREQUENCY.—Reviews of family in-  
7 come for purposes of this section shall be  
8 made—

9 “(i) in the case of all families, upon  
10 the initial provision of housing assistance  
11 for the family;

12 “(ii) annually thereafter, except as  
13 provided in subparagraph (B)(i);

14 “(iii) upon the request of the family,  
15 at any time the income or deductions  
16 (under subsection (b)(5)) of the family  
17 change by an amount that is estimated to  
18 result in a decrease of 10 percent (or such  
19 lower amount as the Secretary may, by no-  
20 tice, establish, or permit the public housing  
21 agency or owner to establish) or more in  
22 annual adjusted income; and

23 “(iv) at any time the income or deduc-  
24 tions (under subsection (b)(5)) of the fam-  
25 ily change by an amount that is estimated

1 to result in an increase of 10 percent or  
2 more in annual adjusted income, or such  
3 other amount as the Secretary may by no-  
4 tice establish, except that any increase in  
5 the earned income of a family shall not be  
6 considered for purposes of this clause (ex-  
7 cept that earned income may be considered  
8 if the increase corresponds to previous de-  
9 creases under clause (iii)), except that a  
10 public housing agency or owner may elect  
11 not to conduct such review in the last three  
12 months of a certification period.

13 “(B) FIXED-INCOME FAMILIES.—

14 “(i) SELF CERTIFICATION AND 3-YEAR  
15 REVIEW.—In the case of any family de-  
16 scribed in clause (ii), after the initial re-  
17 view of the family’s income pursuant to  
18 subparagraph (A)(i), the public housing  
19 agency or owner shall not be required to  
20 conduct a review of the family’s income  
21 pursuant to subparagraph (A)(ii) for any  
22 year for which such family certifies, in ac-  
23 cordance with such requirements as the  
24 Secretary shall establish, that the income  
25 of the family meets the requirements of

1 clause (ii) of this subparagraph and that  
2 the sources of such income have not  
3 changed since the previous year, except  
4 that the public housing agency or owner  
5 shall conduct a review of each such fam-  
6 ily's income not less than once every 3  
7 years.

8 “(ii) ELIGIBLE FAMILIES.—A family  
9 described in this clause is a family who has  
10 an income, as of the most recent review  
11 pursuant to subparagraph (A) or clause (i)  
12 of this subparagraph, of which 90 percent  
13 or more consists of fixed income, as such  
14 term is defined in clause (iii).

15 “(iii) FIXED INCOME.—For purposes  
16 of this subparagraph, the term ‘fixed in-  
17 come’ includes income from—

18 “(I) the supplemental security in-  
19 come program under title XVI of the  
20 Social Security Act, including supple-  
21 mentary payments pursuant to an  
22 agreement for Federal administration  
23 under section 1616(a) of the Social  
24 Security Act and payments pursuant

1 to an agreement entered into under  
2 section 212(b) of Public Law 93–66;

3 “(II) Social Security payments;

4 “(III) Federal, State, local and  
5 private pension plans; and

6 “(IV) other periodic payments re-  
7 ceived from annuities, insurance poli-  
8 cies, retirement funds, disability or  
9 death benefits, and other similar types  
10 of periodic receipts that are of sub-  
11 stantially the same amounts from year  
12 to year.

13 “(C) IN GENERAL.—Reviews of family in-  
14 come for purposes of this section shall be sub-  
15 ject to the provisions of section 904 of the  
16 Stewart B. McKinney Homeless Assistance  
17 Amendments Act of 1988.

18 “(7) CALCULATION OF INCOME.—

19 “(A) USE OF CURRENT YEAR INCOME.—In  
20 determining family income for initial occupancy  
21 or provision of housing assistance pursuant to  
22 clause (i) of paragraph (6)(A) or pursuant to  
23 reviews pursuant to clause (iii) or (iv) of such  
24 paragraph, a public housing agency or owner

1 shall use the income of the family as estimated  
2 by the agency or owner for the upcoming year.

3 “(B) USE OF PRIOR YEAR INCOME.—In  
4 determining family income for annual reviews  
5 pursuant to paragraph (6)(A)(ii), a public hous-  
6 ing agency or owner shall, except as otherwise  
7 provided in this paragraph, use the income of  
8 the family as determined by the agency or  
9 owner for the preceding year, taking into con-  
10 sideration any redetermination of income during  
11 such prior year pursuant to clause (iii) or (iv)  
12 of paragraph (6)(A).

13 “(C) INFLATIONARY ADJUSTMENT FOR  
14 FIXED INCOME FAMILIES.—

15 “(i) IN GENERAL.—In any year in  
16 which a public housing agency or owner  
17 does not conduct a review of income for  
18 any family described in clause (ii) of para-  
19 graph (6)(B) pursuant to the authority  
20 under clause (i) of such paragraph to  
21 waive such a review, such family’s prior  
22 year’s income determination shall, subject  
23 to clauses (ii) and (iii), be adjusted by ap-  
24 plying an inflationary factor as the Sec-

1                   retary shall, by regulation or notice, estab-  
2                   lish.

3                   “(ii) EXEMPTION FROM ADJUST-  
4                   MENT.—A public housing agency or owner  
5                   may exempt from an adjustment pursuant  
6                   to clause (i) any income source for which  
7                   income does not increase from year to  
8                   year.

9                   “(iii) APPLICABILITY OF INFLA-  
10                  TIONARY FACTOR.—The inflationary factor  
11                  adjustment referred to in clause (i) shall  
12                  not be made with respect to the first year  
13                  after the year in which housing is occupied  
14                  or housing assistance is initially provided  
15                  for a family.

16                  “(D) OTHER INCOME.—In determining the  
17                  income for any family based on the prior year’s  
18                  income, with respect to prior year calculations  
19                  of income not subject to subparagraph (B), a  
20                  public housing agency or owner may make other  
21                  adjustments as it considers appropriate to re-  
22                  flect current income.

23                  “(E) SAFE HARBOR.—A public housing  
24                  agency or owner may, to the extent such infor-  
25                  mation is available to the public housing agency

1 or owner, determine the family's income prior  
2 to the application of any deductions based on  
3 timely income determinations made for pur-  
4 poses of other means-tested Federal public as-  
5 sistance programs (including the program for  
6 block grants to States for temporary assistance  
7 for needy families under part A of title IV of  
8 the Social Security Act, a program for Medicaid  
9 assistance under a State plan approved under  
10 title XIX of the Social Security Act, and the  
11 supplemental nutrition assistance program (as  
12 such term is defined in section 3 of the Food  
13 and Nutrition Act of 2008 (7 U.S.C. 2012)).  
14 The Secretary shall, in consultation with other  
15 appropriate Federal agencies, develop proce-  
16 dures to enable public housing agencies and  
17 owners to have access to such income deter-  
18 minations made by other means-tested Federal  
19 programs that the Secretary determines to have  
20 comparable reliability. Exchanges of such infor-  
21 mation shall be subject to the same limitations  
22 and tenant protections provided under section  
23 904 of the Stewart B. McKinney Homeless As-  
24 sistance Act Amendments of 1988 (42 U.S.C.  
25 3544) with respect to information obtained

1 under the requirements of section 303(i) of the  
2 Social Security Act (42 U.S.C. 503(i)).

3 “(F) PHA AND OWNER COMPLIANCE.—A  
4 public housing agency or owner may not be con-  
5 sidered to fail to comply with this paragraph or  
6 paragraph (6) due solely to any de minimis er-  
7 rors made by the agency or owner in calculating  
8 family incomes.”;

9 (2) by striking subsections (d) and (e); and  
10 (3) by redesignating subsection (f) as sub-  
11 section (d).

12 (b) INCOME.—Section 3(b) of the United States  
13 Housing Act of 1937 (42 U.S.C. 1437a(b)) is amended—

14 (1) by striking paragraph (4) and inserting the  
15 following new paragraph:

16 “(4) INCOME.—The term ‘income’ means, with  
17 respect to a family, income received from all sources  
18 by each member of the household who is 18 years  
19 of age or older or is the head of household or spouse  
20 of the head of the household, plus unearned income  
21 by or on behalf of each dependent who is less than  
22 18 years of age, as determined in accordance with  
23 criteria prescribed by the Secretary, in consultation  
24 with the Secretary of Agriculture, subject to the fol-  
25 lowing requirements:



1           “(A) INCLUDED AMOUNTS.—Such term in-  
2           cludes recurring gifts and receipts, actual in-  
3           come from assets, and profit or loss from a  
4           business.

5           “(B) EXCLUDED AMOUNTS.—Such term  
6           does not include—

7                   “(i) any imputed return on assets, ex-  
8                   cept to the extent that net family assets  
9                   exceed \$50,000;

10                   “(ii) any amounts that would be eligi-  
11                   ble for exclusion under section 1613(a)(7)  
12                   of the Social Security Act (42 U.S.C.  
13                   1382b(a)(7));

14                   “(iii) deferred disability benefits from  
15                   the Department of Veterans Affairs that  
16                   are received in a lump sum amount or in  
17                   prospective monthly amounts; and

18                   “(iv) exclusions from income as estab-  
19                   lished by the Secretary by regulation or  
20                   notice, or any amount required by Federal  
21                   law to be excluded from consideration as  
22                   income.

23           “(C) EARNED INCOME OF STUDENTS.—  
24           Such term does not include—

1 “(i) earned income, up to an amount  
2 as the Secretary may by regulation estab-  
3 lish, of any dependent earned during any  
4 period that such dependent is attending  
5 school or vocational training on a full-time  
6 basis; or

7 “(ii) any grant-in-aid or scholarship  
8 amounts related to such attendance used—

9 “(I) for the cost of tuition or  
10 books; or

11 “(II) in such amounts as the Sec-  
12 retary may allow, for the cost of room  
13 and board.

14 “(D) EDUCATIONAL SAVINGS ACCOUNTS.—  
15 Income shall be determined without regard to  
16 any amounts in or from, or any benefits from,  
17 any Coverdell education savings account under  
18 section 530 of the Internal Revenue Code of  
19 1986 or any qualified tuition program under  
20 section 529 of such Code.

21 “(E) RECORDKEEPING.—The Secretary  
22 may not require a public housing agency or  
23 owner to maintain records of any amounts ex-  
24 cluded from income pursuant to this subpara-  
25 graph.”; and

1 (2) by striking paragraph (5) and inserting the  
2 following new paragraph:

3 “(5) ADJUSTED INCOME.—The term ‘adjusted  
4 income’ means, with respect to a family, the amount  
5 (as determined by the public housing agency or  
6 owner) of the income of the members of the family  
7 residing in a dwelling unit or the persons on a lease,  
8 after any deductions from income as follows:

9 “(A) ELDERLY AND DISABLED FAMI-  
10 LIES.—\$675 in the case of any family that is  
11 an elderly family or a disabled family.

12 “(B) DEPENDENTS.—In the case of any  
13 family, \$525 for each member who—

14 “(i) is less than 18 years of age or at-  
15 tending school or vocational training on a  
16 full-time basis; or

17 “(ii) is a person with disabilities who  
18 is 18 years of age or older and resides in  
19 the household.

20 “(C) CHILD CARE.—The amount, if any,  
21 that exceeds 5 percent of annual family income  
22 that is used to pay for unreimbursed child care  
23 expenses, which shall include child care for pre-  
24 school-age children, for before- and after-care  
25 for children in school, and for other child care

1 necessary to enable a member of the family to  
2 be employed or further his or her education.

3 “(D) HEALTH AND MEDICAL EXPENSES.—

4 The amount, if any, by which 10 percent of an-  
5 nual family income is exceeded by the sum of—

6 “(i) in the case of any elderly or dis-  
7 abled family, any unreimbursed health and  
8 medical care expenses; and

9 “(ii) any unreimbursed reasonable at-  
10 tendant care and auxiliary apparatus ex-  
11 penses for each handicapped member of  
12 the family, to the extent necessary to en-  
13 able any member of such family to be em-  
14 ployed.

15 “(E) PERMISSIVE DEDUCTIONS.—Such ad-  
16 ditional deductions as a public housing agency  
17 may, at its discretion, establish, except that the  
18 Secretary shall establish procedures to ensure  
19 that such deductions do not materially increase  
20 Federal expenditures.

21 The Secretary shall annually calculate the amounts  
22 of the deductions under subparagraphs (A) and (B),  
23 as such amounts may have been previously cal-  
24 culated, by applying an inflationary factor as the  
25 Secretary shall, by regulation, establish, except that

1 the actual deduction determined for each year shall  
2 be established by rounding such amount to the next  
3 lowest multiple of \$25.”.

4 (c) HOUSING CHOICE VOUCHER PROGRAM.—Para-  
5 graph (5) of section 8(o) of the United States Housing  
6 Act of 1937 (42 U.S.C. 1437f(o)(5)) is amended—

7 (1) in the paragraph heading, by striking “AN-  
8 NUAL REVIEW” and inserting “REVIEWS”;

9 (2) in subparagraph (A)—

10 (A) by striking “the provisions of” and in-  
11 serting “paragraphs (6) and (7) of section 3(a)  
12 and to”; and

13 (B) by striking “and shall be conducted  
14 upon the initial provision of housing assistance  
15 for the family and thereafter not less than an-  
16 nually”; and

17 (3) in subparagraph (B), by striking the second  
18 sentence.

19 (d) ENHANCED VOUCHER PROGRAM.—Section  
20 8(t)(1)(D) of the United States Housing Act of 1937 (42  
21 U.S.C. 1437f(t)(1)(D)) is amended by striking “income”  
22 each place such term appears and inserting “annual ad-  
23 justed income”.

24 (e) PROJECT-BASED HOUSING.—Paragraph (3) of  
25 section 8(c) of the United States Housing Act of 1937

1 (42 U.S.C. 1437f(c)(3)) is amended by striking the last  
2 sentence.

3 (f) IMPACT ON PUBLIC HOUSING REVENUES.—

4 (1) ADJUSTMENTS TO OPERATING FORMULA.—

5 If the Secretary of Housing and Urban Development  
6 determines that the application of the amendments  
7 made by this section results in a material and dis-  
8 proportionate reduction in the rental income of cer-  
9 tain public housing agencies during the first year in  
10 which the amendments made by this section are im-  
11 plemented, the Secretary may make appropriate ad-  
12 justments in the formula income for such year of  
13 those agencies experiencing such a reduction.

14 (2) HUD REPORTS ON REVENUE AND COST IM-  
15 PACT.—In each of the first two years after the first  
16 year in which the amendments made by this section  
17 are implemented, the Secretary of Housing and  
18 Urban Development shall submit a report to Con-  
19 gress identifying and calculating the impact of  
20 changes made by the amendments made by this sec-  
21 tion and section \_\_\_\_ 4 of this title on the revenues  
22 and costs of operating public housing units, the  
23 voucher program for rental assistance under section  
24 8 of the United States Housing Act of 1937, and  
25 the program under such section 8 for project-based

1 rental assistance. If such report identifies a material  
2 reduction in the net income of public housing agen-  
3 cies nationwide or a material increase in the costs of  
4 funding the voucher program or the project-based  
5 assistance program, the Secretary shall include in  
6 such report recommendations for legislative changes  
7 to reduce or eliminate such a reduction.

8 (g) RENT POLICY DEMONSTRATION.—

9 (1) IN GENERAL.—The Secretary of Housing  
10 and Urban Development may carry out a demonstra-  
11 tion program, which may be initiated not later than  
12 January 1, 2012, for a limited number of families  
13 assisted under the United States Housing Act of  
14 1937 to determine the effectiveness of different rent  
15 policies, which may include providing income dis-  
16 regards, family self-sufficiency accounts, and policies  
17 under which families pay amounts different from 30  
18 percent of their adjusted income for rent, to encour-  
19 age families to obtain employment, increase their in-  
20 comes, and achieve economic self-sufficiency.

21 (2) RENT STRUCTURES.—Such demonstration  
22 shall include activities sufficient to test the effective-  
23 ness of the following rent structures:

24 (A) CEILING RENTS.—Ceiling rents that  
25 are based on the rental value of the unit.

1 (B) INCOME-TIERED RENTS.—Income-  
2 tiered tenant rents under which the amount a  
3 family pays for rent is set and established on  
4 the basis of broad tiers of income, with annual  
5 cost adjustments.

6 (C) EARNED INCOME DISREGARD.—A ten-  
7 ant rent structure under which the amount of  
8 rent a family pays is reduced through a dis-  
9 regard of a portion of the percentage or of the  
10 dollar amount of the family's earned income.

11 (3) PUBLIC HOUSING AGENCIES.—Such dem-  
12 onstration shall include public housing agencies of  
13 various sizes, including small public housing agen-  
14 cies.

15 (h) EFFECTIVE DATE.—The Secretary of Housing  
16 and Urban Development shall issue notice or regulations  
17 to implement the amendments made by this section and  
18 such amendments shall take effect after such issuance, ex-  
19 cept that such amendments may only take effect upon the  
20 commencement of a calendar year.

21 **SEC. \_\_\_ 4. ELIGIBILITY FOR ASSISTANCE BASED ON AS-**  
22 **SETS AND INCOME.**

23 (a) ASSETS.—Section 16 of the United States Hous-  
24 ing Act of 1937 (42 U.S.C. 1437n) is amended by insert-  
25 ing after subsection (d) the following new subsection:



1 “(e) ELIGIBILITY FOR ASSISTANCE BASED ON AS-  
2 SETS.—

3 “(1) LIMITATION ON ASSETS.—Subject to para-  
4 graph (3) and notwithstanding any other provision  
5 of this Act, a dwelling unit assisted under this Act  
6 may not be rented and assistance under this Act  
7 may not be provided, either initially or at each recer-  
8 tification of family income, to any family—

9 “(A) whose net family assets exceed  
10 \$100,000, as such amount is adjusted annually  
11 by applying an inflationary factor as the Sec-  
12 retary considers appropriate; or

13 “(B) who has a present ownership interest  
14 in, a legal right to reside in, and the effective  
15 legal authority to sell, real property that is suit-  
16 able for occupancy by the family as a residence,  
17 except that the prohibition under this subpara-  
18 graph shall not apply to—

19 “(i) any property for which the family  
20 is receiving assistance under subsection (y)  
21 or (o)(12) of section 8 of this Act;

22 “(ii) any person that is a victim of do-  
23 mestic violence; or

24 “(iii) any family that is offering such  
25 property for sale.

1 “(2) NET FAMILY ASSETS.—

2 “(A) IN GENERAL.—For purposes of this  
3 subsection, the term ‘net family assets’ means,  
4 for all members of the household, the net cash  
5 value of all assets after deducting reasonable  
6 costs that would be incurred in disposing of real  
7 property, savings, stocks, bonds, and other  
8 forms of capital investment. Such term does not  
9 include interests in Indian trust land, equity in  
10 property for which the family is receiving assist-  
11 ance under subsection (y) or (o)(12) of section  
12 8, equity accounts in homeownership programs  
13 of the Department of Housing and Urban De-  
14 velopment, or Family Self Sufficiency accounts.

15 “(B) EXCLUSIONS.—Such term does not  
16 include—

17 “(i) the value of personal property, ex-  
18 cept for items of personal property of sig-  
19 nificant value, as the Secretary may estab-  
20 lish or the public housing agency may de-  
21 termine;

22 “(ii) the value of any retirement ac-  
23 count;

1           “(iii) real property for which the fam-  
2           ily does not have the effective legal author-  
3           ity necessary to sell such property;

4           “(iv) any amounts recovered in any  
5           civil action or settlement based on a claim  
6           of malpractice, negligence, or other breach  
7           of duty owed to a member of the family  
8           and arising out of law, that resulted in a  
9           member of the family being disabled;

10           “(v) the value of any Coverdell edu-  
11           cation savings account under section 530  
12           of the Internal Revenue Code of 1986 or  
13           any qualified tuition program under sec-  
14           tion 529 of such Code; and

15           “(vi) such other exclusions as the Sec-  
16           retary may establish.

17           “(C) TRUST FUNDS.—In cases in which a  
18           trust fund has been established and the trust is  
19           not revocable by, or under the control of, any  
20           member of the family or household, the value of  
21           the trust fund shall not be considered an asset  
22           of a family if the fund continues to be held in  
23           trust. Any income distributed from the trust  
24           fund shall be considered income for purposes of  
25           section 3(b) and any calculations of annual

1 family income, except in the case of medical ex-  
2 penses for a minor.

3 “(3) SELF-CERTIFICATION.—

4 “(A) NET FAMILY ASSETS.—A public  
5 housing agency or owner may determine the net  
6 assets of a family, for purposes of this section,  
7 based on a certification by the family that the  
8 net assets of such family do not exceed  
9 \$50,000.

10 “(B) NO CURRENT REAL PROPERTY OWN-  
11 ERSHIP.—A public housing agency or owner  
12 may determine compliance with paragraph  
13 (1)(B) based on a certification by the family  
14 that such family does not have any current  
15 ownership interest in any real property at the  
16 time the agency or owner reviews the family’s  
17 income.

18 “(C) STANDARDIZED FORMS.—The Sec-  
19 retary may develop standardized forms for the  
20 certifications referred to in subparagraphs (A)  
21 and (B).

22 “(4) COMPLIANCE FOR PUBLIC HOUSING  
23 DWELLING UNITS.—When recertifying family income  
24 with respect to families residing in public housing  
25 dwelling units, a public housing agency may, in the

1 discretion of the agency and only pursuant to a pol-  
2 icy that is set forth in the public housing agency  
3 plan under section 5A for the agency, choose not to  
4 enforce the limitation under paragraph (1).

5 “(5) ENFORCEMENT.—When recertifying the  
6 income of a family residing in a dwelling unit as-  
7 sisted under this Act, a public housing agency or  
8 owner may choose not to enforce the limitation  
9 under paragraph (1) or may establish exceptions to  
10 such limitation based on eligibility criteria, but only  
11 pursuant to a policy that is set forth in the public  
12 housing agency plan under section 5A for the agency  
13 or under a policy adopted by the owner. Eligibility  
14 criteria for establishing exceptions may provide for  
15 separate treatment based on family type and may be  
16 based on different factors, such as age, disability, in-  
17 come, the ability of the family to find suitable alter-  
18 native housing, and whether supportive services are  
19 being provided.

20 “(6) AUTHORITY TO DELAY EVICTIONS.—In the  
21 case of a family residing in a dwelling unit assisted  
22 under this Act who does not comply with the limita-  
23 tion under paragraph (1), the public housing agency  
24 or project owner may delay eviction or termination

1 of the family based on such noncompliance for a pe-  
2 riod of not more than 6 months.”.

3 (b) INCOME.—The United States Housing Act of  
4 1937 is amended—

5 (1) in section 3(a)(1) (42 U.S.C. 1437a(a)(1)),  
6 by striking the first sentence and inserting the fol-  
7 lowing: “Dwelling units assisted under this Act may  
8 be rented, and assistance under this Act may be pro-  
9 vided, whether initially or at time of recertification,  
10 only to families who are low-income families at the  
11 time such initial or continued assistance, respec-  
12 tively, is provided, except that families residing in  
13 dwelling units as of the date of the enactment of the  
14 Section 8 Voucher Reform Act of 2010 that, under  
15 agreements in effect on such date of enactment, may  
16 have incomes up to 95 percent of local area median  
17 income shall continue to be eligible for assistance at  
18 recertification as long as they continue to comply  
19 with such income restrictions. When recertifying  
20 family income with respect to families residing in  
21 public housing dwelling units, a public housing agen-  
22 cy may, in the discretion of the agency and only pur-  
23 suant to a policy that is set forth in the public hous-  
24 ing agency plan under section 5A for the agency,  
25 choose not to enforce the prohibition under the pre-

1 ceding sentence. When recertifying family income  
2 with respect to families residing in dwelling units for  
3 which project-based assistance is provided, a project  
4 owner may, in the owner’s discretion and only pur-  
5 suant to a policy adopted by such owner, choose not  
6 to enforce such prohibition. In the case of a family  
7 residing in a dwelling unit assisted under this Act  
8 who does not meet the requirements under the first  
9 sentence of this paragraph or the requirements  
10 under section 8(o)(4), the public housing agency or  
11 project owner may delay eviction or termination of  
12 the family based on such noncompliance for a period  
13 of not more than 6 months.”;

14 (2) in section 8(o)(4) (42 U.S.C. 1437f(o)(4)),  
15 by striking the matter preceding subparagraph (A)  
16 and inserting the following:

17 “(4) ELIGIBLE FAMILIES.—Assistance under  
18 this subsection may be provided, whether initially or  
19 at each recertification, only pursuant to subsection  
20 (t) to a family eligible for assistance under such sub-  
21 section or to a family who at the time of such initial  
22 or continued assistance, respectively, is a low-income  
23 family that is—”; and

24 (3) in section 8(c)(4) (42 U.S.C. 1437f(c)(4)),  
25 by striking “at the time it initially occupied such

1 dwelling unit” and inserting “according to the re-  
2 strictions under section 3(a)(1)”.

3 **SEC. \_\_\_ 5. TARGETING ASSISTANCE TO LOW-INCOME**  
4 **WORKING FAMILIES.**

5 (a) **VOUCHERS.**—Section 16(b)(1) of the United  
6 States Housing Act of 1937 (42 U.S.C. 1437n(b)(1)) is  
7 amended by striking “families whose incomes” and all that  
8 follows through “low family incomes” and inserting “ex-  
9 tremely low-income families”.

10 (b) **PUBLIC HOUSING.**—Section 16(a)(2)(A) of the  
11 United States Housing Act of 1937 (42 U.S.C.  
12 1437n(a)(2)(A)) is amended by striking “families whose  
13 incomes” and all that follows through “low family in-  
14 comes” and inserting “extremely low-income families”.

15 (c) **PROJECT-BASED SECTION 8 ASSISTANCE.**—Sec-  
16 tion 16(c)(3) of the United States Housing Act of 1937  
17 (42 U.S.C. 1437n(c)(3)) is amended by striking “families  
18 whose incomes” and all that follows through “low family  
19 incomes” and inserting: “extremely low-income families”.

20 (d) **DEFINITION.**—Section 3(b)(2) of the United  
21 States Housing Act of 1937 (42 U.S.C. 1437a(b)(2)) is  
22 amended by inserting after the period at the end of the  
23 second sentence the following new sentence: “The term  
24 ‘extremely low-income families’ means very low-income  
25 families whose incomes do not exceed the higher of (A)



1 the poverty guidelines updated periodically by the Depart-  
2 ment of Health and Human Services under the authority  
3 of section 673(2) of the Omnibus Budget Reconciliation  
4 Act of 1981 (42 U.S.C. 9902(2)) applicable to a family  
5 of the size involved, or (B) 30 percent of the median fam-  
6 ily income for the area, as determined by the Secretary  
7 with adjustments for smaller and larger families, except  
8 that the Secretary may establish income ceilings higher  
9 or lower than 30 percent of the median for the area on  
10 the basis of the Secretary’s findings that such variations  
11 are necessary because of unusually high or low family in-  
12 comes, and except that clause (A) of this sentence shall  
13 not apply in the case of public housing agencies located  
14 in Puerto Rico or any other territory or possession of the  
15 United States.”.

16 (e) EFFECTIVE DATE.—The Secretary of Housing  
17 and Urban Development shall issue a notice to implement  
18 the amendments made by this section and such amend-  
19 ments shall take effect upon such issuance.

20 **SEC. \_\_\_ 6. VOUCHER RENEWAL FUNDING.**

21 (a) IN GENERAL.—Section 8 of the United States  
22 Housing Act of 1937 (42 U.S.C. 1437f) is amended by  
23 striking subsection (dd) and inserting the following new  
24 subsection:

25 “(dd) TENANT-BASED VOUCHERS.—

1           “(1) AUTHORIZATION OF APPROPRIATIONS.—

2           There are authorized to be appropriated, for fiscal  
3           year 2011 and each fiscal year thereafter, such sums  
4           as may be necessary for tenant-based assistance  
5           under subsection (o) for the following purposes:

6                   “(A) To renew all expiring annual con-  
7                   tributions contracts for tenant-based rental as-  
8                   sistance.

9                   “(B) To provide tenant-based rental assist-  
10                  ance for—

11                           “(i) conversion of section 23 projects  
12                           to assistance under this section;

13                           “(ii) the family unification program  
14                           under subsection (x) of this section;

15                           “(iii) relocation of witnesses in con-  
16                           nection with efforts to combat crime in  
17                           public and assisted housing pursuant to a  
18                           request from a law enforcement or pros-  
19                           ecution agency;

20                           “(iv) enhanced vouchers authorized  
21                           under subsection (t) of this section;

22                           “(v) relocation or replacement in con-  
23                           nection with the HOPE VI program under  
24                           section 24 (42 U.S.C. 1437v);

1 “(vi) demolition or disposition of pub-  
2 lie housing units pursuant to section 18  
3 (42 U.S.C. 1437p);

4 “(vii) mandatory conversions of public  
5 housing to vouchers, pursuant to section  
6 33 (42 U.S.C. 1437z-5);

7 “(viii) voluntary conversions of public  
8 housing to vouchers, pursuant to section  
9 22 (42 U.S.C. 1437t);

10 “(ix) vouchers necessary to comply  
11 with a consent decree or court order;

12 “(x) relocation and replacement  
13 vouchers in connection with public housing  
14 units that are demolished or disposed of  
15 pursuant to eminent domain, pursuant to a  
16 homeownership program, or in connection  
17 with a mixed finance development method  
18 under section 35 or otherwise;

19 “(xi) vouchers used for the preserva-  
20 tion of public housing units not included in  
21 the operating formula under section  
22 9(e)(2) (42 U.S.C. 1437g(e)(2));

23 “(xii) emergency voucher assistance  
24 for the protection of victims of domestic vi-

1                   olence, dating violence, sexual assault, or  
2                   stalking;

3                   “(xiii) tenant protection vouchers in  
4                   connection with the foreclosure or disposi-  
5                   tion of multifamily housing subject to a  
6                   mortgage insured and subsidized under the  
7                   National Housing Act;

8                   “(xiv) vouchers in connection with ap-  
9                   proved designated housing plans under sec-  
10                  tion 7 of this Act (42 U.S.C. 1437e);

11                  “(xv) tenant protection assistance, in-  
12                  cluding replacement and relocation assist-  
13                  ance;

14                  “(xvi) project-based certificates au-  
15                  thorized under section 8(d)(2)(B), as in ef-  
16                  fect before the enactment of the Quality  
17                  Housing and Work Responsibility Act of  
18                  1998 (Public Law 105–276); and

19                  “(xvii) assistance under section  
20                  8(e)(2), as in effect before the enactment  
21                  of Cranston-Gonzalez National Affordable  
22                  Housing Act (Public Law 101–625), for  
23                  single-room occupancy properties described  
24                  in section 8(n), as in effect before the en-  
25                  actment of the Quality Housing and Work

1                   Responsibility Act of 1998 (Public Law  
2                   105–276).

3                   Prioritization of funding for such purposes shall  
4                   be made in accordance with policies established  
5                   by the Secretary by notice or regulation, or as  
6                   may be provided for in appropriations Acts.

7                   “(2) ALLOCATION OF RENEWAL FUNDING  
8                   AMONG PUBLIC HOUSING AGENCIES.—

9                   “(A) IN GENERAL.—From amounts appro-  
10                   priated for each year pursuant to paragraph  
11                   (1)(A) and any amounts made available for pre-  
12                   vious fiscal years and carried over, the Sec-  
13                   retary shall provide renewal funding for each  
14                   public housing agency—

15                   “(i) based on leasing and cost data  
16                   from the preceding calendar year, as ad-  
17                   justed by an Annual Adjustment Factor to  
18                   be established by the Secretary;

19                   “(ii) by making any adjustments nec-  
20                   essary to provide for the first-time renewal  
21                   of vouchers funded under paragraph  
22                   (1)(B) and of any incremental vouchers  
23                   funded in previous years;

24                   “(iii) ) by making any adjustments  
25                   necessary for full year renewal funding of

1 vouchers which are subject to billing re-  
2 lated to families that moved out of a juris-  
3 diction in the prior calendar year, pursuant  
4 to portability procedures under subsection  
5 (r);

6 “(iv) by making any adjustments nec-  
7 essary to include vouchers that were set  
8 aside under a commitment to provide  
9 project-based assistance under subsection  
10 (o)(13); and

11 “(v) by making such other adjust-  
12 ments as the Secretary considers appro-  
13 priate, including adjustments necessary to  
14 address changes in voucher utilization  
15 rates and voucher costs, including changes  
16 related to natural and other disasters.

17 “(B) LEASING AND COST DATA.—For pur-  
18 poses of subparagraph (A)(i), leasing and cost  
19 data shall be calculated annually by using the  
20 average for the preceding calendar year. Such  
21 leasing and cost data shall be adjusted to ex-  
22 clude amounts funded through advances under  
23 paragraph (3). Such leasing and cost data shall  
24 not include funds not appropriated for tenant-  
25 based assistance under subsection (o) or (q) of

1 section 8, unless the agency's funding was pro-  
2 rated in the prior year and the agency used  
3 other funds to maintain vouchers in use.

4 “(C) LEASING RATE.—For purposes of de-  
5 termining the allocations under subparagraph  
6 (A)(i), the leasing rate calculated for an agency  
7 for the prior calendar year shall include vouch-  
8 ers that exceed the agency's authorized voucher  
9 level only if they are funded through the alloca-  
10 tion for the agency for the prior year pursuant  
11 to subparagraph (A), including adjustments for  
12 incremental and new tenant protection and en-  
13 hanced vouchers.

14 “(D) MOVING TO WORK.—Notwithstanding  
15 subparagraphs (A), (B), and (C), each public  
16 housing agency participating in any year in the  
17 moving to work program under section 204 of  
18 the Departments of Veterans Affairs and Hous-  
19 ing and Urban Development, and Independent  
20 Agencies Appropriations Act, 1996 (42 U.S.C.  
21 1437f note), including any agency participating  
22 in such demonstration pursuant to authority  
23 provided in any subsequent appropriations Act,  
24 shall be funded pursuant to its agreement  
25 under such program, shall be subject to any pro

1           rata adjustment made under subparagraph  
2           (F)(i) of this paragraph, and shall not be sub-  
3           ject to paragraphs (3), (4), and (5) of this sub-  
4           section.

5           “(E)     UNREIMBURSED     PORTABILITY  
6           COSTS.—The Secretary may reimburse public  
7           housing agencies for increased costs related to  
8           portability incurred during the prior year that  
9           were not reimbursed pursuant to paragraph  
10          (5)(B)(i).

11          “(F) PRO RATA ALLOCATION.—

12                 “(i) INSUFFICIENT FUNDS.—To the  
13                 extent that amounts made available for a  
14                 fiscal year are not sufficient to provide  
15                 each public housing agency with the full al-  
16                 location for the agency determined pursu-  
17                 ant to subparagraphs (A) and (D), the  
18                 Secretary shall reduce such allocation for  
19                 each agency on a pro rata basis, except  
20                 that renewal funding of enhanced vouchers  
21                 under section 8(t) shall not be subject to  
22                 such proration.

23                 “(ii) EXCESS FUNDS.—To the extent  
24                 that amounts made available for a fiscal  
25                 year exceed the amount necessary to pro-



1           vide each housing agency with the full allo-  
2           cation for the agency determined pursuant  
3           to subparagraphs (A) and (D), such excess  
4           amounts shall be used for the purposes  
5           specified in paragraph (5)(B).

6           “(G) PROMPT FUNDING ALLOCATION.—  
7           The Secretary shall allocate all funds under this  
8           subsection for each year before the latter of (i)  
9           February 15, or (ii) the expiration of the 60-  
10          day period beginning upon the enactment of the  
11          appropriations Act funding such renewals.

12          “(3) RESERVES.—For each calendar year, each  
13          public housing agency shall be allowed to retain as  
14          reserves an amount that is not less than 6 percent  
15          of the amount allocated to such agency in such cal-  
16          endar year pursuant to paragraph (2)(A) prior to  
17          proration. The sources of such reserves may include  
18          all allocated amounts from such year plus reserves  
19          carried over from previous years. Reserves may be  
20          used for overleasing in any year, regardless of  
21          whether such use is eligible for renewal funding in  
22          the subsequent calendar pursuant to paragraph  
23          (2)(C).

24          “(4) ADVANCES.—

1           “(A) AUTHORITY.—Subject to either ap-  
2           proval by the Secretary or the availability of ap-  
3           propriations for renewals, during the last 3  
4           months of each calendar year, the Secretary  
5           shall provide to any public housing agency at  
6           the request of the agency, an amount up to two  
7           percent of the allocation for the agency for such  
8           calendar year, except that an agency may not  
9           receive advance amounts in two consecutive  
10          years without the approval of the Secretary.

11          “(B) USE.—Amounts advanced under sub-  
12          paragraph (A) may be used to pay for addi-  
13          tional voucher costs, including costs related to  
14          temporary overleasing.

15          “(C) USE OF PRIOR YEAR AMOUNTS.—If  
16          reserve amounts from sources determined by  
17          the Secretary remain unobligated and available  
18          to the agency—

19                 “(i) the Secretary may require the  
20                 agency to exhaust such amounts to cover  
21                 any additional voucher costs under sub-  
22                 paragraph (B) before amounts advanced  
23                 under subparagraph (A) may be so used;  
24                 and

1           “(ii) the amount that may be ad-  
2           vanced under subparagraph (A) to the  
3           agency shall be reduced by an amount  
4           equal to the total of such previously pro-  
5           vided and unobligated amounts that the  
6           Secretary has required to be exhausted.

7           “(D) REPAYMENT.—Amounts advanced  
8           under subparagraph (A) in a calendar year  
9           shall be repaid to the Secretary in the subse-  
10          quent calendar year by offsetting the amounts  
11          made available for such agency for such subse-  
12          quent calendar year pursuant to allocation  
13          under paragraph (2) by an amount equal to the  
14          amount so advanced to the agency.

15          “(5) OFFSET AND REALLOCATION OF FUNDS.—

16               “(A) IN GENERAL.—For each calendar  
17               year, the Secretary may offset from amounts  
18               that exceed the minimum reserve level estab-  
19               lished pursuant to paragraph (3) against  
20               amounts allocated to a public housing agency  
21               pursuant to paragraph (2), except that any un-  
22               used amount of the first year of a public hous-  
23               ing agency’s allocation for new vouchers shall  
24               not be subject to such offset.

1           “(B) REALLOCATION.—From any amounts  
2           offset pursuant to subparagraph (A), combined  
3           with any other funds that may be appropriated  
4           for such purposes, the Secretary shall—

5                   “(i) set aside and subsequently make  
6                   available such amounts as the Secretary  
7                   considers, in the discretion of the Sec-  
8                   retary, likely to be needed for such pur-  
9                   poses, as tenant protection, reimbursement  
10                  of public housing agencies for increased  
11                  costs related to portability and family self-  
12                  sufficiency activities pursuant to section  
13                  23(h) during such year, and adjustment of  
14                  allocations for housing agencies that have  
15                  experienced a significant increase in re-  
16                  newal costs resulting from unforeseen cir-  
17                  cumstances; and

18                   “(ii) reallocate all remaining amounts  
19                   among public housing agencies to avoid or  
20                   reduce the proration of renewal funding al-  
21                   locations, and if funds remain after pro-  
22                   viding public housing agencies with 100  
23                   percent of the allocation due under para-  
24                   graph (2) and the amounts the Secretary  
25                   determines to be necessary under clause

1 (i), based on priorities established by the  
2 Secretary, including priority given based  
3 on the extent to which the amount allo-  
4 cated under paragraph (2) for the agency  
5 to serve eligible families and the relative  
6 need for additional voucher assistance for  
7 use only to increase voucher leasing  
8 rates.”.

9 (b) VOUCHERS FOR PERSONS WITH DISABILITIES  
10 AND HOMELESS VETERANS.—The Secretary of Housing  
11 and Urban Development shall develop and issue, to public  
12 housing agencies that have received voucher assistance  
13 under section 8(o) of the United States Housing Act of  
14 1937 (42 U.S.C. 1437f(o)) for non-elderly disabled fami-  
15 lies, or under section 8(o)(19) of such Act for homeless  
16 veterans, pursuant to appropriations Acts for fiscal year  
17 1997 and fiscal years thereafter, guidance to ensure that,  
18 to the maximum extent practicable, such vouchers con-  
19 tinue to be provided upon turnover to qualified non-elderly  
20 disabled families or homeless veterans, respectively.

21 (c) EFFECTIVE DATE.—The amendments made by  
22 this section shall take effect on such date as the Secretary  
23 of Housing and Urban Development shall designate by no-  
24 tice.

1 **SEC. \_\_\_\_ 7. FAMILY SELF-SUFFICIENCY.**

2 (a) ADMINISTRATIVE FEES FOR FAMILY SELF-SUF-  
3 FICIENCY PROGRAM COSTS.—Subsection (h) of section 23  
4 of the United States Housing Act of 1937 (42 U.S.C.  
5 1437u(h)) is amended by striking paragraph (1) and in-  
6 serting the following new paragraph:

7 “(1) SECTION 8 FEES.—

8 “(A) IN GENERAL.—The Secretary shall  
9 establish a fee under section 8(q) for the costs  
10 incurred in administering the self-sufficiency  
11 program under this section to assist families re-  
12 ceiving voucher assistance through section 8(o).

13 “(B) ELIGIBILITY FOR FEE.—The fee shall  
14 provide funding for family self-sufficiency coor-  
15 dinators as follows:

16 “(i) BASE FEE.—A public housing  
17 agency serving 25 or more participants in  
18 the family self-sufficiency program under  
19 this section shall receive a fee equal to the  
20 costs of employing one full-time family  
21 self-sufficiency coordinator. An agency  
22 serving fewer than 25 such participants  
23 shall receive a prorated fee.

24 “(ii) ADDITIONAL FEE.—An agency  
25 that meets minimum performance stand-  
26 ards shall receive an additional fee suffi-

1           cient to cover the costs of employing a sec-  
2           ond family self-sufficiency coordinator if  
3           the agency has 75 or more participating  
4           families, and a third such coordinator if it  
5           has 125 or more participating families.

6           “(iii) PREVIOUSLY FUNDED AGEN-  
7           CIES.—An agency that received funding  
8           from the Department of Housing and  
9           Urban Development for more than three  
10          such coordinators in any of fiscal years  
11          2006 through 2010 shall receive funding  
12          for the highest number of coordinators  
13          funded in a single fiscal year during that  
14          period, provided they meet applicable size  
15          and performance standards.

16          “(iv) INITIAL YEAR.—For the first  
17          year in which a public housing agency ex-  
18          ercises its right to develop an family self-  
19          sufficiency program for its residents, it  
20          shall be entitled to funding to cover the  
21          costs of up to one family self-sufficiency  
22          coordinator, based on the size specified in  
23          its action plan for such program.

24          “(v) STATE AND REGIONAL AGEN-  
25          CIES.—For purposes of calculating the

1 family self-sufficiency portion of the ad-  
2 ministrative fee under this subparagraph,  
3 each administratively distinct part of a  
4 State or regional public housing agency  
5 shall be treated as a separate agency.

6 “(vi) DETERMINATION OF NUMBER  
7 OF COORDINATORS.—In determining  
8 whether a public housing agency meets a  
9 specific threshold for funding pursuant to  
10 this paragraph, the number of participants  
11 being served by the agency in its family  
12 self-sufficiency program shall be considered  
13 to be the average number of families en-  
14 rolled in such agency’s program during the  
15 course of the most recent fiscal year for  
16 which the Department of Housing and  
17 Urban Development has data.

18 “(C) PRORATION.—If insufficient funds  
19 are available in any fiscal year to fund all of the  
20 coordinators authorized under this section, the  
21 first priority shall be given to funding one coor-  
22 dinator at each agency with an existing family  
23 self-sufficiency program. The remaining funds  
24 shall be prorated based on the number of re-



1           maintaining coordinators to which each agency is  
2           entitled under this subparagraph.

3           “(D) RECAPTURE.—Any fees allocated  
4           under this subparagraph by the Secretary in a  
5           fiscal year that have not been spent by the end  
6           of the subsequent fiscal year shall be recaptured  
7           by the Secretary and shall be available for pro-  
8           viding additional fees pursuant to subparagraph  
9           (B)(ii).

10          “(E) PERFORMANCE STANDARDS.—Within  
11          six months after the date of the enactment of  
12          this paragraph, the Secretary shall publish a  
13          proposed rule specifying the performance stand-  
14          ards applicable to funding under clauses (ii)  
15          and (iii) of subparagraph (B). Such standards  
16          shall include requirements applicable to the  
17          leveraging of in-kind services and other re-  
18          sources to support the goals of the family self-  
19          sufficiency program.

20          “(F) DATA COLLECTION.—Public housing  
21          agencies receiving funding under this paragraph  
22          shall collect and report to the Secretary, in such  
23          manner as the Secretary shall require, informa-  
24          tion on the performance of their family self-suf-  
25          ficiency programs.

1           “(G) EVALUATION.—The Secretary shall  
2           conduct a formal and scientific evaluation of  
3           the effectiveness of well-run family self-suffi-  
4           ciency programs, comparing outcomes of fami-  
5           lies participating in such programs with fami-  
6           lies who are not, using random assignment of  
7           participants to the extent practicable. Not later  
8           than the expiration of the 4-year period begin-  
9           ning upon the enactment of this paragraph, the  
10          Secretary shall submit an interim evaluation re-  
11          port to the Congress. Not later than the expira-  
12          tion of the 8-year period beginning upon such  
13          enactment, the Secretary shall submit a final  
14          evaluation report to the Congress. There is au-  
15          thorized to be appropriated \$10,000,000 to  
16          carry out the evaluation under this subpara-  
17          graph.

18          “(H) INCENTIVES FOR INNOVATION AND  
19          HIGH PERFORMANCE.—The Secretary may re-  
20          serve up to 10 percent of the amounts made  
21          available for administrative fees under this  
22          paragraph to provide support to or reward fam-  
23          ily self-sufficiency programs that are particu-  
24          larly innovative or highly successful in achieving  
25          the goals of the program.”.

1 (b) REPEAL.—Section 202 of the Departments of  
2 Veterans Affairs and Housing and Urban Development,  
3 and Independent Agencies Appropriations Act, 1997 (42  
4 U.S.C. 1437f note; Public Law 104–204; 110 Stat. 2893)  
5 is hereby repealed.

6 (c) EFFECTIVE DATE.—The Secretary of Housing  
7 and Urban Development shall issue notice to implement  
8 the amendments made by this section and such amend-  
9 ments shall take effect upon such issuance.

10 **SEC. \_\_\_ 8. HOMEOWNERSHIP.**

11 (a) SECTION 8 HOMEOWNERSHIP DOWNPAYMENT  
12 PROGRAM.—Section 8(y)(7) of the United States Housing  
13 Act of 1937 (42 U.S.C. 1437f(y)(7)) is amended by strik-  
14 ing subparagraphs (A) and (B) and inserting the following  
15 new subparagraphs:

16 “(A) IN GENERAL.—Subject to the provi-  
17 sions of this paragraph, in the case of a family  
18 on whose behalf rental assistance under section  
19 8(o) has been provided for a period of not less  
20 than 12 months prior to the date of receipt of  
21 downpayment assistance under this paragraph,  
22 a public housing agency may, in lieu of pro-  
23 viding monthly assistance payments under this  
24 subsection on behalf of a family eligible for  
25 such assistance and at the discretion of the

1 agency, provide a downpayment assistance  
2 grant in accordance with subparagraph (B).

3 “(B) GRANT REQUIREMENTS.—A down-  
4 payment assistance grant under this para-  
5 graph—

6 “(i) shall be used by the family only  
7 as a contribution toward the downpayment  
8 and reasonable and customary closing  
9 costs required in connection with the pur-  
10 chase of a home;

11 “(ii) shall be in the form of a single  
12 one-time grant; and

13 “(iii) may not exceed \$10,000.

14 “(C) NO EFFECT ON OBTAINING OUTSIDE  
15 SOURCES FOR DOWNPAYMENT ASSISTANCE.—  
16 This Act may not be construed to prohibit a  
17 public housing agency from providing downpay-  
18 ment assistance to families from sources other  
19 than a grant provided under this Act, or as de-  
20 termined by the public housing agency.

21 “(D) COUNSELING AND SELF-SUFFICIENCY  
22 PROGRAMS.—A public housing agency may re-  
23 quire prepurchase housing counseling or partici-  
24 pation in a self-sufficiency program as a condi-

1           tion of a family receiving downpayment assist-  
2           ance under this paragraph.”.

3           (b) USE OF VOUCHERS FOR MANUFACTURED HOUS-  
4   ING.—Section 8(o)(12) of the United States Housing Act  
5   of 1937 (42 U.S.C. 1437f(o)(12)) is amended—

6           (1) in subparagraph (A), by striking the period  
7           at the end of the first sentence and all that follows  
8           through “of” in the second sentence and inserting  
9           “and rents”; and

10          (2) in subparagraph (B)—

11           (A) in clause (i), by striking “the rent”  
12           and all that follows and inserting the following:  
13           “rent shall mean the sum of the monthly pay-  
14           ments made by a family assisted under this  
15           paragraph to amortize the cost of purchasing  
16           the manufactured home, including any required  
17           insurance and property taxes, the monthly  
18           amount allowed for tenant-paid utilities, and  
19           the monthly rent charged for the real property  
20           on which the manufactured home is located, in-  
21           cluding monthly management and maintenance  
22           charges.”;

23           (B) by striking clause (ii); and

24           (C) in clause (iii)—

1 (i) by inserting after the period at the  
2 end the following: “If the amount of the  
3 monthly assistance payment for a family  
4 exceeds the monthly rent charged for the  
5 real property on which the manufactured  
6 home is located, including monthly man-  
7 agement and maintenance charges, a pub-  
8 lic housing agency may pay the remainder  
9 to the family, lender or utility company, or  
10 may choose to make a single payment to  
11 the family for the entire monthly assist-  
12 ance amount.”; and

13 (ii) by redesignating such clause as  
14 clause (ii).

15 (c) EFFECTIVE DATE.—The Secretary of Housing  
16 and Urban Development shall issue notice to implement  
17 the amendments made by this section and such amend-  
18 ment shall take effect upon such issuance.

19 **SEC. \_\_\_ 9. ENHANCED VOUCHERS.**

20 Paragraph (2) of section 8(t) of the United States  
21 Housing Act of 1937 (42 U.S.C. 1437f(t)(2)) is amended  
22 by adding at the end the following new sentence: “Such  
23 term includes the occurrence of the maturity date on a  
24 mortgage on a multifamily housing project that, before  
25 such maturity date, would have been eligible for enhanced

1 voucher assistance upon prepayment of the mortgage ex-  
2 cept that an eligibility date described in the preceding sen-  
3 tence did not occur.”.

4 **SEC. \_\_\_ 10. PHA PROJECT-BASED ASSISTANCE.**

5 Paragraph (13) of section 8(o) of the United States  
6 Housing Act of 1937 (42 U.S.C. 1437f(o)(13)) is amend-  
7 ed—

8 (1) by striking “structure” each place such  
9 term appears and inserting “project”;

10 (2) by striking “structures” each place such  
11 term appears and inserting “projects”;

12 (3) by striking subparagraph (B) and inserting  
13 the following new subparagraph:

14 “(B) PERCENTAGE LIMITATION.—

15 “(i) IN GENERAL.—Subject to clause  
16 (ii), a public housing agency may use for  
17 project-based assistance under this para-  
18 graph not more than the greater of—

19 “(I) 20 percent of the authorized  
20 voucher level for the agency; or

21 “(II) 20 percent of the funding  
22 available to the agency for tenant-  
23 based assistance under this sub-  
24 section.

25 “(ii) EXCEPTION.—

1           “(I) USE.—In addition to  
2 amounts used under clause (i), a pub-  
3 lic housing agency may use an addi-  
4 tional amount of project-based assist-  
5 ance under this paragraph, as pro-  
6 vided in subclause (II), to provide  
7 dwelling units that house individuals  
8 and families that meet the definition  
9 of homeless under section 103 of the  
10 McKinney-Vento Homeless Assistance  
11 Act (42 U.S.C. 11302), that provide  
12 supportive housing to persons with  
13 disabilities, or that are located in  
14 areas where vouchers under this sub-  
15 section are difficult to use, as speci-  
16 fied in subparagraph (D)(ii)(II). The  
17 Secretary may, by regulation, estab-  
18 lish additional categories for the ex-  
19 ception under this clause.

20           “(II) LIMITATION.—The amount  
21 of additional project-based assistance  
22 a public housing agency may use  
23 under this clause is 5 percent of the  
24 greater of the amounts under sub-  
25 clause (I) or (II) of clause (i).”;



1 (4) by striking subparagraph (D) and inserting  
2 the following new subparagraph:

3 “(D) INCOME MIXING REQUIREMENT.—

4 “(i) IN GENERAL.—Except as pro-  
5 vided in clause (ii), not more than the  
6 greater of 25 dwelling units or 25 percent  
7 of the dwelling units in any project may be  
8 assisted under a housing assistance pay-  
9 ment contract for project-based assistance  
10 pursuant to this paragraph. For purposes  
11 of this subparagraph, the term ‘project’  
12 means a single building, multiple contig-  
13 uous buildings, or multiple buildings on  
14 contiguous parcels of land.

15 “(ii) EXCEPTIONS.—

16 “(I) CERTAIN HOUSING.—The  
17 limitation under clause (i) shall not  
18 apply to dwelling units assisted under  
19 a contract that are exclusively made  
20 available to elderly families or to  
21 households eligible for social services  
22 that are made available to residents of  
23 the project, according to standards for  
24 such services as are established by the  
25 Secretary. The Secretary may estab-

1           lish additional requirements for moni-  
2           toring and oversight of projects in  
3           which more than 40 percent of the  
4           dwelling units are assisted.

5                           “(II) CERTAIN AREAS.—With re-  
6           spect to areas in which tenant-based  
7           vouchers for assistance under this  
8           subsection are difficult to use, as de-  
9           termined by the Secretary, and with  
10          respect to census tracts with a poverty  
11          rate of 20 percent or less, clause (i)  
12          shall be applied by substituting ‘40  
13          percent’ for ‘25 percent’, and the Sec-  
14          retary may, by regulation, establish  
15          additional conditions.”;

16                   (5) by striking subparagraph (F) and inserting  
17          the following new subparagraph:

18                           “(F) CONTRACT TERM.—A housing assist-  
19          ance payment contract pursuant to this para-  
20          graph between a public housing agency and the  
21          owner of a project may have a term of up to  
22          20 years, subject to—

23                                   “(i) the availability of sufficient ap-  
24                                   propriated funds for the purpose of renew-  
25                                   ing expiring contracts for assistance pay-

1           ments, as provided in appropriation Acts  
2           and in the agency’s annual contributions  
3           contract with the Secretary, provided that  
4           in the event of insufficient appropriated  
5           funds, payments due under contracts  
6           under this paragraph shall take priority if  
7           other cost-saving measures that do not re-  
8           quire the termination of an existing con-  
9           tract are available to the agency; and

10           “(ii) compliance with the inspection  
11           requirements under paragraph (8), except  
12           that the Secretary may modify the applica-  
13           tion of paragraph (8) to properties assisted  
14           under this paragraph, through actions in-  
15           cluding permitting inspection of a sample  
16           of dwelling units in a project, avoiding du-  
17           plicative requirements, and incentivizing  
18           high performance.

19           The contract may specify additional conditions,  
20           including with respect to continuation, termi-  
21           nation, or expiration.”;

22           (6) in subparagraph (G), by striking “15 years”  
23           and inserting “20 years”;

24           (7) in subparagraph (H), by striking “(or any  
25           exception payment standard approved by the Sec-

1       retary pursuant to paragraph (1)(D))” and inserting  
2       “(or any exception payment standard approved by  
3       the Secretary for the area pursuant to paragraph  
4       (1)(D) or for the project)”;

5             (8) by striking subparagraph (I) and inserting  
6       the following new subparagraph:

7             “(I) RENT ADJUSTMENTS.—A housing as-  
8       sistance payment contract pursuant to this  
9       paragraph shall provide for rent adjustments if  
10      requested by the owner, except that—

11            “(i) the adjusted rent for any unit as-  
12      sisted shall be reasonable in comparison  
13      with rents charged for comparable dwelling  
14      units in the private, unassisted, local mar-  
15      ket and may not exceed the maximum rent  
16      permitted under subparagraph (H); and

17            “(ii) the contract may provide that  
18      the maximum rent permitted for a dwelling  
19      unit shall not be less than the initial rent  
20      for the dwelling unit under the initial  
21      housing assistance payment contract cov-  
22      ering the unit.”;

23            (9) in subparagraph (J) by striking the fifth  
24      and sixth sentences and inserting the following: “A  
25      public housing agency may establish and utilize pro-

1 cedures for maintaining site-based waiting lists  
2 under which applicants may apply directly at, or  
3 otherwise designate to the public housing agency,  
4 the project or projects in which they seek to reside,  
5 except that all eligible applicants on the waiting list  
6 of an agency for assistance under this subsection  
7 shall be permitted to place their names on such sep-  
8 arate list, subject to policies and procedures estab-  
9 lished by the Secretary. All such procedures shall  
10 comply with title VI of the Civil Rights Act of 1964,  
11 the Fair Housing Act, section 504 of the Rehabilita-  
12 tion Act of 1973, and other applicable civil rights  
13 laws. The owner or manager of a project assisted  
14 under this paragraph shall not admit any family to  
15 a dwelling unit assisted under a contract pursuant  
16 to this paragraph other than a family referred by  
17 the public housing agency from its waiting list, or a  
18 family on a site-based waiting list that complies with  
19 the requirements of this subparagraph. A public  
20 housing agency shall disclose to each applicant all  
21 other options in the selection of a project in which  
22 to reside that are provided by the public housing  
23 agency and are available to the applicant.”; and

24 (10) by adding at the end the following new  
25 subparagraphs:

1           “(N) LEASES AND TENANCY.—Notwith-  
2 standing any other provision of law, for the  
3 term of the contract under this paragraph, the  
4 owner may terminate a tenancy only for serious  
5 or repeated violations of the terms and condi-  
6 tions of the lease or for violation of applicable  
7 law.

8           “(O) STRUCTURE OWNED BY AGENCY.—A  
9 public housing agency that, as part of an initia-  
10 tive to improve, develop, or replace a public  
11 housing property or site, otherwise has the au-  
12 thority to attach assistance to an existing,  
13 newly constructed, or rehabilitated structure in  
14 which the agency has an ownership interest or  
15 which the agency has control of, may attach  
16 such assistance without following a competitive  
17 process, but only if the agency includes such  
18 initiative in its public housing agency plan  
19 under section 5A. The preceding sentence may  
20 not be construed to alter the ability of a public  
21 housing agency to attach assistance to struc-  
22 tures or to alter any requirements related to  
23 such assistance under other applicable law.”.

1 **SEC. \_\_\_\_ 11. RENT BURDENS.**

2 (a) **REVIEWS.**—Paragraph (1) of section 8(o) of the  
3 United States Housing Act of 1937 (42 U.S.C.  
4 1437f(o)(1)) is amended by striking subparagraph (E)  
5 and inserting the following new subparagraph:

6 “(E) **REVIEWS.**—

7 “(i) **RENT BURDENS.**—The Secretary  
8 shall monitor rent burdens and submit a  
9 report to the Congress annually on the  
10 percentage of families assisted under this  
11 subsection, occupying dwelling units of any  
12 size, that pay more than 30 percent of  
13 their adjusted incomes for rent and such  
14 percentage that pay more than 40 percent  
15 of their adjusted incomes for rent. Using  
16 information regularly reported by public  
17 housing agencies, the Secretary shall pro-  
18 vide public housing agencies, on an annual  
19 basis, a report with the information de-  
20 scribed in the first sentence of this clause,  
21 and may require a public housing agency  
22 to modify a payment standard that results  
23 in a significant percentage of families as-  
24 sisted under this subsection, occupying  
25 dwelling units of any size, paying more  
26 than 30 percent of their adjusted incomes

1 for rent. In implementing the requirements  
2 of this clause, the Secretary shall separate  
3 out calculations and consideration of fami-  
4 lies whose rent contributions are calculated  
5 under section 3(a)(3) and clauses (ii) and  
6 (iii) of paragraph (2)(A) of this subsection.

7 “(ii) CONCENTRATION OF POVERTY.—  
8 The Secretary shall submit a report to the  
9 Congress annually on the degree to which  
10 families assisted under this subsection in  
11 each metropolitan area are clustered in  
12 lower rent, higher poverty areas, which  
13 shall include reporting of data by race and  
14 ethnicity, and how, and the extent to  
15 which, greater geographic distribution of  
16 such assisted families could be achieved,  
17 including by increasing payment standards  
18 for particular communities within such  
19 metropolitan areas.

20 “(iii) PUBLIC HOUSING AGENCY RE-  
21 SPONSIBILITIES.—Each public housing  
22 agency shall make publicly available the in-  
23 formation on rent burdens provided by the  
24 Secretary pursuant to clause (i), and, for  
25 agencies located in metropolitan areas, the



1 information on concentration provided by  
2 the Secretary pursuant to clause (ii). If a  
3 public housing agency has a high degree of  
4 concentration of poverty, as determined  
5 under a standard to be developed by the  
6 Secretary in accordance with clause (ii), or  
7 if the percentage of families paying more  
8 than 40 percent of their adjusted net in-  
9 come exceeds a percentage level, to be es-  
10 tablished by the Secretary, the public hous-  
11 ing agency shall adjust the payment stand-  
12 ard to eliminate excessive rent burdens  
13 within a reasonable time period or explain  
14 its reasons for not making such adjust-  
15 ment. The Secretary may not deny the re-  
16 quest of a public housing agency to set a  
17 payment standard up to 120 percent of the  
18 fair market rent to eliminate excessive rent  
19 burdens in accordance with the preceding  
20 sentence, except on the basis that an agen-  
21 cy has not demonstrated that its request  
22 meets these criteria. If a request of a pub-  
23 lic housing agency has not been denied or  
24 approved with 45 days after the request is

1                   made, the request shall be considered to  
2                   have been approved.”.

3           (b) PUBLIC HOUSING AGENCY PLAN.—Section  
4 5A(d)(4) of the United States Housing Act of 1937 (42  
5 U.S.C. 1437c–1(d)(4)) is amended by inserting before the  
6 period at the end the following: “, including the report  
7 with respect to the agency furnished by the Secretary pur-  
8 suant to section 8(o)(1)(E) concerning rent burdens and,  
9 if applicable, geographic concentration of voucher holders,  
10 any changes in rent or other policies the public housing  
11 agency is making to address excessive rent burdens or con-  
12 centration, and if the public housing agency is not adjust-  
13 ing its payment standard, its reasons for not doing so”.

14           (c) RENT BURDENS FOR PERSONS WITH DISABIL-  
15 ITIES.—Subparagraph (D) of section 8(o)(1) is amended  
16 by inserting before the period at the end the following:  
17 “, except that a public housing agency may establish a  
18 payment standard of not more than 120 percent of the  
19 fair market rent where necessary as a reasonable accom-  
20 modation for a person with a disability, without approval  
21 of the Secretary. A public housing agency may seek ap-  
22 proval of the Secretary to use a payment standard greater  
23 than 120 percent of the fair market rent as a reasonable  
24 accommodation for a person with a disability. In connec-  
25 tion with the use of any increased payment standard es-

1 tablished or approved pursuant to either of the preceding  
2 two sentences as a reasonable accommodation for a person  
3 with a disability, the Secretary may not establish addi-  
4 tional requirements regarding the amount of adjusted in-  
5 come paid by such person for rent”.

6 **SEC. \_\_\_ 12. ESTABLISHMENT OF FAIR MARKET RENT.**

7 (a) IN GENERAL.—Paragraph (1) of section 8(c) of  
8 the United States Housing Act of 1937 (42 U.S.C.  
9 1437f(c)(1)) is amended—

10 (1) by inserting “(A)” after the paragraph des-  
11 ignation;

12 (2) by striking the fourth, seventh, eighth, and  
13 ninth sentences; and

14 (3) by adding at the end the following:

15 “(B) Fair market rentals for an area shall be pub-  
16 lished not less than annually by the Secretary on the site  
17 of the Department on the World Wide Web and in any  
18 other manner specified by the Secretary. Notice that such  
19 fair market rentals are being published shall be published  
20 in the Federal Register, and such fair market rentals shall  
21 become effective no earlier than 30 days after the date  
22 of such publication. The Secretary shall establish a proce-  
23 dure for public housing agencies and other interested par-  
24 ties to comment on such fair market rentals and to re-  
25 quest, within a time specified by the Secretary, reevalua-

1 tion of the fair market rental in a jurisdiction. The Sec-  
2 retary shall cause to be published for comment in the Fed-  
3 eral Register notices of proposed material changes in the  
4 methodology for estimating fair market rentals and no-  
5 tices specifying the final decisions regarding such pro-  
6 posed substantial methodological changes and responses to  
7 public comments.”.

8 (b) PAYMENT STANDARD.—Subparagraph (B) of sec-  
9 tion 8(o)(1) of the United States Housing Act of 1937  
10 (42 U.S.C. 1437f(o)(1)(B)) is amended by inserting be-  
11 fore the period at the end the following: “, except that  
12 no public housing agency shall be required as a result of  
13 a reduction in the fair market rental to reduce the pay-  
14 ment standard applied to a family continuing to reside in  
15 a unit for which the family was receiving assistance under  
16 this section at the time the fair market rental was reduced.  
17 The Secretary shall allow public housing agencies to re-  
18 quest exception payment standards within fair market  
19 rental areas subject to criteria and procedures established  
20 by the Secretary”.

21 (c) EFFECTIVE DATE.—The amendments made by  
22 this section shall take effect upon the date of the enact-  
23 ment of this Act.

1 **SEC. \_\_\_\_ 13. SCREENING OF APPLICANTS.**

2 (a) IN GENERAL.—Subparagraph (B) of section  
3 8(o)(6) of the United States Housing Act of 1937  
4 (1437f(o)(6)(B)) is amended—

5 (1) by striking “(B) SELECTION OF TEN-  
6 ANTS.—Each” and inserting the following:

7 “(B) SELECTION OF TENANTS.—

8 “(i) FUNCTION OF OWNER.—Each”;

9 (2) in the first sentence, by striking “unit)”  
10 and inserting “unit”;

11 (3) by striking “In addition” and inserting the  
12 following:

13 “(ii) SCREENING.—In addition”;

14 (4) by inserting after “establish.” the following:

15 “A public housing agency’s elective screening shall  
16 be limited to criteria that are directly related to an  
17 applicant’s ability to fulfill the obligations of an as-  
18 sisted lease and shall consider mitigating cir-  
19 cumstances presented by such applicant. The re-  
20 quirements of the preceding sentence shall not limit  
21 the ability of a public housing agency to deny assist-  
22 ance based on an applicant’s criminal background or  
23 any other permissible grounds for denial under sub-  
24 title F of title V of the Quality Housing and Work  
25 Responsibility Act of 1998 (42 U.S.C. 13661 et seq.;  
26 relating to safety and security in public and assisted

1 housing), subject to the procedural requirements of  
2 this section. Any applicant or participant determined  
3 to be ineligible for admission or continued participa-  
4 tion to the program shall be notified of the basis for  
5 such determination and provided, within a reason-  
6 able time after the determination, an opportunity for  
7 an informal hearing on such determination at which  
8 mitigating circumstances presented by the applicant,  
9 including remedial conduct subsequent to the con-  
10 duct that is the basis of such determination, shall be  
11 considered.”; and

12 (5) by adding at the end the following:

13 “(iii) EXISTING ASSISTED FAMI-  
14 LIES.—Families being provided enhanced  
15 vouchers pursuant to subsection (t), fami-  
16 lies receiving assistance under this Act  
17 that are subsequently provided tenant-  
18 based assistance pursuant to subsection  
19 (dd)(1)(B), and families residing in multi-  
20 family housing subject to a mortgage in-  
21 sured under the National Housing Act that  
22 are provided tenant-based assistance pur-  
23 suant to subsection (dd)(1)(B)(xiv) of this  
24 section shall not be considered new appli-  
25 cants under this paragraph and shall not

1                   be subject to elective re-screening by a  
2                   public housing agency.”.

3           (b) LEASES AND TENANCY.—Subparagraph (E) of  
4 section 8(o)(7) of the United States Housing Act of 1937  
5 (42 U.S.C. 1437f(o)(7)(E)) is amended by inserting “ter-  
6 mination or” after “any” the last place such term appears.

7           (c) DENIALS OF ADMISSION.—Section 576 of the  
8 Quality Housing and Work Responsibility Act of 1998 (42  
9 U.S.C. 13661) is amended—

10           (1) in subsection (b)(1)—

11                   (A) in subparagraph (A), by inserting “,  
12                   based on evidence that is credible and objec-  
13                   tive,” after “determines”; and

14                   (B) in subparagraph (B)—

15                           (i) by striking “that it has reasonable  
16                           cause to believe” and inserting “, based on  
17                           evidence that is credible and objective,”;

18                           (ii) by striking “illegal use (or pattern  
19                           of illegal use)” and inserting “pattern of il-  
20                           legal use”; and

21                           (iii) by striking “abuse (or pattern of  
22                           abuse)” and inserting “pattern of abuse”;  
23                           and

24           (2) in subsection (c)—

1 (A) in the section heading, by inserting  
2 “CERTAIN” before “CRIMINAL”;

3 (B) in the matter that precedes paragraph  
4 (1)—

5 (i) by inserting “, based on evidence  
6 that is credible and objective,” after “de-  
7 termines”;

8 (ii) by inserting ““, which shall take  
9 into account the nature, extent, and sever-  
10 ity of the criminal activity, as well as any  
11 mitigating circumstances presented by the  
12 household,” after “reasonable time”; and

13 (iii) by inserting “any pattern of” be-  
14 fore “other criminal activity”;

15 (C) in paragraph (2), by inserting ““,  
16 which period shall take into account the nature,  
17 extent, and severity of the criminal activity, as  
18 well as any mitigating circumstances presented  
19 by the household,” after “reasonable period be-  
20 ginning upon such activity”; and

21 (D) by adding after and below paragraph  
22 (2) the following:

23 “No denial of admission may be made pursuant to this  
24 subsection based on a misdemeanor charge and conviction  
25 unless such denial is based on a pattern of activity, the



1 commission of any offense against a child (including child  
2 pornography offenses), the commission of any offense in-  
3 volving a child victim, the commission of a sexual assault,  
4 the commission of an assault, or the commission of violent,  
5 disruptive (as such term is defined by the Secretary), or  
6 illegal behavior that adversely affects the health or safety  
7 of, or interferes with the right to peaceful enjoyment of  
8 the premises by, other residents.”.

9 (d) REMOVAL OF SEX OFFENDERS.—Section 578 of  
10 the Quality Housing and Work Responsibility Act of 1998  
11 (42 U.S.C. 13663) is amended by striking subsection (a)  
12 and inserting the following new subsection:

13 “(a) IN GENERAL.—Notwithstanding any other pro-  
14 vision of law, an owner of federally assisted housing—

15 “(1) shall prohibit admission to such housing  
16 for any household that includes an individual who is  
17 subject to a lifetime registration requirement under  
18 a State sex offender registration program; and

19 “(2) shall terminate assistance to, and any  
20 lease or right to occupancy of such housing by, any  
21 household that includes any individual who is subject  
22 to a lifetime registration requirement under a State  
23 sex offender registration program.”.

1 **SEC. \_\_\_\_ 14. DEMONSTRATION PROGRAM WAIVER AUTHOR-**  
2 **ITY.**

3 (a) **AUTHORITY TO ENTER INTO AGREEMENTS.—**  
4 Notwithstanding any other provision of law, the Secretary  
5 of Housing and Urban Development may enter into such  
6 agreements as may be necessary with the Social Security  
7 Administration and the Secretary of Health and Human  
8 Services to allow for the participation, in any demonstra-  
9 tion program described in subsection (c), by the Depart-  
10 ment of Housing and Urban Development and the use  
11 under such program of housing choice vouchers under sec-  
12 tion 8(o) of the United States Housing Act of 1937 (42  
13 U.S.C. 1437f(o)).

14 (b) **WAIVER OF INCOME REQUIREMENTS.—**The Sec-  
15 retary of Housing and Urban Development may, to extent  
16 necessary to allow rental assistance under section 8(o) of  
17 the United States Housing Act of 1937 to be provided  
18 on behalf of persons described in subsection (c) who par-  
19 ticipate in a demonstration program described in such  
20 subsection, and to allow such persons to be placed on a  
21 waiting list for such assistance, partially or wholly dis-  
22 regard increases in earned income for the purpose of rent  
23 calculations under section 3 of such Act for such persons.

24 (c) **DEMONSTRATION PROGRAMS.—**A demonstration  
25 program described in this subsection is a demonstration  
26 program of a State that provides for persons with signifi-

1 cant disabilities to be employed and continue to receive  
2 benefits under programs of the Department of Health and  
3 Human Services and the Social Security Administration,  
4 including the program of supplemental security income  
5 benefits under title XVI of the Social Security Act, dis-  
6 ability insurance benefits under title II of such Act, and  
7 the State program for medical assistance (Medicaid) under  
8 title XIX of such Act.

9 **SEC. \_\_\_ 15. UTILITY DATA.**

10 Section 8(o) of the United States Housing Act of  
11 1937 (42 U.S.C. 1437f(o)), as amended by the preceding  
12 provisions of this title, is further amended by adding at  
13 the end the following new paragraph:

14 “(22) UTILITY DATA.—

15 “(A) PUBLICATION.—The Secretary shall,  
16 to the extent that data can be collected cost ef-  
17 fectively, regularly publish such data regarding  
18 utility consumption and costs in local areas as  
19 the Secretary determines will be useful for the  
20 establishment of allowances for tenant-paid util-  
21 ities for families assisted under this subsection.

22 “(B) USE OF DATA.—The Secretary shall  
23 provide such data in a manner that—

24 “(i) avoids unnecessary administrative  
25 burdens for public housing agencies; and

1 “(ii) protects families in various unit  
2 sizes and building types, and using various  
3 utilities, from high rent and utility cost  
4 burdens relative to income.”.

5 **SEC. \_\_\_\_ 16. ACCESS TO HUD PROGRAMS FOR PERSONS**  
6 **WITH LIMITED ENGLISH PROFICIENCY.**

7 (a) HUD RESPONSIBILITIES.—To allow the Depart-  
8 ment of Housing and Urban Development to better serve  
9 persons with limited proficiency in the English language  
10 by providing technical assistance to recipients of Federal  
11 funds, the Secretary of Housing and Urban Development  
12 shall take the following actions:

13 (1) TASK FORCE.—Within 90 days after the en-  
14 actment of this Act, convene a task force comprised  
15 of appropriate industry groups, recipients of funds  
16 from the Department of Housing and Urban Devel-  
17 opment (in this section referred to as the “Depart-  
18 ment”), community-based organizations that serve  
19 individuals with limited English proficiency, civil  
20 rights groups, and stakeholders, which shall periodi-  
21 cally identify a list of vital documents, including De-  
22 partment and certain property and other documents,  
23 to be competently translated to improve access to  
24 federally conducted and federally assisted programs  
25 and activities for individuals with limited English

1 proficiency. Such lists shall identify priorities per-  
2 taining to translation of such vital documents, con-  
3 sistent with the Department's Guidance to Federal  
4 Financial Assistance Recipients Regarding Title VI  
5 Prohibition Against National Origin Discrimination  
6 Affecting Limited English Proficient Persons. The  
7 task force shall meet not less frequently than twice  
8 per year.

9 (2) TRANSLATIONS.—Within 6 months after  
10 identification of documents pursuant to paragraph  
11 (1), produce translations of such documents in lan-  
12 guages identified by the task force, in coordination  
13 with the Department, and make such translations  
14 available as part of the library of forms available on  
15 the website of the Department and as part of the  
16 clearinghouse developed pursuant to paragraph (4).

17 (3) PLAN.—Develop and carry out a plan that  
18 includes providing resources of the Department to  
19 assist recipients of Federal funds to improve access  
20 to programs and activities for individuals with lim-  
21 ited English proficiency, which plan shall include the  
22 elements described in paragraph (4).

23 (4) HOUSING INFORMATION RESOURCE CEN-  
24 TER.—Develop and maintain a housing information  
25 resource center to facilitate the provision of lan-

1 guage services by recipients of funds of the Depart-  
2 ment to individuals with limited English proficiency.  
3 Information provided by such center shall be made  
4 available in printed form and through the Internet.  
5 The resources provided by the center shall include  
6 the following:

7 (A) TRANSLATION OF WRITTEN MATE-  
8 RIALS.—The center may provide, directly or  
9 through contract, translations of vital docu-  
10 ments from competent translation services for  
11 recipients of funds of the Department.

12 (B) INTERPRETATION SERVICES TELE-  
13 PHONE LINE.—

14 (i) REQUIREMENT.—The center shall  
15 provide a 24-hour interpretation services  
16 telephone line, by which recipients of funds  
17 of the Department and individuals with  
18 limited English proficiency can jointly ac-  
19 cess such line in order to receive interpre-  
20 tation services with respect to housing ac-  
21 cess and receipt of assistance under pro-  
22 grams funded by the Department. Such  
23 telephone line shall supplement resources  
24 in the community identified by the plan  
25 pursuant to paragraph (3).

1 (ii) FEE.— To the extent that appro-  
2 priations that are made available pursuant  
3 to subsection (b) are not sufficient to cover  
4 the cost of such service, the Secretary may  
5 establish and collect a reasonable fee, to  
6 the extent provided in advance in an ap-  
7 propriations Act, to cover the actual cost  
8 of such service, which shall be payable by  
9 the recipient of the Department’s funds  
10 using the service. Such fees and other ex-  
11 penses incurred to provide language serv-  
12 ices to persons with limited English pro-  
13 ficiency paid by recipients of the Depart-  
14 ment’s funds shall be permitted to be pay-  
15 able from funds available for implementing  
16 affirmative marketing strategies and from  
17 funds available for administration of rental  
18 assistance, including funds under section  
19 9(e) of the United States Housing Act of  
20 1937 (42 U.S.C. 1437g(e)). Recipients of  
21 the Department’s funds may not seek re-  
22 imbursement for such fees and other ex-  
23 penses from families being assisted by or  
24 applicants for federal financial assistance  
25 from the Department’s funds.

1 (C) DOCUMENT CLEARINGHOUSE.—The  
2 center shall collect and evaluate for accuracy or  
3 develop, and make available, templates and doc-  
4 uments that are necessary for consumers, rel-  
5 evant industry representatives, and other stake-  
6 holders of the Department, to access, make  
7 educated decisions, and communicate effectively  
8 about their housing, including—

9 (i) administrative and property docu-  
10 ments;

11 (ii) legally binding documents;

12 (iii) consumer education and outreach  
13 materials;

14 (iv) documents regarding rights and  
15 responsibilities of any party; and

16 (v) remedies available to consumers.

17 (D) STUDY OF LANGUAGE ASSISTANCE  
18 PROGRAMS.—Not later than 18 months after  
19 the date of the enactment of this Act, the cen-  
20 ter shall submit a report to the Committee on  
21 Financial Services of the House of Representa-  
22 tives and the Committee on Banking, Housing,  
23 and Urban Affairs of the Senate, which shall  
24 provide recommendations for implementation of  
25 best practices models that promote culturally



1 appropriate language assistance and strategies  
2 to improve language services for individuals  
3 with limited English proficiency. Such report  
4 shall be specific to programs of the Depart-  
5 ment, and information and templates shall be  
6 made available to all recipients of grants from  
7 the Department.

8 (b) AUTHORIZATION OF APPROPRIATIONS.—There  
9 are authorized to be appropriated \$5,000,000 for each of  
10 fiscal years 2011 through 2015 for the cost of carrying  
11 out activities authorized under this section.

12 (c) REPORT.—Not later than the expiration of the  
13 12-month period beginning on the date of the enactment  
14 of this Act, and annually thereafter, the Secretary of  
15 Housing and Urban Development shall submit a report  
16 regarding its compliance with the requirements under sub-  
17 section (a) to the Committee on Financial Services of the  
18 House of Representatives and the Committee on Banking,  
19 Housing, and Urban Affairs of the Senate.

20 (d) SAVINGS CLAUSE.—Nothing in this section shall  
21 be construed as to limit the meaning or applicability of  
22 title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d  
23 et seq.), executive orders, or of lawfully promulgated rules,  
24 regulations, guidance, or orders of general applicability  
25 issued by the Department to effectuate such title VI.

1 **SEC. \_\_\_\_ 17. ALLOWABLE TRANSFERS.**

2 Section 8(o) of the United States Housing Act of  
3 1937 (42 U.S.C. 1437f(o)), as amended by the preceding  
4 provisions of this title, is further amended by adding at  
5 the end the following new paragraph:

6 “(23) ALLOWABLE TRANSFERS.—A public  
7 housing agency may, in its sole discretion, subject to  
8 procedures established by the Secretary and the  
9 agreement of the receiving agency, transfer a portion  
10 of its vouchers and related budget authority to a  
11 public housing agency that administers a program  
12 under this subsection.”.

13 **SEC. \_\_\_\_ 18. VETERANS AFFAIRS SUPPORTIVE HOUSING**  
14 **PROGRAM.**

15 Paragraph (19) of section 8(o) of the United States  
16 Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) is amend-  
17 ed—

18 (1) in subparagraph (A)—

19 (A) in the first sentence, by striking “sub-  
20 paragraph (C)” and inserting “subparagraph  
21 (F)”; and

22 (B) by striking the last sentence and in-  
23 serting the following: “Such program shall pro-  
24 vide rental assistance on behalf of homeless vet-  
25 erans and their families, shall require that each  
26 household assisted include a veteran who, at the

1 time of initial assistance under the program,  
2 has a disability as defined in section 401(9) of  
3 the McKinney-Vento Homeless Assistance Act  
4 (42 U.S.C. 11360(9)), and shall ensure coordi-  
5 nated health services and appropriate case man-  
6 agement for each veteran receiving such rental  
7 assistance.”;

8 (2) by redesignating subparagraph (C) as sub-  
9 paragraph (F); and

10 (3) by inserting after subparagraph (B) the fol-  
11 lowing new subparagraphs:

12 “(C) ALLOCATION.—The Secretary shall  
13 make such funding available, through competi-  
14 tive or noncompetitive procedures as the Sec-  
15 retary determines appropriate, to public hous-  
16 ing agencies that partner with eligible VA Med-  
17 ical Centers or other entities as designated by  
18 the Secretary of the Department of Veterans  
19 Affairs, based on geographical need for such as-  
20 sistance as identified by the Secretary of Vet-  
21 erans Affairs, public housing agency adminis-  
22 trative performance, and other factors as speci-  
23 fied by the Secretary in consultation with the  
24 Secretary of Veterans Affairs.

1           “(D) WAIVER AND ALTERNATIVE RE-  
2           QUIREMENTS.—The Secretary may waive, or  
3           specify alternative requirements for (in con-  
4           sultation with the Secretary of Veterans Af-  
5           fairs), any provision of any statute or regula-  
6           tion that the Secretary administers in connec-  
7           tion with the use of funds made available under  
8           this section (except for requirements related to  
9           fair housing, nondiscrimination, labor stand-  
10          ards, and the environment), upon a finding by  
11          the Secretary that any such waivers or alter-  
12          native requirements are necessary for the effec-  
13          tive delivery and administration of such voucher  
14          assistance.

15           “(E) AVAILABILITY UPON TURNOVER.—  
16          Assistance made available under this paragraph  
17          shall continue to remain available for veterans  
18          upon turn-over.”.

19 **SEC. \_\_\_ 19. PROVISION OF INFORMATION BY STATE AGEN-**  
20 **CIES.**

21          (a) IN GENERAL.—Section 11 of the Food and Nutri-  
22          tion Act of 2008 (7 U.S.C. 2020) is amended by adding  
23          at the end the following new subsection:

24           “(v) ADMINISTRATIVE DATA FOR HOUSING AGEN-  
25          CIES.—

1           “(1) IN GENERAL.—Subject to paragraph (2)  
2           and any other requirements established by the Sec-  
3           retary, each State agency shall make available to  
4           public housing agencies (as such term is defined in  
5           section 3(b) of the United States Housing Act of  
6           1937 (42 U.S.C. 1437a(b)) as agreed to by both the  
7           Secretary and the Secretary of Housing and Urban  
8           Development and as the Secretary of Housing and  
9           Urban Development shall publish by notice in the  
10          Federal Register, data regarding the income and  
11          composition of households that participate in the  
12          Supplemental Nutrition Assistance Program.

13           “(2) REQUIREMENTS.—Each State agency shall  
14          establish at least one procedure that—

15                   “(A) allows public housing agencies to ob-  
16                   tain, on a timely and routine basis, data regard-  
17                   ing the income and composition of households  
18                   that participate in the Supplemental Nutrition  
19                   Assistance Program and that have applied for  
20                   or receive assistance under the United States  
21                   Housing Act of 1937 (42 U.S.C. 1437 et seq.)  
22                   for purposes of income determinations under  
23                   section 3(a)(7)(E) of such Act (42 U.S.C.  
24                   1437a(a)(7)(E)); and

1                   “(B) ensures that public housing agencies  
2                   meet the safeguards of subsection (e)(8) of this  
3                   section.

4                   “(3) DEADLINE.—State agencies shall establish  
5                   the procedure required under paragraph (2) no later  
6                   than January 1, 2012.”.

7                   (b)           CONFORMING           AMENDMENT.—Section  
8                   11(e)(8)(F) of the Food and Nutrition Act of 2008 (7  
9                   U.S.C. 2020(e)(8)(F)) is amended by striking “subsection  
10                   (u)” and inserting “subsection (u) or (v)”.

