[DISCUSSION DRAFT]

112TH CONGRESS  1ST SESSION  

H. R. ________

To reform the housing choice voucher program under section 8 of the United States Housing Act of 1937.

———

IN THE HOUSE OF REPRESENTATIVES

M. ________ introduced the following bill; which was referred to the Committee on ____________________

———

A BILL

To reform the housing choice voucher program under section 8 of the United States Housing Act of 1937.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,

3 SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

4 (a) Short Title.—This Act may be cited as the “Section 8 Savings Act of 2011”.

5 (b) Table of Contents.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.

TITLE I—SECTION 8 PROGRAM REFORMS TIED TO SELF-SUFFICIENCY SUPPORT
Sec. 101. Applicability contingent on carrying out self-sufficiency and rental assistance counseling support program.

Sec. 102. Inspection of dwelling units.

Sec. 103. Rent reform and income reviews.

Sec. 104. Self-sufficiency and rental assistance counseling support program.

**TITLE II—OTHER SECTION 8 PROGRAM REFORMS**

Sec. 201. Eligibility for assistance based on assets and income.

Sec. 202. Targeting assistance to low-income working families.

Sec. 203. Use of voucher funds.

Sec. 204. PHA project-based assistance.

Sec. 205. Establishment of fair market rent.

Sec. 206. Screening of applicants.

Sec. 207. Utility data.

Sec. 208. Family self-sufficiency program.

Sec. 209. Study regarding occupancy of assisted housing by both elderly persons and persons with disabilities.

Sec. 210. Housing assistance criteria simplification.

**TITLE III—ACCESS TO HUD PROGRAMS AND MARK-TO-MARKET PROGRAM EXTENSION**

Sec. 301. Access to HUD programs for persons with limited English proficiency.

Sec. 302. Extension of Mark-to-Market Program.

**TITLE I—SECTION 8 PROGRAM REFORMS TIED TO SELF-SUFFICIENCY SUPPORT**

**SEC. 101. APPLICABILITY CONTINGENT ON CARRYING OUT SELF-SUFFICIENCY AND RENTAL ASSISTANCE COUNSELING SUPPORT PROGRAM.**

(a) Applicability of reforms to participating PHAs.—The provisions of sections 102, 103, and 104 of this Act shall apply only with respect to public housing agencies that are participating in and carrying out, as determined by the Secretary of Housing and Urban Development, a Self-Sufficiency and Rental Assistance Counseling Support Program under section 37 of the United States
Housing Act of 1937, as added by section 104 of this Act, and only during the period of such participation.

(b) **Treatment of Non-Participating PHAs.**—The provisions of title I of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), as amended by titles II and III of this Act, but without regard to the provisions of sections 102, 103, and 104, shall apply to public housing agencies not described in subsection (a) of this section.

**SEC. 102. INSPECTION OF DWELLING UNITS.**

(a) **In General.**—With respect only to public housing agencies referred to in section 101(a) of this Act, section 8(o)(8) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(8)) shall be considered to be amended—

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

“(A) **Initial Inspection.**—

“(i) **In General.**—For each dwelling unit for which a housing assistance payment contract is established under this subsection, the public housing agency (or other entity pursuant to paragraph (11)) shall inspect the unit before any assistance payment is made to determine whether the dwelling unit meets the housing quality
standards under subparagraph (B), except as provided in clause (ii) or (iii) of this subparagraph.

“(ii) Correction of non-life threatening conditions.—In the case of any dwelling unit that is determined, pursuant to an inspection under clause (i), not to meet the housing quality standards under subparagraph (B), assistance payments may be made for the unit notwithstanding subparagraph (C) if failure to meet such standards is a result only of non-life threatening conditions, as such conditions are established by the Secretary. A public housing agency making assistance payments pursuant to this clause for a dwelling unit shall, 30 days after the beginning of the period for which such payments are made, withhold any assistance payments for the unit if any deficiency resulting in noncompliance with the housing quality standards has not been corrected by such time. The public housing agency shall recommence assistance payments when such deficiency has been corrected,
and may use any payments withheld to
make assistance payments relating to the
period during which payments were with-
held.

“(iii) USE OF ALTERNATIVE INSPE-
TION METHOD FOR INTERIM PERIOD.—In
the case of any property that within the
previous 12 months has met the require-
ments of an inspection that qualifies as an
alternative inspection method pursuant to
paragraph (E), a public housing agency
may authorize occupancy before the inspec-
tion under clause (i) has been completed,
and may make assistance payments retro-
active to the beginning of the lease term
after the unit has been determined pursu-
ant to an inspection under clause (i) to
meet the housing quality standards under
subparagraph (B).”;

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

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

“(D) BIENNIAL INSPECTIONS.—
“(i) REQUIREMENT.—Each public housing agency providing assistance under this subsection (or other entity, as provided in paragraph (11)) shall, for each assisted dwelling unit, make inspections not less often than biennially during the term of the housing assistance payments contract for the unit to determine whether the unit is maintained in accordance with the requirements under subparagraph (A).

“(ii) USE OF ALTERNATIVE INSPECTION METHOD.—The requirement under clause (i) may be complied with by use of inspections that qualify as an alternative inspection method pursuant to subparagraph (E).

“(iii) RECORDS.—The agency (or other entity) shall retain the records of the inspection for a reasonable time and shall make the records available upon request to the Secretary, the Inspector General for the Department of Housing and Urban Development, and any auditor conducting an audit under section 5(h).
“(E) ALTERNATIVE INSPECTION METHOD.—An inspection of a property shall qualify as an alternative inspection method for purposes of this subparagraph if—

“(i) the inspection was conducted pursuant to requirements under a Federal, State, or local housing assistance program (including the HOME investment partnerships program under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12721 et seq.) and the low-income housing tax credit program under section 42 of the Internal Revenue Code of 1986); and

“(ii) pursuant to such inspection, the property was determined to meet the standards or requirements regarding housing quality or safety applicable to units assisted under such program, and, if a non-Federal standard was used, the public housing agency has certified to the Secretary that such standards or requirements provide the same protection to occupants of dwelling units meeting such standards or requirements as, or greater protection
than, the housing quality standards under subparagraph (B).

“(F) INTERIM INSPECTIONS.—Upon notification to the public housing agency, by a family on whose behalf tenant-based rental assistance is provided under this subsection or by a government official, that the dwelling unit for which such assistance is provided does not comply with the housing quality standards under subparagraph (B), the agency shall inspect the dwelling unit—

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

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

“(G) ENFORCEMENT OF HOUSING QUALITY STANDARDS.—

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

“(I) the public housing agency or an inspector authorized by the State or unit of local government determines upon inspection of the unit that the unit fails to comply with such standards;

“(II) the agency or inspector notifies the owner of the unit in writing of such failure to comply; and

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

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

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

lish.

“(ii) WITHHOLDING OF ASSISTANCE
AMOUNTS DURING CORRECTION.—The
public housing agency may withhold assist-
ance amounts under this subsection with
respect to a dwelling unit for which a no-
tice pursuant to clause (i)(II), of failure to
comply with housing quality standards
under subparagraph (B) as determined
pursuant to an inspection conducted under
subparagraph (D) or (F), has been pro-
vided. If the unit is brought into compli-
ance with such housing quality standards
during the periods referred to in clause
(i)(III), the public housing agency shall re-
commence assistance payments and may
use any amounts withheld during the cor-
rection period to make assistance payments
relating to the period during which pay-
ments were withheld.

“(iii) ABATEMENT OF ASSISTANCE
AMOUNTS.—The public housing agency
shall abate all of the assistance amounts
under this subsection with respect to a
dwelling unit that is determined, pursuant to clause (i) of this subparagraph, to be in noncompliance with housing quality standards under subparagraph (B). Upon completion of repairs by the public housing agency or the owner sufficient so that the dwelling unit complies with such housing quality standards, the agency shall recommence payments under the housing assistance payments contract to the owner of the dwelling unit.

“(iv) NOTIFICATION.—If a public housing agency providing assistance under this subsection abates rental assistance payments pursuant to clause (iii) with respect to a dwelling unit, the agency shall, upon commencement of such abatement—

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

“(aa) such abatement has commenced; and

“(bb) if the dwelling unit is not brought into compliance with housing quality standards within 60 days after the effective date of
the determination of noncompliance under clause (i) or such reasonable longer period as the agency may establish, the tenant will have to move; and

“(II) issue the tenant the necessary forms to allow the tenant to move to another dwelling unit and transfer the rental assistance to that unit.

“(v) Protection of Tenants.—An owner of a dwelling unit may not terminate the tenancy of any tenant because of the withholding or abatement of assistance pursuant to this subparagraph. During the period that assistance is abated pursuant to this subparagraph, the tenant may terminate the tenancy by notifying the owner.

“(vi) Termination of Lease or Assistance Payments Contract.—If assistance amounts under this section for a dwelling unit are abated pursuant to clause (iii) and the owner does not correct the noncompliance within 60 days after the effective date of the determination of non-
compliance under clause (i), or such other reasonable longer period as the public housing agency may establish, the agency shall terminate the housing assistance payments contract for the dwelling unit.

“(vii) Relocation.—

“(I) Lease of new unit.—The agency shall provide the family residing in such a dwelling unit a period of 90 days or such longer period as the public housing agency determines is reasonably necessary to lease a new unit, beginning upon termination of the contract, to lease a new residence with tenant-based rental assistance under this section.

“(II) Availability of public housing units.—If the family is unable to lease such a new residence during such period, the public housing agency shall, at the option of the family, provide such family a preference for occupancy in a dwelling unit of public housing that is owned or operated by the agency that first becomes
available for occupancy after the expiration of such period.

“(III) Assistance in Finding Unit.—The public housing agency may provide assistance to the family in finding a new residence, including use of up to two months of any assistance amounts abated pursuant to clause (iii) for costs directly associated with relocation of the family to a new residence, which shall include security deposits as necessary and may include reimbursements for reasonable moving expenses incurred by the household, as established by the Secretary. The agency may require that a family receiving assistance for a security deposit shall remit, to the extent of such assistance, the amount of any security deposit refunds made by the owner of the dwelling unit for which the lease was terminated.

“(viii) Tenant-Caused Damages.—If a public housing agency determines that any damage to a dwelling unit that results
in a failure of the dwelling unit to comply
with housing quality standards under sub-
paragraph (B), other than any damage re-
sulting from ordinary use, was caused by
the tenant, any member of the tenant’s
household, or any guest or other person
under the tenant’s control, the agency may
waive the applicability of this subpara-
graph, except that this clause shall not ex-
onerate a tenant from any liability other-
wise existing under applicable law for dam-
ages to the premises caused by such ten-
ant.

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

(b) EFFECTIVE DATE.—The Secretary of Housing
and Urban Development shall issue notice or regulations
to implement subsection (a) of this section and such sub-
section shall take effect after such issuance.
SEC. 103. RENT REFORM AND INCOME REVIEWS.

(a) RENT FOR PUBLIC HOUSING AND SECTION 8 PROGRAMS.—With respect only to public housing agencies referred to in section 101(a) of this Act, section 3 of the United States Housing Act of 1937 (42 U.S.C. 1437a) shall be considered to be amended—

(1) in subsection (a)—

(A) in paragraph (3)(A)—

(i) in the matter preceding clause (i), by striking “$50 per month” and inserting “the greater of (aa) $75, or (bb) the amount that is equal to 12 percent of the fair market rental, for the area in which the family resides, for a dwelling of the same size that the family resides in”; and

(ii) in clause (ii), by inserting before the period at the end the following: “or by the owner of the property receiving rental assistance, as the Secretary may allow”; and

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

“(6) REVIEWS OF FAMILY INCOME.—

“(A) FREQUENCY.—Reviews of family income for purposes of this section shall be made—
“(i) in the case of all families, upon the initial provision of housing assistance for the family;

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

“(iii) upon the request of the family, at any time the income or deductions (under subsection (b)(5)) of the family change by an amount that is estimated to result in a decrease of 10 percent (or such lower amount as the Secretary may, by notice, establish, or permit the public housing agency or owner to establish) or more in annual adjusted income; and

“(iv) at any time the income or deductions (under subsection (b)(5)) of the family change by an amount that is estimated to result in an increase of 10 percent or more in annual adjusted income, or such other amount as the Secretary may by notice establish, except that any increase in the earned income of a family shall not be considered for purposes of this clause except that earned income may be considered if the increase corresponds to previous de-
creases under clause (iii)), except that a public housing agency or owner may elect not to conduct such review in the last three months of a certification period.

“(B) FIXED-INCOME FAMILIES.—

“(i) SELF CERTIFICATION AND 3-YEAR REVIEW.—In the case of any family described in clause (ii), after the initial review of the family’s income pursuant to subparagraph (A)(i), the public housing agency or owner shall not be required to conduct a review of the family’s income pursuant to subparagraph (A)(ii) for any year for which such family certifies, in accordance with such requirements as the Secretary shall establish, that the income of the family meets the requirements of clause (ii) of this subparagraph and that the sources of such income have not changed since the previous year, except that the public housing agency or owner shall conduct a review of each such family’s income not less than once every 3 years.
‘‘(ii) ELIGIBLE FAMILIES.—A family described in this clause is a family who has an income, as of the most recent review pursuant to subparagraph (A) or clause (i) of this subparagraph, of which 90 percent or more consists of fixed income, as such term is defined in clause (iii).

‘‘(iii) FIXED INCOME.—For purposes of this subparagraph, the term ‘fixed income’ includes income from—

‘‘(I) the supplemental security income program under title XVI of the Social Security Act, including supplementary payments pursuant to an agreement for Federal administration under section 1616(a) of the Social Security Act and payments pursuant to an agreement entered into under section 212(b) of Public Law 93–66;

‘‘(II) Social Security payments;

‘‘(III) Federal, State, local and private pension plans; and

‘‘(IV) other periodic payments received from annuities, insurance policies, retirement funds, disability or
death benefits, and other similar types of periodic receipts that are of substantially the same amounts from year to year.

“(C) In General.—Reviews of family income for purposes of this section shall be subject to the provisions of section 904 of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988.

“(7) Calculation of Income.—

“(A) Use of Current Year Income.—In determining family income for initial occupancy or provision of housing assistance pursuant to clause (i) of paragraph (6)(A) or pursuant to reviews pursuant to clause (iii) or (iv) of such paragraph, a public housing agency or owner shall use the income of the family as estimated by the agency or owner for the upcoming year.

“(B) Use of Prior Year Income.—In determining family income for annual reviews pursuant to paragraph (6)(A)(ii), a public housing agency or owner shall, except as otherwise provided in this paragraph, use the income of the family as determined by the agency or owner for the preceding year, taking into con-
consideration any redetermination of income during such prior year pursuant to clause (iii) or (iv) of paragraph (6)(A).

“(C) Inflationary Adjustment for Fixed Income Families.—

“(i) In general.—In any year in which a public housing agency or owner does not conduct a review of income for any family described in clause (ii) of paragraph (6)(B) pursuant to the authority under clause (i) of such paragraph to waive such a review, such family’s prior year’s income determination shall, subject to clauses (ii) and (iii), be adjusted by applying an inflationary factor as the Secretary shall, by regulation or notice, establish.

“(ii) Exemption from adjustment.—A public housing agency or owner may exempt from an adjustment pursuant to clause (i) any income source for which income does not increase from year to year.

“(iii) Applicability of inflationary factor.—The inflationary factor
adjustment referred to in clause (i) shall not be made with respect to the first year after the year in which housing is occupied or housing assistance is initially provided for a family.

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

“(E) SAFE HARBOR.—A public housing agency or owner may, to the extent such information is available to the public housing agency or owner, determine the family’s income prior to the application of any deductions based on timely income determinations made for purposes of other means-tested Federal public assistance programs (including the program for block grants to States for temporary assistance for needy families under part A of title IV of the Social Security Act, a program for Medicaid assistance under a State plan approved under title XIX of the Social Security Act, and the
supplemental nutrition assistance program (as such term is defined in section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012)). The Secretary shall, in consultation with other appropriate Federal agencies, develop procedures to enable public housing agencies and owners to have access to such income determinations made by other means-tested Federal programs that the Secretary determines to have comparable reliability. Exchanges of such information shall be subject to the same limitations and tenant protections provided under section 904 of the Stewart B. McKinney Homeless Assistance Act Amendments of 1988 (42 U.S.C. 3544) with respect to information obtained under the requirements of section 303(i) of the Social Security Act (42 U.S.C. 503(i)).

“(F) PHA AND OWNER COMPLIANCE.—A public housing agency or owner may not be considered to fail to comply with this paragraph or paragraph (6) due solely to any de minimis errors made by the agency or owner in calculating family incomes.”;

(2) by striking subsections (d) and (e); and
(3) by redesignating subsection (f) as subsection (d).

(b) INCOME.—With respect only to public housing agencies referred to in section 101(a) of this Act, section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)) shall be considered to be amended—

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

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

“(A) INCLUDED AMOUNTS.—Such term includes recurring gifts and receipts, actual income from assets, and profit or loss from a business.

“(B) EXCLUDED AMOUNTS.—Such term does not include—
“(i) any imputed return on assets, except to the extent that net family assets exceed $50,000;

“(ii) any amounts that would be eligible for exclusion under section 1613(a)(7) of the Social Security Act (42 U.S.C. 1382b(a)(7));

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

“(iv) exclusions from income as established by the Secretary by regulation or notice, or any amount required by Federal law to be excluded from consideration as income.

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

“(i) earned income, up to an amount as the Secretary may by regulation establish, of any dependent earned during any period that such dependent is attending school or vocational training on a full-time basis; or
“(ii) any grant-in-aid or scholarship amounts related to such attendance used—

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

“(II) in such amounts as the Secretary may allow, for the cost of room and board.

“(D) Educational savings accounts.— Income shall be determined without regard to any amounts in or from, or any benefits from, any Coverdell education savings account under section 530 of the Internal Revenue Code of 1986 or any qualified tuition program under section 529 of such Code.

“(E) Recordkeeping.—The Secretary may not require a public housing agency or owner to maintain records of any amounts excluded from income pursuant to this subparagraph.”; and

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

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

“(A) **Elderly and disabled families.**—$675 in the case of any family that is an elderly family or a disabled family.

“(B) **Dependents.**—In the case of any family, $525 for each member who—

“(i) is less than 18 years of age or attending school or vocational training on a full-time basis; or

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

“(C) **Child care.**—The amount, if any, that exceeds 5 percent of annual family income that is used to pay for unreimbursed child care expenses, which shall include child care for preschool-age children, for before- and after-care for children in school, and for other child care necessary to enable a member of the family to be employed or further his or her education.

“(D) **Health and medical expenses.**—The amount, if any, by which 10 percent of annual family income is exceeded by the sum of—
“(i) in the case of any elderly or disabled family, any unreimbursed health and medical care expenses; and

“(ii) any unreimbursed reasonable attendant care and auxiliary apparatus expenses for each handicapped member of the family, to the extent necessary to enable any member of such family to be employed.

“(E) PERMISSIVE DEDUCTIONS.—Such additional deductions as a public housing agency may, at its discretion, establish, except that the Secretary shall establish procedures to ensure that such deductions do not materially increase Federal expenditures.

The Secretary shall annually calculate the amounts of the deductions under subparagraphs (A) and (B), as such amounts may have been previously calculated, by applying an inflationary factor as the Secretary shall, by regulation, establish, except that the actual deduction determined for each year shall be established by rounding such amount to the next lowest multiple of $25.”.

(c) HOUSING CHOICE VOUCHER PROGRAM.—With respect only to public housing agencies referred to in sec-
tion 101(a) of this Act, paragraph (5) of section 8(o) of
the United States Housing Act of 1937 (42 U.S.C.
1437f(o)(5)) shall be considered to be amended—

(1) in the paragraph heading, by striking “AN-
NUAL REVIEW” and inserting “REVIEWS”;
(2) in subparagraph (A)—

(A) by striking “the provisions of” and in-
serting “paragraphs (6) and (7) of section 3(a)
and to”; and
(B) by striking “and shall be conducted
upon the initial provision of housing assistance
for the family and thereafter not less than an-
ually”; and
(3) in subparagraph (B), by striking the second
sentence.

(d) ENHANCED VOUCHER PROGRAM.—With respect
only to public housing agencies referred to in section
101(a) of this Act, section 8(t)(1)(D) of the United States
Housing Act of 1937 (42 U.S.C. 1437f(t)(1)(D)) shall be
considered to be amended by striking “income” each place
such term appears and inserting “annual adjusted in-
come”.

(e) PROJECT-BASED HOUSING.—With respect only to
public housing agencies referred to in section 101(a) of
this Act, paragraph (3) of section 8(e) of the United
States Housing Act of 1937 (42 U.S.C. 1437f(c)(3)) shall be considered to be amended by striking the last sentence.

(f) IMPACT ON PUBLIC HOUSING REVENUES.—

(1) ADJUSTMENTS TO OPERATING FORMULA.—

If the Secretary of Housing and Urban Development determines that the application of subsections (a) through (e) of this section results in a material and disproportionate reduction in the rental income of certain public housing agencies during the first year in which such subsections are implemented, the Secretary may make appropriate adjustments in the formula income for such year of those agencies experiencing such a reduction.

(2) HUD REPORTS ON REVENUE AND COST IMPACT.—In each of the first two years after the first year in which subsections (a) through (e) are implemented, the Secretary of Housing and Urban Development shall submit a report to Congress identifying and calculating the impact of changes made by such subsections and section 201 of this Act on the revenues and costs of operating public housing units, the voucher program for rental assistance under section 8 of the United States Housing Act of 1937, and the program under such section 8 for project-based rental assistance. If such report identifies a material
reduction in the net income of public housing agen-
cies nationwide or a material increase in the costs of
funding the voucher program or the project-based
assistance program, the Secretary shall include in
such report recommendations for legislative changes
to reduce or eliminate such a reduction.

(g) RENT POLICY DEMONSTRATION.—

(1) IN GENERAL.—With respect only to public
housing agencies referred to in section 101(a) of this
Act, the Secretary of Housing and Urban Develop-
ment may administer a demonstration program,
which shall be initiated upon the commencement of
the first calendar year beginning after the date of
the enactment of this Act, for a limited number of
families assisted by such agencies under the United
States Housing Act of 1937 to determine the effec-
tiveness of different rent policies, which may include
providing income disregards, family self-sufficiency
accounts, and policies under which families pay
amounts different from 30 percent of their adjusted
income for rent, to encourage families to obtain em-
ployment, increase their incomes, and achieve eco-
omic self-sufficiency.
(2) Rent structures.—Such demonstration shall include activities sufficient to test the effectiveness of the following rent structures:

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

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

(C) Earned income disregard.—A tenant rent structure under which the amount of rent a family pays is reduced through a disregard of a portion of the percentage or of the dollar amount of the family’s earned income.

(3) Public housing agencies.—Such demonstration shall include public housing agencies of various sizes, including small public housing agencies.

(h) Effective date.—The Secretary of Housing and Urban Development shall issue notice or regulations to implement this section and this section shall take effect after such issuance, except that this section may only take effect upon the commencement of a calendar year.
Title I of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) is amended by adding at the end the following new section:

“SEC. 37. SELF-SUFFICIENCY AND RENTAL ASSISTANCE COUNSELING SUPPORT PROGRAM.

“(a) SELF-SUFFICIENCY PURPOSE.—The purpose of this section is to support the efforts of public housing agencies to develop measures to promote economic self-sufficiency for families with children whose head of household is working, seeking work, or preparing for work, by participating in job training, educational programs, or other supportive services programs that assist in meeting such goal.

“(b) PROGRAM AUTHORITY.—The Secretary shall conduct a program under this section under which public housing agencies that are approved by the Secretary for participation shall carry out supportive services programs that—

“(1) provide job training, educational programs, and other supportive services and rental counseling for some or all of the families who reside in a dwelling for which the agency provides assistance under section 8 or 9; and

COUNSELING SUPPORT PROGRAM.
“(2) involve partnerships with existing local service providers to leverage and otherwise take advantage of existing resources within the community.

“(c) Scope.—There shall be no limitation on the number of public housing agencies that the Secretary may approve for participation in the program under this section.

“(d) Program Requirements.—The Secretary shall require each public housing agency participating in the program under this section to establish and maintain plans, benchmarks, goals, and procedures sufficient to evaluate the effectiveness of the agency’s supportive services program in meeting the purpose under subsection (a) and to comply with the reporting requirements under subsection (g)(1).

“(e) Flexibility.—The Secretary shall provide that in designing or carrying out a supportive services program or activities under such a demonstration, a public housing agency may contract or partner with, hire, and otherwise consult or coordinate with other service providers, organizations, and entities to increase the effectiveness of the program and better leverage available resources.

“(f) Application.—

“(1) Submission.—The Secretary shall provide for public housing agencies to submit applications
for participation in the program under this section and shall establish standards and requirements for such applications, which shall include a description of how the agency will comply with the requirement under subsection (d).

“(2) Review and Determination.—Upon receipt of an application for participation in the program under this section, the Secretary shall promptly—

“(A) review such application;

“(B) make a determination of whether to approve such agency for participation in the program under this section, based on the criteria under paragraph (3); and

“(C) notify the public housing agency of such determination.

“(3) Criteria.—The Secretary shall establish criteria for approval of applications of public housing agencies for participation in the program under this section, which shall provide for approval of applications that are reasonably designed to carry out the purpose of the program under subsection (a).

“(g) Reports.—

“(1) By PHAS.—Each public housing agency participating in the program under this section shall
submit a report annually to the Secretary that de-
scribes the supportive services program of the agen-
cy, the activities under such program, and the ef-
fects of the program and the activities under the
program in addressing and achieving the purpose
specified under subsection (a), including the effects
of the program on—

“(A) the number of families that have
achieved economic independence from housing
assistance that is administered by the agency,
including vouchers for rental assistance under
section 8(o) of the United States Housing Act
of 1937 and dwelling units in public housing
and in housing assisted with project-based sec-
tion 8 assistance;

“(B) the number of new families the agen-
cy has been able to assist from the waiting lists
for housing assistance referred to in clause (i)
that is administered by the agency, as a result
of the flexibility of funds and achievement of
economic independence;

“(C) the cost and annual change, per fam-
ily participating in the program, of providing
housing assistance referred to in clause (i) that
is administered by the agency; and
“(D) the household incomes, and changes in such incomes, of families participating in the program; and

“(E) such other factors as the Secretary considers appropriate.

“(2) To Congress.—The Secretary shall submit a report annually to the Congress on the program under this section and the effects of the program and the activities under the program in addressing and achieving the purpose under subsection (a), including the effects of the program overall on the factors specified in subparagraphs (A) through (D) of paragraph (1) or identified pursuant to paragraph (1)(E).

“(h) Review and Continued Participation.—

The Secretary shall annually review the activities of each public housing agency participating in the program under this section and, based on such review and the most recent report of the agency submitted pursuant to subsection (g)(1), make a determination of whether—

“(1) the agency is complying with the requirements of the program under this section; and

“(2) therefore, the agency is eligible to continue such participation and the provisions of sections 102,
103, and 104 of the Section 8 Savings Act of 2011 shall continue to apply to the agency.”.

**TITLE II—OTHER SECTION 8 PROGRAM REFORMS**

SEC. 201. ELIGIBILITY FOR ASSISTANCE BASED ON ASSETS AND INCOME.

(a) Assets.—Section 16 of the United States Housing Act of 1937 (42 U.S.C. 1437n) is amended by inserting after subsection (d) the following new subsection:

“(e) Eligibility for Assistance Based on Assets.—

“(1) Limitation on Assets.—Subject to paragraph (3) and notwithstanding any other provision of this Act, a dwelling unit assisted under this Act may not be rented and assistance under this Act may not be provided, either initially or at each recertification of family income, to any family—

“(A) whose net family assets exceed $100,000, as such amount is adjusted annually by applying an inflationary factor as the Secretary considers appropriate; or

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

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

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

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

“(2) NET FAMILY ASSETS.—

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

“(B) EXCLUSIONS.—Such term does not
include—
“(i) the value of personal property, except for items of personal property of significant value, as the Secretary may establish or the public housing agency may determine;

“(ii) the value of any retirement account;

“(iii) real property for which the family does not have the effective legal authority necessary to sell such property;

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

“(v) the value of any Coverdell education savings account under section 530 of the Internal Revenue Code of 1986 or any qualified tuition program under section 529 of such Code; and

“(vi) such other exclusions as the Secretary may establish.

“(C) TRUST FUNDS.—In cases in which a trust fund has been established and the trust is
not revocable by, or under the control of, any
member of the family or household, the value of
the trust fund shall not be considered an asset
of a family if the fund continues to be held in
trust. Any income distributed from the trust
fund shall be considered income for purposes of
section 3(b) and any calculations of annual
family income, except in the case of medical ex-
penses for a minor.

“(3) Self-certification.—

“(A) Net Family Assets.—A public
housing agency or owner may determine the net
assets of a family, for purposes of this section,
based on a certification by the family that the
net assets of such family do not exceed
$50,000.

“(B) No Current Real Property Own-
ership.—A public housing agency or owner
may determine compliance with paragraph
(1)(B) based on a certification by the family
that such family does not have any current
ownership interest in any real property at the
time the agency or owner reviews the family’s
income.
“(C) Standardized forms.—The Secretary may develop standardized forms for the certifications referred to in subparagraphs (A) and (B).

“(4) Compliance for public housing dwelling units.—When recertifying family income with respect to families residing in public housing dwelling units, a public housing agency may, in the discretion of the agency and only pursuant to a policy that is set forth in the public housing agency plan under section 5A for the agency, choose not to enforce the limitation under paragraph (1).

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

“(6) AUTHORITY TO DELAY EVICTIONS.—In the case of a family residing in a dwelling unit assisted under this Act who does not comply with the limitation under paragraph (1), the public housing agency or project owner may delay eviction or termination of the family based on such noncompliance for a period of not more than 6 months.”

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

(1) in section 3(a)(1) (42 U.S.C. 1437a(a)(1)), by striking the first sentence and inserting the following: “Dwelling units assisted under this Act may be rented, and assistance under this Act may be provided, whether initially or at time of recertification, only to families who are low-income families at the time such initial or continued assistance, respectively, is provided, except that families residing in dwelling units as of the date of the enactment of the Section 8 Savings Act of 2011 that, under agreements in effect on such date of enactment, may have incomes up to 95 percent of local area median income shall continue to be eligible for assistance at recertification as long as they continue to comply
with such income restrictions. When recertifying family income with respect to families residing in public housing dwelling units, a public housing agency may, in the discretion of the agency and only pursuant to a policy that is set forth in the public housing agency plan under section 5A for the agency, choose not to enforce the prohibition under the preceding sentence. When recertifying family income with respect to families residing in dwelling units for which project-based assistance is provided, a project owner may, in the owner’s discretion and only pursuant to a policy adopted by such owner, choose not to enforce such prohibition. In the case of a family residing in a dwelling unit assisted under this Act who does not meet the requirements under the first sentence of this paragraph or the requirements under section 8(o)(4), the public housing agency or project owner may delay eviction or termination of the family based on such noncompliance for a period of not more than 6 months.”;

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

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

(3) in section 8(c)(4) (42 U.S.C. 1437f(e)(4)), by striking “at the time it initially occupied such dwelling unit” and inserting “according to the restrictions under section 3(a)(1)”.

SEC. 202. TARGETING ASSISTANCE TO LOW-INCOME WORKING FAMILIES.

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

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

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

(d) DEFINITION.—Section 3(b)(2) of the United
States Housing Act of 1937 (42 U.S.C. 1437a(b)(2)) is
amended by inserting after the period at the end of the
second sentence the following new sentence: “The term
‘extremely low-income families’ means very low-income
families whose incomes do not exceed the higher of (A)
the poverty guidelines updated periodically by the Depart-
ment of Health and Human Services under the authority
of section 673(2) of the Omnibus Budget Reconciliation
Act of 1981 (42 U.S.C. 9902(2)) applicable to a family
of the size involved, or (B) 30 percent of the median fam-
ily income for the area, as determined by the Secretary
with adjustments for smaller and larger families, except
that the Secretary may establish income ceilings higher
or lower than 30 percent of the median for the area on
the basis of the Secretary’s findings that such variations
are necessary because of unusually high or low family in-
comes, and except that clause (A) of this sentence shall
not apply in the case of public housing agencies located
in Puerto Rico or any other territory or possession of the
United States.”.

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

SEC. 203. USE OF VOUCHER FUNDS.

Subsection (dd) of section 8 of the United States
Housing Act of 1937 (42 U.S.C. 1437f(dd)) is amended—
(1) by striking “(dd) TENANT-BASED CON-
TRACT RENEWALS.—Subject” and inserting the fol-
lowing:;
“(dd) TENANT-BASED CONTRACT RENEWALS.—
“(1) IN GENERAL.—Subject”; and
(2) by adding at the end the following new
paragraphs:
“(2) LEASING RATE.—For purposes of deter-
mining annual allocations of voucher funding for
agencies, for 2012 and thereafter, the leasing rate
calculated for an agency for the prior calendar year
shall include vouchers that exceed the agency’s au-
thorized voucher level only if they are funded
through the allocation for the agency for the prior
year, including adjustments for incremental and new
tenant protection and enhanced vouchers.
“(3) RESERVES.—For 2012 and each calendar
year thereafter, each public housing agency shall be
allowed to retain as reserves an amount that is not
less than 6 percent of the amount allocated to such
agency in such calendar year prior to proration. The sources of such reserves may include all allocated amounts from such year plus reserves carried over from previous years. Reserves may be used for over-leasing in any year, regardless of whether such use is eligible for renewal funding in the subsequent calendar year.”.

SEC. 204. PHA PROJECT-BASED ASSISTANCE.

Paragraph (13) of section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(13)) is amended—

(1) by striking subparagraph (F) and inserting the following new subparagraph:

“(F) CONTRACT TERM.—A housing assistance payment contract pursuant to this paragraph between a public housing agency and the owner of a project may have a term of up to 20 years, subject to—

“(i) the availability of sufficient appropriated funds for the purpose of renewing expiring contracts for assistance payments, as provided in appropriation Acts and in the agency’s annual contributions contract with the Secretary, provided that in the event of insufficient appropriated
funds, payments due under contracts under this paragraph shall take priority if other cost-saving measures that do not re-
quire the termination of an existing con-
tract are available to the agency; and

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

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

(2) in subparagraph (G), by striking “15 years” and inserting “20 years”.

SEC. 205. ESTABLISHMENT OF FAIR MARKET RENT.

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

(1) by inserting “(A)” after the paragraph des-

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

(3) by adding at the end the following:

“(B) Fair market rentals for an area shall be published not less than annually by the Secretary on the site of the Department on the World Wide Web and in any other manner specified by the Secretary. Notice that such fair market rentals are being published shall be published in the Federal Register, and such fair market rentals shall become effective no earlier than 30 days after the date of such publication. The Secretary shall establish a procedure for public housing agencies and other interested parties to comment on such fair market rentals and to request, within a time specified by the Secretary, reevaluation of the fair market rental in a jurisdiction. The Secretary shall cause to be published for comment in the Federal Register notices of proposed material changes in the methodology for estimating fair market rentals and notices specifying the final decisions regarding such proposed substantial methodological changes and responses to public comments.”.

(b) PAYMENT STANDARD.—Subparagraph (B) of section 8(o)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(1)(B)) is amended by inserting before the period at the end the following: “, except that
no public housing agency shall be required as a result of a reduction in the fair market rental to reduce the payment standard applied to a family continuing to reside in a unit for which the family was receiving assistance under this section at the time the fair market rental was reduced. The Secretary shall allow public housing agencies to request exception payment standards within fair market rental areas subject to criteria and procedures established by the Secretary”.

(c) Effective Date.—The amendments made by this section shall take effect upon the date of the enactment of this Act.

SEC. 206. SCREENING OF APPLICANTS.

(a) In General.—Subparagraph (B) of section 8(o)(6) of the United States Housing Act of 1937 (1437f(o)(6)(B)) is amended—

(1) by striking “(B) Selection of Tenants.—Each” and inserting the following:

“(B) Selection of Tenants.—

“(i) Function of owner.—Each”;

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

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

“(ii) Screening.—In addition”;
(4) by inserting after “establish.” the following:

“A public housing agency’s elective screening shall be limited to criteria that are directly related to an applicant’s ability to fulfill the obligations of an assisted lease and shall consider mitigating circumstances presented by such applicant. The requirements of the preceding sentence shall not limit the ability of a public housing agency to deny assistance based on an applicant’s criminal background or any other permissible grounds for denial under subtitle F of title V of the Quality Housing and Work Responsibility Act of 1998 (42 U.S.C. 13661 et seq.; relating to safety and security in public and assisted housing), subject to the procedural requirements of this section. Any applicant or participant determined to be ineligible for admission or continued participation to the program shall be notified of the basis for such determination and provided, within a reasonable time after the determination, an opportunity for an informal hearing on such determination at which mitigating circumstances presented by the applicant, including remedial conduct subsequent to the conduct that is the basis of such determination, shall be considered.”; and

(5) by adding at the end the following:
“(iii) EXISTING ASSISTED FAMILIES.—Families being provided enhanced vouchers pursuant to subsection (t), families receiving assistance under this Act that are subsequently provided tenant-based assistance pursuant to subsection (dd)(1)(B), and families residing in multifamily housing subject to a mortgage insured under the National Housing Act that are provided tenant-based assistance pursuant to subsection (dd)(1)(B)(xiv) of this section shall not be considered new applicants under this paragraph and shall not be subject to elective re-screening by a public housing agency.”.

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

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

“(a) IN GENERAL.—Notwithstanding any other provision of law, an owner of federally assisted housing—
“(1) shall prohibit admission to such housing for any household that includes an individual who is subject to a lifetime registration requirement under a State sex offender registration program; and

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

SEC. 207. UTILITY DATA.

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

“(22) UTILITY DATA.—

“(A) PUBLICATION.—The Secretary shall, to the extent that data can be collected cost effectively, regularly publish such data regarding utility consumption and costs in local areas as the Secretary determines will be useful for the establishment of allowances for tenant-paid utilities for families assisted under this subsection.

“(B) USE OF DATA.—The Secretary shall provide such data in a manner that—
“(i) avoids unnecessary administrative burdens for public housing agencies; and

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

SEC. 208. FAMILY SELF-SUFFICIENCY PROGRAM.

(a) Expansion to Privately Owned Properties With Project-based Assistance.—Section 23 of the United States Housing Act of 1937 (42 U.S.C. 1437u) is amended—

(1) in subsection (a)—

(A) by striking “public housing and”; and

(B) by striking “the certificate and voucher programs under section 8” and inserting “sections 8 and 9 of this title”; and

(2) in subsection (b)—

(A) in paragraph (1), by striking “subsection (b) or (o) of section 8 or makes available new public housing dwelling units” and inserting “section 8 or 9”; and

(B) by adding at the end the following new paragraph:
“(6) Programs for tenants of privately owned properties with project-based assistance.—

“(A) Voluntary provision by existing local program.—The owner of a privately owned property for which project-based assistance is provided may voluntarily make a local Family Self-Sufficiency program available to tenants of the property by entering into a cooperative agreement with the public housing agency within whose jurisdiction the property is located, subject to the following provisions:

“(i) Existing local program.—A local Family Self-Sufficiency program may be made available to tenants of such a property only if the public housing agency is administering an existing Family Self-Sufficiency program.

“(ii) Administrative fee.—The public housing agency may count any family participating in its Family Self-Sufficiency program pursuant to this paragraph as part of the calculation of the administrative fee under subsection (h).
“(iii) Escrow Accounts.—The owner of the property shall agree to calculate, track, and upon request of the public housing agency, make available escrow for participating residents, in accordance with subsection (d)(2), residing in units in the property assisted under section 8.

“(B) Exception.—This paragraph shall not apply to properties assisted under section 8(o)(13).”;

(3) in subsection (c)—

(A) in the first sentence of paragraph (1), by striking “the certificate and voucher programs of the public housing agency under section 8 or residing in public housing administered by the agency” and inserting “section 8 or 9”; and

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking “section 8 or residing in public housing” and inserting “section 8 or 9”; 

(4) in the first sentence of subsection (f)(2), by inserting “, the owners or sponsors of multifamily properties receiving project-based rental assistance under section 8 that are served by the program (in
the case of a local program serving residents of multifamily properties receiving such assistance),” after “Social Security Act”;”

(5) in subsection (g)—

(A) in paragraph (2), by inserting “, the owners or sponsors of multifamily properties receiving project-based rental assistance under section 8 that are served by the program (in the case of a local program serving residents of multifamily properties receiving such assistance),” after “Social Security Act”; and

(B) in paragraph (3)—

(i) in subparagraph (C), by striking “the section 8 and public housing programs” and inserting “sections 8 and 9”; and

(ii) in subparagraph (I), by striking “public housing or section 8” and inserting “section 8 or 9”; and

(6) in subsection (j)—

(A) in the first sentence, by striking “public housing units in public housing projects administered by the agency” and inserting “units”; and

(B) in the last sentence—
(i) by striking “the facilities of a public housing agency” and inserting “facilities”; and

(ii) by striking “the agency under section 9” and inserting “an agency”; and

(7) in subsection (n)(5), by striking “public housing or housing assisted under section 8” and inserting “housing assisted under section 8 or 9”.

(b) FLEXIBILITY OF FUNDING FOR PHAS PARTICIPATING IN SELF-SUFFICIENCY AND RENTAL ASSISTANCE COUNSELING SUPPORT PROGRAM.—Subsection (h) of section 23 of the United States Housing Act of 1937 is amended by adding at the end the following new paragraph:

“(3) FLEXIBILITY OF FUNDING FOR PHAS PARTICIPATING IN SELF-SUFFICIENCY AND RENTAL ASSISTANCE COUNSELING SUPPORT PROGRAM.—Notwithstanding any other provision of this section, any public housing agency that is participating in and carrying out, as determined by the Secretary of Housing and Urban Development, a Self-Sufficiency and Rental Assistance Counseling Support Program under section 37 may use any amounts made available under this subsection or subsection (i) for carrying out such Self-Sufficiency and Rental Assist-
(c) Flexibility of Operations.—Subsection (k) of section 23 of the United States Housing Act of 1937 is amended by adding at the end the following new sentence: “The Secretary shall provide that in designing or carrying out a local self-sufficiency program, an eligible entity may contract or partner with, hire, and otherwise consult or coordinate with other service providers, organizations, and entities to increase the effectiveness of the program and better leverage available resources.”

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

(e) Effective Date.—The Secretary of Housing and Urban Development shall issue notice to implement the amendments made by this section and such amendments shall apply to fiscal year 2012 and fiscal years thereafter.
SEC. 209. STUDY REGARDING OCCUPANCY OF ASSISTED HOUSING BY BOTH ELDERLY PERSONS AND PERSONS WITH DISABILITIES.

(a) IN GENERAL.—The Secretary of Housing and Urban Development shall conduct a study on the impact that providing public and assisted housing projects designated for occupancy both by elderly persons and persons with disabilities (as such terms are defined under section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b))), including specifically persons with disabilities who are recovering from drug or alcohol abuse, has on the effectiveness of providing an appropriate living environment for such elderly persons.

(b) REPORT.—Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the Secretary shall submit a report to the Congress setting forth the findings and conclusions of the study conducted pursuant to subsection (a).

SEC. 210. HOUSING ASSISTANCE CRITERIA SIMPLIFICATION.

The polices and standards issued by the Secretary of Housing and Urban Development, in effect with respect to public housing projects on the date of the enactment of this Act, relating to the flexibility of the criteria that may be used to establish local preferences, the use of waiting list management tools, and the inclusion of certain ac-
activities in house rules and lease provisions shall also apply
to the programs for rental assistance under section 8 of

**TITLE III—ACCESS TO HUD PROGRAMS AND MARK-TO-MARKET PROGRAM EXTENSION**

**SEC. 301. ACCESS TO HUD PROGRAMS FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY.**

(a) HUD RESPONSIBILITIES.—To allow the Department of Housing and Urban Development to better serve persons with limited proficiency in the English language by providing technical assistance to recipients of Federal funds, the Secretary of Housing and Urban Development shall take the following actions:

(1) TASK FORCE.—Within 90 days after the enactment of this Act, convene a task force comprised of appropriate industry groups, recipients of funds from the Department of Housing and Urban Development (in this section referred to as the “Department”), community-based organizations that serve individuals with limited English proficiency, civil rights groups, and stakeholders, which shall periodically identify a list of vital documents, including Department and certain property and other documents, to be competently translated to improve access to
federally conducted and federally assisted programs
and activities for individuals with limited English
proficiency. Such lists shall identify priorities per-
taining to translation of such vital documents, con-
sistent with the Department’s Guidance to Federal
Financial Assistance Recipients Regarding Title VI
Prohibition Against National Origin Discrimination
Affecting Limited English Proficient Persons. The
task force shall meet not less frequently than twice
per year.

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

(3) PLAN.—Develop and carry out a plan that
includes providing resources of the Department to
assist recipients of Federal funds to improve access
to programs and activities for individuals with lim-
ited English proficiency, which plan shall include the
elements described in paragraph (4).
(4) **Housing Information Resource Center.**—Develop and maintain a housing information resource center to facilitate the provision of language services by recipients of funds of the Department to individuals with limited English proficiency. Information provided by such center shall be made available in printed form and through the Internet. The resources provided by the center shall include the following:

(A) **Translation of Written Materials.**—The center may provide, directly or through contract, translations of vital documents from competent translation services for recipients of funds of the Department.

(B) **Interpretation Services Telephone Line.**—

(i) **Requirement.**—The center shall provide a 24-hour interpretation services telephone line, by which recipients of funds of the Department and individuals with limited English proficiency can jointly access such line in order to receive interpretation services with respect to housing access and receipt of assistance under programs funded by the Department. Such
telephone line shall supplement resources in the community identified by the plan pursuant to paragraph (3).

(ii) FEE.—The Secretary may establish and collect a reasonable fee, to the extent provided in advance in an appropriations Act, to cover the actual cost of the service provided pursuant to clause (i), which shall be payable by the recipient of the Department’s funds using the service. Such fees and other expenses incurred to provide language services to persons with limited English proficiency paid by recipients of the Department’s funds shall be permitted to be payable from funds available for implementing affirmative marketing strategies and from funds available for administration of rental assistance, including funds under section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)). Recipients of the Department’s funds may not seek reimbursement for such fees and other expenses from families being assisted by or appli-
cants for federal financial assistance from
the Department’s funds.

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

(i) administrative and property docu-
ments;

(ii) legally binding documents;

(iii) consumer education and outreach
materials;

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

(v) remedies available to consumers.

(b) SAVINGS CLAUSE.—Nothing in this section shall
be construed as to limit the meaning or applicability of
title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d
et seq.), executive orders, or of lawfully promulgated rules,
regulations, guidance, or orders of general applicability
issued by the Department to effectuate such title VI.
SEC. 302. EXTENSION OF MARK-TO-MARKET PROGRAM.

Section 579 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437 note) is amended by striking “October 1, 2011” each place such term appears and inserting “October 1, 2015”.