

AMENDMENT NO. 1

Calendar No. _____

Purpose: To provide a complete substitute.

IN THE SENATE OF THE UNITED STATES—110th Cong., 1st Sess.**S. 1518**

To amend the McKinney-Vento Homeless Assistance Act to reauthorize the Act, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. DODD (for himself, Mr. SHELBY, Mr. REED, and Mr. ALLARD)

Viz:

1 Strike all after the enacting clause and insert the following:
2

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Community Partnership to End Homelessness Act of
6 2007”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings and purpose.
- Sec. 3. General definition of homeless individual.

- Sec. 4. United States Interagency Council on Homelessness.
- Sec. 5. Housing assistance general provisions.
- Sec. 6. Emergency solutions grants program.
- Sec. 7. Homeless assistance program.
- Sec. 8. Rural housing stability assistance.
- Sec. 9. Repeals and conforming amendments.
- Sec. 10. Special assistant for Veterans Affairs in Office of Secretary of Housing and Urban Development.
- Sec. 11. Effective date.

1 **SEC. 2. FINDINGS AND PURPOSE.**

2 Section 102 of the McKinney-Vento Homeless Assist-
3 ance Act (42 U.S.C. 11301) is amended to read as follows:

4 **“SEC. 102. FINDINGS AND PURPOSE.**

5 “(a) FINDINGS.—Congress finds that—

6 “(1) the United States faces a crisis of individ-
7 uals and families who lack basic affordable housing
8 and appropriate shelter;

9 “(2) assistance from the Federal Government is
10 an important factor in the success of efforts by
11 State and local governments and the private sector
12 to address the problem of homelessness in a com-
13 prehensive manner;

14 “(3) there are several Federal Government pro-
15 grams to assist persons experiencing homelessness,
16 including programs for individuals with disabilities,
17 veterans, children, and youth;

18 “(4) homeless assistance programs must be
19 evaluated on the basis of their effectiveness in reduc-
20 ing homelessness, transitioning individuals and fami-

1 lies to permanent housing and stability, and opti-
2 mizing their self-sufficiency;

3 “(5) States and units of general local govern-
4 ment receiving Federal block grant and other Fed-
5 eral grant funds must be evaluated on the basis of
6 their effectiveness in—

7 “(A) implementing plans to appropriately
8 discharge individuals to and from mainstream
9 service systems; and

10 “(B) reducing barriers to participation in
11 mainstream programs, as identified in—

12 “(i) a report by the Government Ac-
13 countability Office entitled ‘Homelessness:
14 Coordination and Evaluation of Programs
15 Are Essential’, issued February 26, 1999;
16 or

17 “(ii) a report by the Government Ac-
18 countability Office entitled ‘Homelessness:
19 Barriers to Using Mainstream Programs’,
20 issued July 6, 2000;

21 “(6) an effective plan for reducing homelessness
22 should provide a comprehensive housing system (in-
23 cluding permanent housing and, as needed, transi-
24 tional housing) that recognizes that, while some indi-
25 viduals and families experiencing homelessness at-

1 tain economic viability and independence utilizing
2 transitional housing and then permanent housing,
3 others can reenter society directly and optimize self-
4 sufficiency through acquiring permanent housing;

5 “(7) supportive housing activities include the
6 provision of permanent housing or transitional hous-
7 ing, and appropriate supportive services, in an envi-
8 ronment that can meet the short-term or long-term
9 needs of persons experiencing homelessness as they
10 reintegrate into mainstream society;

11 “(8) homeless housing and supportive services
12 programs within a community are most effective
13 when they are developed and operated as part of an
14 inclusive, collaborative, locally driven homeless plan-
15 ning process that involves as decision makers per-
16 sons experiencing homelessness, advocates for per-
17 sons experiencing homelessness, service organiza-
18 tions, government officials, business persons, neigh-
19 borhood advocates, and other community members;

20 “(9) homelessness should be treated as a symp-
21 tom of many neighborhood, community, and system
22 problems, whose remedies require a comprehensive
23 approach integrating all available resources;

24 “(10) there are many private sector entities,
25 particularly nonprofit organizations, that have suc-

1 cessfully operated outcome-effective homeless pro-
2 grams;

3 “(11) Federal homeless assistance should sup-
4 plement other public and private funding provided
5 by communities for housing and supportive services
6 for low-income households;

7 “(12) the Federal Government has a responsi-
8 bility to establish partnerships with State and local
9 governments and private sector entities to address
10 comprehensively the problems of homelessness; and

11 “(13) the results of Federal programs targeted
12 for persons experiencing homelessness have been
13 positive.

14 “(b) PURPOSE.—It is the purpose of this Act—

15 “(1) to create a unified and performance-based
16 process for allocating and administering funds under
17 title IV;

18 “(2) to encourage comprehensive, collaborative
19 local planning of housing and services programs for
20 persons experiencing homelessness;

21 “(3) to focus the resources and efforts of the
22 public and private sectors on ending and preventing
23 homelessness;

24 “(4) to provide funds for programs to assist in-
25 dividuals and families in the transition from home-

1 lessness, and to prevent homelessness for those vul-
2 nerable to homelessness;

3 “(5) to consolidate the separate homeless assist-
4 ance programs carried out under title IV (consisting
5 of the supportive housing program and related inno-
6 vative programs, the safe havens program, the sec-
7 tion 8 assistance program for single-room occupancy
8 dwellings, and the shelter plus care program) into a
9 single program with specific eligible activities;

10 “(6) to allow flexibility and creativity in re-
11 thinking solutions to homelessness, including alter-
12 native housing strategies, outcome-effective service
13 delivery, and the involvement of persons experiencing
14 homelessness in decision-making regarding opportu-
15 nities for their long-term stability, growth, well-
16 being, and optimum self-sufficiency; and

17 “(7) to ensure that multiple Federal agencies
18 are involved in the provision of housing, health care,
19 human services, employment, and education assist-
20 ance, as appropriate for the missions of the agencies,
21 to persons experiencing homelessness, through the
22 funding provided for implementation of programs
23 carried out under this Act and other programs tar-
24 geted for persons experiencing homelessness, and
25 mainstream funding, and to promote coordination

1 among those Federal agencies, including providing
2 funding for a United States Interagency Council on
3 Homelessness to advance such coordination.”.

4 **SEC. 3. GENERAL DEFINITION OF HOMELESS INDIVIDUAL.**

5 Section 103(a) of the McKinney-Vento Homeless As-
6 sistance Act (42 U.S.C. 11302(a)) is amended—

7 (1) in the matter preceding paragraph (1), by
8 striking “or ‘homeless individual or homeless person’
9 includes” and inserting “, ‘homeless individual’, or
10 ‘homeless person’ includes”;

11 (2) in paragraph (1), by striking “; and” and
12 inserting a semicolon;

13 (3) in paragraph (2)—

14 (A) in subparagraph (A)—

15 (i) by striking “welfare hotels” and
16 inserting “hotels or motels paid for by
17 Federal, State, or local government pro-
18 grams for low-income individuals or by
19 charitable organizations”; and

20 (ii) by striking “for the mentally ill”;

21 and

22 (B) in subparagraph (C), by striking the
23 period and inserting “, including a camp-
24 ground;”; and

25 (4) by adding at the end the following:

1 “(3) an individual or family who—

2 “(A) has a primary nighttime residence
3 that is owned or leased by another person be-
4 cause the individual or family lacks the re-
5 sources necessary to rent a decent and safe
6 housing unit;

7 “(B) has been notified by the owner or
8 renter of the residence described in subpara-
9 graph (A) that the individual or family may
10 stay for only a short period of time;

11 “(C) has changed primary residences—

12 “(i) 3 or more times in the past year;

13 or

14 “(ii) 2 or more times in the past 21
15 days; and

16 “(D) is unable to make a significant finan-
17 cial contribution to the housing costs of the
18 owner or renter of the residence described in
19 subparagraph (A); and

20 “(4) an individual or family who—

21 “(A) has a primary nighttime residence
22 that is a room in a hotel or motel because the
23 individual or family lacks the resources nec-
24 essary to rent a decent and safe housing unit;

1 “(B) lacks the resources to pay for the
2 hotel or motel room for more than a short pe-
3 riod of time; and

4 “(C) has changed primary residences—

5 “(i) 3 or more times in the past year;

6 or

7 “(ii) 2 or more times in the past 21
8 days.”.

9 **SEC. 4. UNITED STATES INTERAGENCY COUNCIL ON HOME-**
10 **LESSNESS.**

11 Title II of the McKinney-Vento Homeless Assistance
12 Act (42 U.S.C. 11311 et seq.) is amended—

13 (1) in section 201 (42 U.S.C. 11311), by strik-
14 ing the period at the end and inserting the following:
15 “whose mission shall be to develop and coordinate
16 the implementation of a national strategy to prevent
17 and end homelessness while maximizing the effec-
18 tiveness of the Federal Government in contributing
19 to an end to homelessness in the United States.”;

20 (2) in section 202 (42 U.S.C. 11312)—

21 (A) in subsection (a)—

22 (i) by striking “(16)” and inserting
23 “(19)”; and

24 (ii) by inserting after paragraph (15)
25 the following:

1 “(16) The Commissioner of Social Security, or
2 the designee of the Commissioner.

3 “(17) The Attorney General of the United
4 States, or the designee of the Attorney General.

5 “(18) The Director of the Office of Manage-
6 ment and Budget, or the designee of the Director.”;

7 (B) in subsection (c), by striking “annu-
8 ally” and inserting “2 times each year”; and

9 (C) by adding at the end the following:

10 “(e) ADMINISTRATION.—The Executive Director of
11 the Council shall report to the Chairman of the Council.”;

12 (3) in section 203(a) (42 U.S.C. 11313(a))—

13 (A) by redesignating paragraphs (1), (2),
14 (3), (4), (5), (6), and (7) as paragraphs (2),
15 (3), (4), (5), (8), (9), and (10), respectively;

16 (B) by inserting before paragraph (2), as
17 redesignated by subparagraph (A), the fol-
18 lowing:

19 “(1) not later than 1 year after the date of en-
20 actment of the Community Partnership to End
21 Homelessness Act of 2007, develop and submit to
22 the President and to Congress a National Strategic
23 Plan to End Homelessness;”;

24 (C) in paragraph (5), as redesignated by
25 subparagraph (A), by striking “at least 2, but

1 in no case more than 5” and inserting “not less
2 than 5, but in no case more than 10”; and

3 (D) by inserting after paragraph (5), as
4 redesignated by subparagraph (A), the fol-
5 lowing:

6 “(6) encourage the creation of State Inter-
7 agency Councils on Homelessness and the formula-
8 tion of multi-year plans to end homelessness at
9 State, city, and county levels;

10 “(7) develop mechanisms to ensure access by
11 persons experiencing homelessness to all Federal,
12 State, and local programs for which the persons are
13 eligible, and to verify collaboration among entities
14 within a community that receive Federal funding
15 under programs targeted for persons experiencing
16 homelessness, and other programs for which persons
17 experiencing homelessness are eligible, including
18 mainstream programs identified by the Government
19 Accountability Office in the 2 reports described in
20 section 102(a)(5)(B);” and

21 (4) by striking section 208 (42 U.S.C. 11318)
22 and inserting the following:

23 **“SEC. 208. AUTHORIZATION OF APPROPRIATIONS.**

24 “There are authorized to be appropriated to carry out
25 this title \$3,000,000 for fiscal year 2008 and such sums

1 as may be necessary for fiscal years 2009, 2010, 2011,
2 and 2012.”.

3 **SEC. 5. HOUSING ASSISTANCE GENERAL PROVISIONS.**

4 Subtitle A of title IV of the McKinney-Vento Home-
5 less Assistance Act (42 U.S.C. 11361 et seq.) is amend-
6 ed—

7 (1) by striking the subtitle heading and insert-
8 ing the following:

9 **“Subtitle A—General Provisions”;**

10 (2) by redesignating section 401 (42 U.S.C.
11 11361) as section 403;

12 (3) by redesignating section 402 (42 U.S.C.
13 11362) as section 406;

14 (4) by inserting before section 403 (as redesign-
15 nated in paragraph (2)) the following:

16 **“SEC. 401. DEFINITIONS.**

17 “In this title, the following definitions shall apply:

18 “(1) **AT RISK OF HOMELESSNESS.**—The term
19 ‘at risk of homelessness’ used with respect to an in-
20 dividual or family means an individual or family
21 who—

22 “(A) has income below 20 percent of me-
23 dian income for the geographic area;

24 “(B) has insufficient resources immediately
25 available to attain housing stability; and

1 “(C)(i) has moved frequently because of
2 economic reasons;

3 “(ii) is living in the home of another be-
4 cause of economic hardship;

5 “(iii) has been notified that their right to
6 occupy their current housing or living situation
7 will be terminated;

8 “(iv) lives in a hotel or motel;

9 “(v) lives in severely overcrowded housing;
10 or

11 “(vi) otherwise lives in housing that has
12 characteristics associated with instability and
13 an increased risk of homelessness.

14 “(2) CHRONICALLY HOMELESS.—

15 “(A) IN GENERAL.—The term ‘chronically
16 homeless’, used with respect to an individual or
17 family, means an individual or family who—

18 “(i) is homeless and lives or resides in
19 a place not meant for human habitation, a
20 safe haven, or in an emergency shelter;

21 “(ii) has been homeless and living or
22 residing in a place not meant for human
23 habitation, a safe haven, or in an emer-
24 gency shelter continuously for at least 1

1 year or on at least 4 separate occasions in
2 the last 3 years; and

3 “(iii) has an adult head of household
4 (or a minor head of household if no adult
5 is present in the household) with a
6 diagnosable substance use disorder, serious
7 mental illness, developmental disability (as
8 defined in section 102 of the Develop-
9 mental Disabilities Assistance and Bill of
10 Rights Act of 2000 (42 U.S.C. 15002)),
11 post traumatic stress disorder, cognitive
12 impairments resulting from a brain injury,
13 or chronic physical illness or disability, in-
14 cluding the co-occurrence of 2 or more of
15 those conditions.

16 “(B) RULE OF CONSTRUCTION.—A person
17 who currently lives or resides in an institutional
18 care facility, including a jail, substance abuse or
19 mental health treatment facility, hospital or
20 other similar facility, and has resided there for
21 fewer than 90 days shall be considered chron-
22 ically homeless if such person met all of the re-
23 quirements described in subparagraph (A) prior
24 to entering that facility.

1 “(3) COLLABORATIVE APPLICANT.—The term
2 ‘collaborative applicant’ means an entity that—

3 “(A) carries out the duties specified in sec-
4 tion 402;

5 “(B) serves as the applicant for project
6 sponsors who jointly submit a single application
7 for a grant under subtitle C in accordance with
8 a collaborative process; and

9 “(C) if the entity is a legal entity and is
10 awarded such grant, receives such grant di-
11 rectly from the Secretary.

12 “(4) COLLABORATIVE APPLICATION.—The term
13 ‘collaborative application’ means an application for a
14 grant under subtitle C that—

15 “(A) satisfies section 422; and

16 “(B) is submitted to the Secretary by a
17 collaborative applicant.

18 “(5) CONSOLIDATED PLAN.—The term ‘Con-
19 solidated Plan’ means a comprehensive housing af-
20 fordability strategy and community development
21 plan required in part 91 of title 24, Code of Federal
22 Regulations.

23 “(6) ELIGIBLE ENTITY.—The term ‘eligible en-
24 tity’ means, with respect to a subtitle, a public enti-
25 ty, a private entity, or an entity that is a combina-

1 tion of public and private entities, that is eligible to
2 receive directly grant amounts under that subtitle.

3 “(7) GEOGRAPHIC AREA.—The term ‘geo-
4 graphic area’ means a State, metropolitan city,
5 urban county, town, village, or other nonentitlement
6 area, or a combination or consortia of such, in the
7 United States, as described in section 106 of the
8 Housing and Community Development Act of 1974
9 (42 U.S.C. 5306).

10 “(8) HOMELESS INDIVIDUAL WITH A DIS-
11 ABILITY.—

12 “(A) IN GENERAL.—The term ‘homeless
13 individual with a disability’ means an individual
14 who is homeless, as defined in section 103, and
15 has a disability that—

16 “(i)(I) is expected to be long-con-
17 tinuing or of indefinite duration;

18 “(II) substantially impedes the indi-
19 vidual’s ability to live independently;

20 “(III) could be improved by the provi-
21 sion of more suitable housing conditions;
22 and

23 “(IV) is a physical, mental, or emo-
24 tional impairment, including an impair-

1 ment caused by alcohol or drug abuse, post
2 traumatic stress disorder, or brain injury;

3 “(ii) is a developmental disability, as
4 defined in section 102 of the Develop-
5 mental Disabilities Assistance and Bill of
6 Rights Act of 2000 (42 U.S.C. 15002); or

7 “(iii) is the disease of acquired im-
8 munodeficiency syndrome or any condition
9 arising from the etiologic agency for ac-
10 quired immunodeficiency syndrome.

11 “(B) RULE.—Nothing in clause (iii) of
12 subparagraph (A) shall be construed to limit
13 eligibility under clause (i) or (ii) of subpara-
14 graph (A).

15 “(9) LEGAL ENTITY.—The term ‘legal entity’
16 means—

17 “(A) an entity described in section
18 501(c)(3) of the Internal Revenue Code of 1986
19 and exempt from tax under section 501(a) of
20 that Code;

21 “(B) an instrumentality of State or local
22 government; or

23 “(C) a consortium of instrumentalities of
24 State or local governments that has constituted
25 itself as an entity.

1 “(10) METROPOLITAN CITY; URBAN COUNTY;
2 NONENTITLEMENT AREA.—The terms ‘metropolitan
3 city’, ‘urban county’, and ‘nonentitlement area’ have
4 the meanings given such terms in section 102(a) of
5 the Housing and Community Development Act of
6 1974 (42 U.S.C. 5302(a)).

7 “(11) NEW.—The term ‘new’, used with respect
8 to housing, means housing for which no assistance
9 has been provided under this title.

10 “(12) OPERATING COSTS.—The term ‘operating
11 costs’ means expenses incurred by a project sponsor
12 operating transitional housing or permanent housing
13 under this title with respect to—

14 “(A) the administration, maintenance, re-
15 pair, and security of such housing;

16 “(B) utilities, fuel, furnishings, and equip-
17 ment for such housing; or

18 “(C) coordination of services as needed to
19 ensure long-term housing stability.

20 “(13) OUTPATIENT HEALTH SERVICES.—The
21 term ‘outpatient health services’ means outpatient
22 health care services, mental health services, and out-
23 patient substance abuse treatment services.

24 “(14) PERMANENT HOUSING.—The term ‘per-
25 manent housing’ means community-based housing

1 without a designated length of stay, and includes
2 permanent supportive housing for homeless individ-
3 uals with disabilities and homeless families that in-
4 clude such an individual who is an adult.

5 “(15) PRIVATE NONPROFIT ORGANIZATION.—
6 The term ‘private nonprofit organization’ means an
7 organization—

8 “(A) no part of the net earnings of which
9 inures to the benefit of any member, founder,
10 contributor, or individual;

11 “(B) that has a voluntary board;

12 “(C) that has an accounting system, or has
13 designated a fiscal agent in accordance with re-
14 quirements established by the Secretary; and

15 “(D) that practices nondiscrimination in
16 the provision of assistance.

17 “(16) PROJECT.—The term ‘project’, used with
18 respect to activities carried out under subtitle C,
19 means eligible activities described in section 423(a),
20 undertaken pursuant to a specific endeavor, such as
21 serving a particular population or providing a par-
22 ticular resource.

23 “(17) PROJECT-BASED.—The term ‘project-
24 based’, used with respect to rental assistance, means
25 assistance provided pursuant to a contract that—

1 “(A) is between—

2 “(i) a project sponsor; and

3 “(ii) an owner of a structure that ex-
4 ists as of the date the contract is entered
5 into; and

6 “(B) provides that rental assistance pay-
7 ments shall be made to the owner and that the
8 units in the structure shall be occupied by eligi-
9 ble persons for not less than the term of the
10 contract.

11 “(18) PROJECT SPONSOR.—The term ‘project
12 sponsor’, used with respect to proposed eligible ac-
13 tivities, means the organization directly responsible
14 for the proposed eligible activities.

15 “(19) RECIPIENT.—Except as used in subtitle
16 B, the term ‘recipient’ means an eligible entity
17 who—

18 “(A) submits an application for a grant
19 under section 422 that is approved by the Sec-
20 retary;

21 “(B) receives the grant directly from the
22 Secretary to support approved projects de-
23 scribed in the application; and

24 “(C)(i) serves as a project sponsor for the
25 projects; or

1 “(ii) awards the funds to project sponsors
2 to carry out the projects.

3 “(20) SECRETARY.—The term ‘Secretary’
4 means the Secretary of Housing and Urban Develop-
5 ment.

6 “(21) SERIOUS MENTAL ILLNESS.—The term
7 ‘serious mental illness’ means a severe and per-
8 sistent mental illness or emotional impairment that
9 seriously limits a person’s ability to live independ-
10 ently.

11 “(22) STATE.—Except as used in subtitle B,
12 the term ‘State’ means each of the several States,
13 the District of Columbia, the Commonwealth of
14 Puerto Rico, the United States Virgin Islands,
15 Guam, American Samoa, the Commonwealth of the
16 Northern Mariana Islands, the Trust Territory of
17 the Pacific Islands, and any other territory or pos-
18 session of the United States.

19 “(23) SUPPORTIVE SERVICES.—The term ‘sup-
20 portive services’ means the supportive services de-
21 scribed in section 425(c).

22 “(24) TENANT-BASED.—The term ‘tenant-
23 based’, used with respect to rental assistance, means
24 assistance that allows an eligible person to select a
25 housing unit in which such person will live using

1 rental assistance provided under subtitle C, except
2 that if necessary to assure that the provision of sup-
3 portive services to a person participating in a pro-
4 gram is feasible, a recipient or project sponsor may
5 require that the person live—

6 “(A) in a particular structure or unit for
7 not more than the first year of the participa-
8 tion; and

9 “(B) within a particular geographic area
10 for the full period of the participation, or the
11 period remaining after the period referred to in
12 subparagraph (A).

13 “(25) TRANSITIONAL HOUSING.—The term
14 ‘transitional housing’ means housing, the purpose of
15 which is to facilitate the movement of individuals
16 and families experiencing homelessness to permanent
17 housing within 24 months or such longer period as
18 the Secretary determines necessary.

19 “(26) UNIFIED FUNDING AGENCY.—The term
20 ‘unified funding agency’ means a collaborative appli-
21 cant that performs the duties described in section
22 402(g).

1 **“SEC. 402. COLLABORATIVE APPLICANTS.**

2 “(a) ESTABLISHMENT AND DESIGNATION.—A col-
3 laborative applicant shall be established for a geographic
4 area by the relevant parties in that geographic area to—

5 “(1) submit an application for amounts under
6 this subtitle; and

7 “(2) perform the duties specified in subsection
8 (f) and, if applicable, subsection (g).

9 “(b) NO REQUIREMENT TO BE A LEGAL ENTITY.—
10 An entity may be established to serve as a collaborative
11 applicant under this section without being a legal entity.

12 “(c) REMEDIAL ACTION.—If the Secretary finds that
13 a collaborative applicant for a geographic area does not
14 meet the requirements of this section, or if there is no
15 collaborative applicant for a geographic area, the Sec-
16 retary may take remedial action to ensure fair distribution
17 of grant amounts under subtitle C to eligible entities with-
18 in that area. Such measures may include designating an-
19 other body as a collaborative applicant, or permitting
20 other eligible entities to apply directly for grants.

21 “(d) CONSTRUCTION.—Nothing in this section shall
22 be construed to displace conflict of interest or government
23 fair practices laws, or their equivalent, that govern appli-
24 cants for grant amounts under subtitles B and C.

25 “(e) APPOINTMENT OF AGENT.—

1 “(1) IN GENERAL.—Subject to paragraph (2), a
2 collaborative applicant may designate an agent—

3 “(A) apply for a grant under section
4 422(c);

5 “(B) receive and distribute grant funds
6 awarded under subtitle C; and

7 “(C) perform other administrative duties.

8 “(2) RETENTION OF DUTIES.—Any collabo-
9 rative applicant that designates an agent pursuant
10 to paragraph (1) shall regardless of such designation
11 retain all of its duties and responsibilities under this
12 title.

13 “(f) DUTIES.—A collaborative applicant shall—

14 “(1) design a collaborative process for the de-
15 velopment of an application under subtitle C, and
16 for evaluating the outcomes of projects for which
17 funds are awarded under subtitle B, in such a man-
18 ner as to provide information necessary for the Sec-
19 retary—

20 “(A) to determine compliance with—

21 “(i) the program requirements under
22 section 425; and

23 “(ii) the selection criteria described
24 under section 427; and

1 “(B) to establish priorities for funding
2 projects in the geographic area involved;

3 “(2) participate in the Consolidated Plan for
4 the geographic area served by the collaborative ap-
5 plicant; and

6 “(3) ensure operation of, and consistent partici-
7 pation by, project sponsors in a community-wide
8 homeless management information system for pur-
9 poses of —

10 “(A) collecting unduplicated counts of indi-
11 viduals and families experiencing homelessness;

12 “(B) analyzing patterns of use of assist-
13 ance provided under subtitles B and C for the
14 geographic area involved; and

15 “(C) providing information to project spon-
16 sors and applicants for needs analyses and
17 funding priorities.

18 “(g) UNIFIED FUNDING.—

19 “(1) IN GENERAL.—In addition to the duties
20 described in subsection (f), a collaborative applicant
21 shall receive from the Secretary and distribute to
22 other project sponsors in the applicable geographic
23 area funds for projects to be carried out by such
24 other project sponsors, if—

25 “(A) the collaborative applicant—

1 “(i) applies to undertake such collec-
2 tion and distribution responsibilities in an
3 application submitted under this subtitle;
4 and

5 “(ii) is selected to perform such re-
6 sponsibilities by the Secretary; or

7 “(B) the Secretary designates the collabo-
8 rative applicant as the unified funding agency
9 in the geographic area, after—

10 “(i) a finding by the Secretary that
11 the applicant—

12 “(I) has the capacity to perform
13 such responsibilities; and

14 “(II) would serve the purposes of
15 this Act as they apply to the geo-
16 graphic area; and

17 “(ii) the Secretary provides the col-
18 laborative applicant with the technical as-
19 sistance necessary to perform such respon-
20 sibilities as such assistance is agreed to by
21 the collaborative applicant.

22 “(2) REQUIRED ACTIONS BY A UNIFIED FUND-
23 ING AGENCY.—A collaborative applicant that is ei-
24 ther selected or designated as a unified funding

1 agency for a geographic area under paragraph (1)
2 shall—

3 “(A) require each project sponsor who is
4 funded by a grant received under subtitle C to
5 establish such fiscal control and fund account-
6 ing procedures as may be necessary to assure
7 the proper disbursement of, and accounting for,
8 Federal funds awarded to the project sponsor
9 under subtitle C in order to ensure that all fi-
10 nancial transactions carried out under subtitle
11 C are conducted, and records maintained, in ac-
12 cordance with generally accepted accounting
13 principles; and

14 “(B) arrange for an annual survey, audit,
15 or evaluation of the financial records of each
16 project carried out by a project sponsor funded
17 by a grant received under subtitle C.

18 “(h) CONFLICT OF INTEREST.—No board member of
19 a collaborative applicant may participate in decisions of
20 the collaborative applicant concerning the award of a
21 grant, or provision of other financial benefits, to such
22 member or the organization that such member rep-
23 resents.”;

24 (5) by inserting after section 403 (as redesign-
25 nated in paragraph (2)) the following:

1 **“SEC. 404. TECHNICAL ASSISTANCE.**

2 “(a) TECHNICAL ASSISTANCE FOR PROJECT SPON-
3 SORS.—The Secretary shall make effective technical as-
4 sistance available to private nonprofit organizations and
5 other nongovernmental entities, States, metropolitan cit-
6 ies, urban counties, and counties that are not urban coun-
7 ties that are potential project sponsors, in order to imple-
8 ment effective planning processes for preventing and end-
9 ing homelessness, to optimize self-sufficiency among indi-
10 viduals experiencing homelessness, and to improve their
11 capacity to become project sponsors.

12 “(b) TECHNICAL ASSISTANCE FOR COLLABORATIVE
13 APPLICANTS.—The Secretary shall make effective tech-
14 nical assistance available to collaborative applicants—

15 “(1) to improve their ability to carry out the
16 duties required under subsections (f) and (g) of sec-
17 tion 402;

18 “(2) to design and execute outcome-effective
19 strategies for preventing and ending homelessness in
20 their geographic areas consistent with the provisions
21 of this title; and

22 “(3) to design and implement a community-
23 wide process for assessing the performance of the
24 applicant and project sponsors in meeting the pur-
25 poses of this Act.

1 “(c) RESERVATION.—The Secretary may reserve not
2 more than 1 percent of the funds made available for any
3 fiscal year for carrying out subtitles B and C, to make
4 available technical assistance under subsections (a) and
5 (b).

6 **“SEC. 405. APPEALS.**

7 “(a) IN GENERAL.—Not later than 3 months after
8 the date of enactment of the Community Partnership to
9 End Homelessness Act of 2007, the Secretary shall estab-
10 lish a timely appeal procedure for grant amounts awarded
11 or denied under this subtitle pursuant to an application
12 for funding.

13 “(b) PROCESS.—The Secretary shall ensure that ap-
14 peals procedure established under subsection (a) permits
15 appeals submitted by—

16 “(1) collaborative applicants;

17 “(2) entities carrying out homeless housing and
18 services projects (including emergency shelters and
19 homelessness prevention programs); and

20 “(3) homeless planning bodies not established
21 as collaborative applicants.”; and

22 (6) by inserting after section 406 (as redesign-
23 nated in paragraph (2)) the following:

1 **“SEC. 407. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to carry out
3 this title \$2,200,000,000 for fiscal year 2008 and such
4 sums as may be necessary for fiscal years 2009, 2010,
5 2011, and 2012.”.

6 **SEC. 6. EMERGENCY SOLUTIONS GRANTS PROGRAM.**

7 Subtitle B of title IV of the McKinney-Vento Home-
8 less Assistance Act (42 U.S.C. 11371 et seq.) is amend-
9 ed—

10 (1) by striking the subtitle heading and insert-
11 ing the following:

12 **“Subtitle B—Emergency Solutions**
13 **Grants Program”;**

14 (2) by striking section 412 (42 U.S.C. 11372)
15 and inserting the following:

16 **“SEC. 412. GRANT ASSISTANCE.**

17 “The Secretary shall make grants to States and local
18 governments (and to private nonprofit organizations pro-
19 viding assistance to persons experiencing homelessness, in
20 the case of grants made with reallocated amounts) for the
21 purpose of carrying out activities described in section 414.

22 **“SEC. 412A. AMOUNT AND ALLOCATION OF ASSISTANCE.**

23 “(a) IN GENERAL.—Of the amount made available
24 to carry out this subtitle and subtitle C for a fiscal year,
25 the Secretary shall allocate nationally 20 percent of such
26 amount for activities described in section 414. The Sec-

1 retary shall be required to certify that such allocation will
2 not adversely affect the renewal of existing projects under
3 this subtitle and subtitle C for those individuals or families
4 who are homeless.

5 “(b) ALLOCATION.—An entity that receives a grant
6 under section 412, and serves an area that includes 1 or
7 more geographic areas (or portions of such areas) served
8 by collaborative applicants that submit applications under
9 subtitle C, shall allocate the funds made available through
10 the grant to carry out activities described in section 414,
11 in consultation with the collaborative applicants.”;

12 (3) in section 413(b) (42 U.S.C. 11373(b)), by
13 striking “amounts appropriated” and all that follows
14 through “for any” and inserting “amounts appro-
15 priated under section 407 and made available to
16 carry out this subtitle for any”;

17 (4) by striking section 414 (42 U.S.C. 11374)
18 and inserting the following:

19 **“SEC. 414. ELIGIBLE ACTIVITIES.**

20 “(a) IN GENERAL.—Assistance provided under sec-
21 tion 412 may be used for the following activities:

22 “(1) The renovation, major rehabilitation, or
23 conversion of buildings to be used as emergency
24 shelters.

1 “(2) The provision of essential services related
2 to emergency shelter or street outreach, including
3 services concerned with employment, health, edu-
4 cation, family support services for homeless youth,
5 alcohol or drug abuse prevention or treatment, or
6 mental health treatment, if such essential services
7 have not been provided by the local government dur-
8 ing any part of the immediately preceding 12-month
9 period, or the use of assistance under this subtitle
10 would complement the provision of those essential
11 services.

12 “(3) Maintenance, operation, insurance, provi-
13 sion of utilities, and provision of furnishings related
14 to emergency shelter.

15 “(4) Provision of rental assistance to provide
16 short-term or medium-term housing to homeless in-
17 dividuals or families or individuals or families at risk
18 of homelessness. Such rental assistance may include
19 tenant-based or project-based rental assistance.

20 “(5) Housing relocation or stabilization services
21 for homeless individuals or families or individuals or
22 families at risk of homelessness, including housing
23 search, mediation or outreach to property owners,
24 legal services, credit repair, providing security or
25 utility deposits, utility payments, rental assistance

1 for a final month at a location, assistance with mov-
2 ing costs, or other activities that are effective at—

3 “(A) stabilizing individuals and families in
4 their current housing; or

5 “(B) quickly moving such individuals and
6 families to other permanent housing.

7 “(b) MAXIMUM ALLOCATION FOR EMERGENCY
8 SHELTER ACTIVITIES.—Not more than 60 percent of the
9 funds provided to a grantee under this subtitle may be
10 used for activities described in paragraphs (1) through (3)
11 of subsection (a), except that for the first 2 years after
12 the date of enactment of the Community Partnership to
13 End Homelessness Act of 2007, a grantee may use the
14 greater of 60 percent of the funds provided or the amount
15 expended in the year of enactment of such Act for said
16 activities.”;

17 (5) in section 415 (42 U.S.C. 11375) by adding
18 at the end the following:

19 “(f) PARTICIPATION IN HMIS.—The Secretary shall
20 ensure that recipients of funds under this subtitle ensure
21 the consistent participation by emergency shelters and
22 homelessness prevention and rehousing programs in any
23 applicable community-wide homeless management infor-
24 mation system.”;

1 (6) by repealing section 417 (42 U.S.C. 11377);

2 and

3 (7) by redesignating section 418 as section 417.

4 **SEC. 7. HOMELESS ASSISTANCE PROGRAM.**

5 Subtitle C of title IV of the McKinney-Vento Home-
6 less Assistance Act (42 U.S.C. 11381 et seq.) is amend-
7 ed—

8 (1) by striking the subtitle heading and insert-
9 ing the following:

10 **“Subtitle C—Homeless Assistance**
11 **Program”;**

12 (2) by striking sections 421 through 424 (42
13 U.S.C. 11381 et seq.) and inserting the following:

14 **“SEC. 421. PURPOSES.**

15 “The purposes of this subtitle are—

16 “(1) to promote community-wide commitment
17 to the goal of ending homelessness;

18 “(2) to provide funding for efforts by nonprofit
19 providers and State and local governments to quickly
20 rehouse homeless individuals and families while
21 minimizing the trauma and dislocation caused to in-
22 dividuals, families, and communities by homeless-
23 ness;

24 “(3) to promote access to, and effective utiliza-
25 tion of, mainstream programs identified by the Gov-

1 ernment Accountability Office in the 2 reports de-
2 scribed in section 102(a)(5)(B) and programs fund-
3 ed with State or local resources; and

4 “(4) to optimize self-sufficiency among individ-
5 uals and families experiencing homelessness.

6 **“SEC. 422. COMMUNITY HOMELESS ASSISTANCE PROGRAM.**

7 “(a) PROJECTS.—The Secretary shall award grants,
8 on a competitive basis, and using the selection criteria de-
9 scribed in section 427, to carry out eligible activities under
10 this subtitle for projects that meet the program require-
11 ments under section 426, either by directly awarding
12 funds to project sponsors or by awarding funds to unified
13 funding agencies.

14 “(b) NOTIFICATION OF FUNDING AVAILABILITY.—
15 The Secretary shall release a Notification of Funding
16 Availability for grants awarded under this subtitle for a
17 fiscal year not later than 3 months after the date of enact-
18 ment of the appropriate Act making appropriations for the
19 Department of Housing and Urban Development for the
20 fiscal year.

21 “(c) APPLICATIONS.—

22 “(1) SUBMISSION TO THE SECRETARY.—To be
23 eligible to receive a grant under subsection (a), a
24 project sponsor or unified funding agency in a geo-
25 graphic area shall submit an application to the Sec-

1 retary at such time and in such manner as the Sec-
2 retary may require, and containing—

3 “(A) such information as the Secretary de-
4 termines necessary—

5 “(i) to determine compliance with the
6 program requirements and selection cri-
7 teria under this subtitle; and

8 “(ii) to establish priorities for funding
9 projects in the geographic area.

10 “(2) ANNOUNCEMENT OF AWARDS.—

11 “(A) IN GENERAL.—Except as provided in
12 subparagraph (B), the Secretary shall an-
13 nounce, within 5 months after the last date for
14 the submission of applications described in this
15 subsection for a fiscal year, the grants condi-
16 tionally awarded under subsection (a) for that
17 fiscal year.

18 “(B) TRANSITION.—For a period of up to
19 2 years beginning after the date of enactment
20 of the Community Partnership to End Home-
21 lessness Act of 2007, the Secretary shall an-
22 nounce, within 6 months after the last date for
23 the submission of applications described in this
24 subsection for a fiscal year, the grants condi-

1 tionally awarded under subsection (a) for that
2 fiscal year.

3 “(d) OBLIGATION, DISTRIBUTION, AND UTILIZATION
4 OF FUNDS.—

5 “(1) REQUIREMENTS FOR OBLIGATION.—

6 “(A) IN GENERAL.—Not later than 9
7 months after the announcement referred to in
8 subsection (c)(2), each recipient of a grant an-
9 nounced under such subsection shall, with re-
10 spect to a project to be funded through such
11 grant, meet, or cause the project sponsor to
12 meet, all requirements for the obligation of
13 funds for such project, including site control,
14 matching funds, and environmental review re-
15 quirements, except as provided in subparagraph
16 (C).

17 “(B) ACQUISITION, REHABILITATION, OR
18 CONSTRUCTION.—Not later than 24 months
19 after the announcement referred to in sub-
20 section (c)(2), each recipient of a grant an-
21 nounced under such subsection seeking the obli-
22 gation of funds in connection with the acquisi-
23 tion of housing, rehabilitation of housing, or
24 construction of new housing for a grant an-
25 nounced under such subsection shall meet all

1 requirements for the obligation of those funds,
2 including site control, matching funds, and en-
3 vironmental review requirements.

4 “(C) EXTENSIONS.—At the discretion of
5 the Secretary, and in compelling circumstances,
6 the Secretary may extend the date by which a
7 recipient of a grant announced under subsection
8 (c)(2) shall meet or cause a project sponsor to
9 meet the requirements described in subpara-
10 graphs (A) and (B) if the Secretary determines
11 that compliance with the requirements was de-
12 layed due to factors beyond the reasonable con-
13 trol of the recipient or project sponsor. Such
14 factors may include difficulties in obtaining site
15 control for a proposed project, completing the
16 process of obtaining secure financing for the
17 project, obtaining approvals from State or local
18 governments, or completing the technical sub-
19 mission requirements for the project.

20 “(2) OBLIGATION.—Not later than 45 days
21 after a recipient meets or causes a project sponsor
22 to meet the requirements described in paragraph
23 (1), the Secretary shall obligate the funds for the
24 grant involved.

1 “(3) DISTRIBUTION.—A unified funding agency
2 that receives funds through a grant under this sec-
3 tion—

4 “(A) shall distribute the funds to project
5 sponsors (in advance of expenditures by the
6 project sponsors); and

7 “(B) shall distribute the appropriate por-
8 tion of the funds to a project sponsor not later
9 than 45 days after receiving a request for such
10 distribution from the project sponsor.

11 “(4) EXPENDITURE OF FUNDS.—The Secretary
12 may establish a date by which funds made available
13 through a grant announced under subsection (c)(2)
14 for a homeless assistance project shall be entirely ex-
15 pended by the recipient or project sponsors involved.
16 The date established under this paragraph shall not
17 occur before the expiration of the 24-month period
18 beginning on the date that funds are obligated for
19 activities described under paragraphs (1) or (2) of
20 section 423(a). The Secretary shall recapture the
21 funds not expended by such date. The Secretary
22 shall reallocate the funds for another homeless as-
23 sistance and prevention project that meets the re-
24 quirements of this subtitle to be carried out, if pos-

1 sible and appropriate, in the same geographic area
2 as the area served through the original grant.

3 “(e) RENEWAL FUNDING FOR UNSUCCESSFUL AP-
4 APPLICANTS.—The Secretary may renew funding for a spe-
5 cific project previously funded under this subtitle that the
6 Secretary determines meets the purposes of this subtitle,
7 and was included as part of a total application that met
8 the criteria of subsection (c), even if the application was
9 not selected to receive grant assistance. The Secretary
10 may renew the funding for a period of not more than 1
11 year, and under such conditions as the Secretary deter-
12 mines to be appropriate.

13 “(f) CONSIDERATIONS IN DETERMINING RENEWAL
14 FUNDING.—When providing renewal funding for leasing
15 or rental assistance for permanent housing, the Secretary
16 shall make adjustments proportional to increases in the
17 fair market rents in the geographic area.

18 “(g) MORE THAN 1 APPLICATION FOR A GEO-
19 GRAPHIC AREA.—If more than 1 collaborative applicant
20 applies for funds for a geographic area, the Secretary shall
21 award funds to the collaborative applicant with the highest
22 score based on the selection criteria set forth in section
23 427.

24 “(h) CONFIDENTIALITY.—

1 “(1) VICTIM SERVICE PROVIDERS.—In the
2 course of awarding grants or implementing pro-
3 grams under this section, the Secretary shall in-
4 struct any victim service provider that is a recipient
5 or subgrantee not to disclose for purposes of the
6 Homeless Management Information System person-
7 ally identifying information about any client. The
8 Secretary may, after public notice and comment, re-
9 quire or ask such recipients and subgrantees to dis-
10 close for purposes of the Homeless Management In-
11 formation System non-personally identifying data
12 that has been de-identified, encrypted, or otherwise
13 encoded. Nothing in this section shall be construed
14 to supersede any provision of any Federal, State, or
15 local law that provides greater protection than this
16 paragraph for victims of domestic violence, dating vi-
17 olence, sexual assault, or stalking.

18 “(2) DEFINITIONS.—As used in this subsection:

19 “(A) PERSONALLY IDENTIFYING INFORMA-
20 TION OR PERSONAL INFORMATION.—The terms
21 ‘personally identifying information’ and ‘per-
22 sonal information’ means individually identi-
23 fying information for or about an individual in-
24 cluding information likely to disclose the loca-

1 tion of a victim of domestic violence, dating vio-
2 lence, sexual assault, or stalking, including—

3 “(i) a first and last name;

4 “(ii) a home or other physical address;

5 “(iii) contact information (including a
6 postal, e-mail or Internet protocol address,
7 or telephone or facsimile number);

8 “(iv) a social security number; and

9 “(v) any other information, including
10 date of birth, racial or ethnic background,
11 or religious affiliation, that, in combination
12 with any other non-personally identifying
13 information would serve to identify any in-
14 dividual.

15 “(B) VICTIM SERVICE PROVIDER.—The
16 term ‘victim service provider’ means a non-
17 profit, nongovernmental organization including
18 rape crisis centers, battered women’s shelters,
19 domestic violence transitional housing pro-
20 grams, and other programs whose primary mis-
21 sion is to provide services to victims of domestic
22 violence, dating violence, sexual assault, or
23 stalking.

24 “(i) COORDINATION WITH LOW INCOME HOUSING
25 CREDIT.—

1 “(1) IN GENERAL.—Assistance under this sub-
2 title is intended to facilitate the utilization of Low
3 Income Housing Credits under section 42 of the In-
4 ternal Revenue Code of 1986.

5 “(2) RULE OF CONSTRUCTION.—A building
6 shall not be treated as federally subsidized under
7 section 42(i)(2) of the Internal Revenue Code of
8 1986 as a result of a loan funded from grants under
9 this subtitle.

10 “(3) TREATMENT OF CERTAIN GRANTS.—
11 Funds provided pursuant to paragraphs (3), (4),
12 (5), or (6) of section 423(a) shall not be treated as
13 Federal grants for the purpose of determining the
14 eligible basis of a building under section 42(d)(5)(A)
15 of the Internal Revenue Code of 1986.

16 **“SEC. 423. ELIGIBLE ACTIVITIES.**

17 “(a) IN GENERAL.—The Secretary may award grants
18 to project sponsors under section 422 to carry out home-
19 less assistance projects that consist of 1 or more of the
20 following eligible activities:

21 “(1) Construction of new housing units to pro-
22 vide transitional or permanent housing to homeless
23 individuals and families.

24 “(2) Acquisition or rehabilitation of a structure
25 to provide supportive services or to provide transi-

1 tional or permanent housing, other than emergency
2 shelter, to homeless individuals and families.

3 “(3) Leasing of property, or portions of prop-
4 erty, not owned by the recipient or project sponsor
5 involved, for use in providing transitional or perma-
6 nent housing to homeless individuals and families, or
7 providing supportive services to homeless individuals
8 and families.

9 “(4) Provision of rental assistance to provide
10 transitional or permanent housing to homeless indi-
11 viduals and families. The rental assistance may in-
12 clude tenant-based or project-based rental assist-
13 ance. Project-based rental assistance and operating
14 cost assistance contracts carried out by project spon-
15 sors receiving grants under this section may, at the
16 discretion of the applicant and the project sponsor,
17 have an initial term of 15 years, with assistance for
18 the first 5 years paid with funds authorized for ap-
19 propriation under this Act, and assistance for the re-
20 mainder of the term treated as a renewal of an ex-
21 piring contract as provided in section 429. Project-
22 based rental assistance may include rental assistance
23 to preserve existing permanent supportive housing
24 for homeless individuals and families.

1 “(5) Payment of operating costs for housing
2 units assisted under this subtitle or for the preserva-
3 tion of housing that will serve homeless individuals
4 and families and for which another form of assist-
5 ance is expiring or otherwise no longer available.

6 “(6) Provision of supportive services to home-
7 less individuals and families, individuals or families
8 who in the prior 6 months have been homeless but
9 are currently residing in permanent housing, or indi-
10 viduals and families who were homeless and are now
11 residing in permanent supportive housing.

12 “(7) Provision of rehousing services, including
13 housing search, mediation or outreach to property
14 owners, credit repair, providing security or utility
15 deposits, rental assistance for a final month at a lo-
16 cation, assistance with moving costs, or other activi-
17 ties that—

18 “(A) are effective at moving homeless indi-
19 viduals and families immediately into housing;
20 or

21 “(B) may benefit individuals and families
22 who in the prior 6 months have been homeless,
23 but are currently residing in permanent hous-
24 ing.

1 “(8) In the case of a collaborative applicant
2 that is a legal entity, performance of the duties de-
3 scribed under section 402(f)(3).

4 “(9) Operation of, participation in, and ensur-
5 ing consistent participation by project sponsors in, a
6 community-wide homeless management information
7 system.

8 “(10) In the case of a collaborative applicant
9 that is a legal entity, payment of administrative
10 costs related to meeting the requirements described
11 in paragraphs (1) and (2) of section 402(f), for
12 which the collaborative applicant may use not more
13 than 3 percent of the total funds made available in
14 the geographic area under this subtitle for such
15 costs, in addition to funds used under paragraph
16 (10).

17 “(11) In the case of a collaborative applicant
18 that is a unified funding agency under section
19 402(g), payment of administrative costs related to
20 meeting the requirements of that section, for which
21 the unified funding agency may use not more than
22 3 percent of the total funds made available in the
23 geographic area under this subtitle for such costs, in
24 addition to funds used under paragraph (10).

1 “(12) Payment of administrative costs to
2 project sponsors, for which each project sponsor may
3 use not more than 7 percent of the total funds made
4 available to that project sponsor through this sub-
5 title for such costs.

6 “(b) MINIMUM GRANT TERMS.—The Secretary may
7 impose minimum grant terms of up to 5 years for new
8 projects providing permanent housing.

9 “(c) USE RESTRICTIONS.—

10 “(1) ACQUISITION, REHABILITATION, AND NEW
11 CONSTRUCTION.—A project that consists of activities
12 described in paragraph (1) or (2) of subsection (a)
13 shall be operated for the purpose specified in the ap-
14 plication submitted for the project under section 422
15 for not less than 15 years.

16 “(2) OTHER ACTIVITIES.—A project that con-
17 sists of activities described in any of paragraphs (3)
18 through (12) of subsection (a) shall be operated for
19 the purpose specified in the application submitted
20 for the project under section 422 for the duration of
21 the grant period involved.

22 “(3) CONVERSION.—If the recipient or project
23 sponsor carrying out a project that provides transi-
24 tional or permanent housing submits a request to
25 the collaborative applicant or unified funding agency

1 involved to carry out instead a project for the direct
2 benefit of low-income persons, and the collaborative
3 applicant or unified funding agency determines that
4 the initial project is no longer needed to provide
5 transitional or permanent housing, the collaborative
6 applicant or unified funding agency may recommend
7 that the Secretary approve the project described in
8 the request and authorize the recipient or project
9 sponsor to carry out that project. If the collaborative
10 applicant or unified funding agency is the recipient
11 or project sponsor, it shall submit such a request di-
12 rectly to the Secretary who shall determine if the
13 conversion of the project is appropriate.

14 “(d) REPAYMENT OF ASSISTANCE AND PREVENTION
15 OF UNDUE BENEFITS.—

16 “(1) REPAYMENT.—If a recipient (or a project
17 sponsor receiving funds from the recipient) receives
18 assistance under section 422 to carry out a project
19 that consists of activities described in paragraph (1)
20 or (2) of subsection (a) and the project ceases to
21 provide transitional or permanent housing—

22 “(A) earlier than 10 years after operation
23 of the project begins, the Secretary shall re-
24 quire the recipient (or the project sponsor re-

1 ceiving funds from the recipient) to repay 100
2 percent of the assistance; or

3 “(B) not earlier than 10 years, but earlier
4 than 15 years, after operation of the project be-
5 gins, the Secretary shall require the recipient
6 (or the project sponsor receiving funds from the
7 recipient) to repay 20 percent of the assistance
8 for each of the years in the 15-year period for
9 which the project fails to provide that housing.

10 “(2) PREVENTION OF UNDUE BENEFITS.—Ex-
11 cept as provided in paragraph (3), if any property
12 is used for a project that receives assistance under
13 subsection (a) and consists of activities described in
14 paragraph (1) or (2) of subsection (a), and the sale
15 or other disposition of the property occurs before the
16 expiration of the 15-year period beginning on the
17 date that operation of the project begins, the recipi-
18 ent (or the project sponsor receiving funds from the
19 recipient) who received the assistance shall comply
20 with such terms and conditions as the Secretary may
21 prescribe to prevent the recipient (or a project spon-
22 sor receiving funds from the recipient) from unduly
23 benefitting from such sale or disposition.

24 “(3) EXCEPTION.—A recipient (or a project
25 sponsor receiving funds from the recipient) shall not

1 be required to make the repayments, and comply
2 with the terms and conditions, required under para-
3 graph (1) or (2) if—

4 “(A) the sale or disposition of the property
5 used for the project results in the use of the
6 property for the direct benefit of very low-in-
7 come persons;

8 “(B) all of the proceeds of the sale or dis-
9 position are used to provide transitional or per-
10 manent housing meeting the requirements of
11 this subtitle;

12 “(C) project-based rental assistance or op-
13 erating cost assistance from any Federal pro-
14 gram or an equivalent State or local program is
15 no longer made available and the project is
16 meeting applicable performance standards, pro-
17 vided that the portion of the project that had
18 benefitted from such assistance continues to
19 meet the tenant income and rent restrictions for
20 low-income units under section 42(g) of the In-
21 ternal Revenue Code of 1986; or

22 “(D) there are no individuals and families
23 in the geographic area who are homeless, in
24 which case the project may serve individuals
25 and families at risk of homelessness.

1 “(e) STAFF TRAINING.—The Secretary may allow
2 reasonable costs associated with staff training to be in-
3 cluded as part of the activities described in subsection (a).

4 “(f) ELIGIBILITY FOR PERMANENT HOUSING.—Any
5 project that receives assistance under subsection (a) and
6 that provides project-based permanent housing for home-
7 less individuals or families with a disability, including
8 projects that meet the requirements of subsection (a) and
9 subsection (d)(2)(A) of section 428 may also serve individ-
10 uals who had previously met the requirements for such
11 project prior to moving into a different permanent housing
12 project.

13 **“SEC. 424. FLEXIBILITY INCENTIVES FOR HIGH-PER-**
14 **FORMING COMMUNITIES.**

15 “(a) DESIGNATION AS A HIGH-PERFORMING COMMU-
16 NITY.—

17 “(1) IN GENERAL.—The Secretary shall des-
18 ignate, on an annual basis, which collaborative appli-
19 cants represent high-performing communities.

20 “(2) CONSIDERATION.—In determining whether
21 to designate a collaborative applicant as a high-per-
22 forming community under paragraph (1), the Sec-
23 retary shall establish criteria to ensure that the re-
24 quirements described under paragraphs (1)(B) and
25 (2)(B) of subsection (d) are measured by comparing

1 homeless individuals and families under similar cir-
2 cumstances, in order to encourage projects in the ge-
3 ographic area to serve homeless individuals and fam-
4 ilies with more severe barriers to housing stability.

5 “(3) 2-YEAR PHASE IN.—In each of the first 2
6 years after the date of enactment of this section, the
7 Secretary shall designate not more than 10 collabo-
8 rative applicants as high-performing communities.

9 “(4) EXCESS OF QUALIFIED APPLICANTS.—In
10 the event that during the 2-year period described
11 under paragraph (2) more than 10 collaborative ap-
12 plicants could qualify to be designated as high-per-
13 forming communities, the Secretary shall designate
14 the 10 that have, in the discretion of the Secretary,
15 the best performance based on the criteria described
16 under subsection (d).

17 “(5) TIME LIMIT ON DESIGNATION.—The des-
18 igation of any collaborative applicant as a high-per-
19 forming community under this subsection shall be
20 effective only for the year in which such designation
21 is made. The Secretary, on an annual basis, may
22 renew any such designation.

23 “(b) APPLICATION TO BE A HIGH-PERFORMING
24 COMMUNITY.—

1 “(1) IN GENERAL.—A collaborative applicant
2 seeking designation as a high-performing community
3 under subsection (a) shall submit an application to
4 the Secretary at such time, and in such manner as
5 the Secretary may require.

6 “(2) CONTENT OF APPLICATION.—In any appli-
7 cation submitted under paragraph (1), a collabo-
8 rative applicant shall include in such application—

9 “(A) a report showing how any money re-
10 ceived under this subtitle in the preceding year
11 was expended; and

12 “(B) information that such applicant can
13 meet the requirements described under sub-
14 section (d).

15 “(3) PUBLICATION OF APPLICATION.—The Sec-
16 retary shall—

17 “(A) publish any report or information
18 submitted in an application under this section
19 in the geographic area represented by the col-
20 laborative applicant; and

21 “(B) seek comments from the public as to
22 whether the collaborative applicant seeking des-
23 ignation as a high-performing community meets
24 the requirements described under subsection
25 (d).

1 “(c) USE OF FUNDS.—Funds awarded under section
2 422(a) to a project sponsor who is located in a high-per-
3 forming community may be used—

4 “(1) for any of the eligible activities described
5 in section 423; or

6 “(2) for any of the eligible activities described
7 in paragraphs (4) and (5) of section 414(a).

8 “(d) DEFINITION OF HIGH-PERFORMING COMMU-
9 NITY.—For purposes of this section, the term ‘high-per-
10 forming community’ means a geographic area that dem-
11 onstrates through reliable data that all of the following
12 4 requirements are met for that geographic area:

13 “(1) The mean length of episodes of homeless-
14 ness for that geographic area—

15 “(A) is less than 20 days; or

16 “(B) for individuals and families in similar
17 circumstances in the preceding year was at
18 least 10 percent less than in the year before.

19 “(2) Of individuals and families—

20 “(A) who leave homelessness, less than 5
21 percent of such individuals and families become
22 homeless again at any time within the next 2
23 years; or

24 “(B) in similar circumstances who leave
25 homelessness, the percentage of such individ-

1 uals and families who become homeless again
2 within the next 2 years has decreased by at
3 least $\frac{1}{5}$ within the preceding year.

4 “(3) The communities that compose the geo-
5 graphic area have—

6 “(A) actively encouraged homeless individ-
7 uals and families to participate in homeless as-
8 sistance services available in that geographic
9 area; and

10 “(B) included each homeless individual or
11 family who sought homeless assistance services
12 in the data system used by that community for
13 determining compliance with this subsection.

14 “(4) If recipients in the geographic area have
15 used funding awarded under section 422(a) for eligi-
16 ble activities described under section 414(a) in pre-
17 vious years based on the authority granted under
18 subsection (c), that such activities were effective at
19 reducing the number of individuals and families who
20 became homeless in that community.

21 “(e) COOPERATION AMONG ENTITIES.—A collabo-
22 rative applicant designated as a high-performing commu-
23 nity under this section shall cooperate with the Secretary
24 in distributing information about successful efforts within

1 the geographic area represented by the collaborative appli-
2 cant to reduce homelessness.” ;

3 (3) in section 426 (42 U.S.C. 11386)—

4 (A) by striking subsection (a) and insert-
5 ing the following:

6 “(a) SITE CONTROL.—The Secretary shall require
7 that each application include reasonable assurances that
8 the applicant will own or have control of a site for the
9 proposed project not later than the expiration of the 12-
10 month period beginning upon notification of an award for
11 grant assistance, unless the application proposes providing
12 supportive housing assistance under section 423(a)(3) or
13 housing that will eventually be owned or controlled by the
14 families and individuals served. An applicant may obtain
15 ownership or control of a suitable site different from the
16 site specified in the application. If any recipient (or project
17 sponsor receiving funds from the recipient) fails to obtain
18 ownership or control of the site within 12 months after
19 notification of an award for grant assistance, the grant
20 shall be recaptured and reallocated under this subtitle.”;

21 (B) by striking subsection (b) and insert-
22 ing the following:

23 “(b) REQUIRED AGREEMENTS.—The Secretary may
24 not provide assistance for a proposed project under this

1 subtitle unless the collaborative applicant involved
2 agrees—

3 “(1) to ensure the operation of the project in
4 accordance with the provisions of this subtitle;

5 “(2) to monitor and report to the Secretary the
6 progress of the project;

7 “(3) to ensure, to the maximum extent prac-
8 ticable, that individuals and families experiencing
9 homelessness are involved, through employment, pro-
10 vision of volunteer services, or otherwise, in con-
11 structing, rehabilitating, maintaining, and operating
12 facilities for the project and in providing supportive
13 services for the project;

14 “(4) to require certification from all project
15 sponsors that—

16 “(A) they will maintain the confidentiality
17 of records pertaining to any individual or family
18 provided family violence prevention or treat-
19 ment services through the project;

20 “(B) that the address or location of any
21 family violence shelter project assisted under
22 this subtitle will not be made public, except
23 with written authorization of the person respon-
24 sible for the operation of such project;

1 “(C) they will establish policies and prac-
2 tices that are consistent with, and do not re-
3 strict the exercise of rights provided by, subtitle
4 B of title VII, and other laws relating to the
5 provision of educational and related services to
6 individuals and families experiencing homeless-
7 ness;

8 “(D) they will provide data and reports as
9 required by the Secretary pursuant to the Act;
10 and

11 “(E) if the project includes the provision of
12 permanent housing to people with disabilities,
13 the housing will be provided for not more
14 than—

15 “(i) 8 such persons in a single struc-
16 ture or contiguous structures;

17 “(ii) 16 such persons, but only if not
18 more than 20 percent of the units in a
19 structure are designated for such persons;
20 or

21 “(iii) more than 16 such persons if
22 the applicant demonstrates that local mar-
23 ket conditions dictate the development of a
24 large project and such development will
25 achieve the neighborhood integration objec-

1 tives of the program within the context of
2 the affected community;

3 “(5) if a collaborative applicant is a unified
4 funding agency under section 402(g) and receives
5 funds under subtitle C to carry out the payment of
6 administrative costs described in section 423(a)(7),
7 to establish such fiscal control and fund accounting
8 procedures as may be necessary to assure the proper
9 disbursal of, and accounting for, such funds in order
10 to ensure that all financial transactions carried out
11 with such funds are conducted, and records main-
12 tained, in accordance with generally accepted ac-
13 counting principles;

14 “(6) to monitor and report to the Secretary the
15 provision of matching funds as required by section
16 430; and

17 “(7) to comply with such other terms and con-
18 ditions as the Secretary may establish to carry out
19 this subtitle in an effective and efficient manner.”;

20 (C) by redesignating subsection (d) as sub-
21 section (e);

22 (D) in subsection (c) (as redesignated in
23 subparagraph (C)), in the first sentence, by
24 striking “recipient” and inserting “recipient or
25 project sponsor”;

1 (E) by striking subsection (e);

2 (F) by redesignating subsections (f), (g),
3 and (h), as subsections (d), (e), and (f), respec-
4 tively;

5 (G) in subsection (e) (as redesignated in
6 subparagraph (F)), in the first sentence, by
7 striking “recipient” each place it appears and
8 inserting “recipient or project sponsor”;

9 (H) by striking subsection (i); and

10 (I) by redesignating subsection (j) as sub-
11 section (g);

12 (4) by repealing section 429 (42 U.S.C. 11389);

13 (5) by redesignating sections 427 and 428 (42
14 U.S.C. 11387, 11388) as sections 431 and 432, re-
15 spectively; and

16 (6) by inserting after section 426 the following:

17 **“SEC. 427. SELECTION CRITERIA.**

18 “(a) IN GENERAL.—The Secretary shall award funds
19 to recipients by a national competition between geographic
20 areas based on criteria established by the Secretary.

21 “(b) REQUIRED CRITERIA.—

22 “(1) IN GENERAL.—The criteria established
23 under subsection (a) shall include—

24 “(A) the previous performance of the re-
25 cipient regarding homelessness, including per-

1 formance related to funds provided under sec-
2 tion 412 (except that recipients applying from
3 geographic areas where no funds have been
4 awarded under this subtitle, or under subtitles
5 C, D, E, or F of title IV of this Act, as in effect
6 prior to the date of the enactment of the Com-
7 munity Partnership to End Homelessness Act
8 of 2007, shall receive full credit for perform-
9 ance under this subparagraph), measured by
10 criteria that shall be announced by the Sec-
11 retary, that shall take into account barriers
12 faced by individual homeless people, and that
13 shall include—

14 “(i) the length of time individuals and
15 families remain homeless;

16 “(ii) the extent to which individuals
17 and families who leave homelessness expe-
18 rience additional spells of homelessness;

19 “(iii) the thoroughness of grantees in
20 the geographic area in reaching all home-
21 less individuals and families;

22 “(iv) overall reduction in the number
23 of homeless individuals and families;

24 “(v) jobs and income growth for
25 homeless individuals and families;

1 “(vi) success at reducing the number
2 of individuals and families who become
3 homeless; and

4 “(vii) other accomplishments by the
5 recipient related to reducing homelessness;

6 “(B) the plan of the recipient, which shall
7 describe—

8 “(i) how the number of individuals
9 and families who become homeless will be
10 reduced in the community;

11 “(ii) how the length of time that indi-
12 viduals and families remain homeless will
13 be reduced; and

14 “(iii) the extent to which the recipient
15 will—

16 “(I) address the needs of all rel-
17 evant subpopulations, including—

18 “(aa) individuals with seri-
19 ous mental illness, addiction dis-
20 orders, HIV/AIDS and other
21 prevalent disabilities;

22 “(bb) families with children;

23 “(cc) unaccompanied youth;

24 “(dd) veterans; and

1 “(ee) other subpopulations
2 with a risk of becoming homeless;

3 “(II) incorporate all necessary
4 strategies for reducing homelessness,
5 including the interventions referred to
6 in section 428(d);

7 “(III) set quantifiable perform-
8 ance measures;

9 “(IV) set timelines for completion
10 of specific tasks;

11 “(V) identify specific funding
12 sources for planned activities;

13 “(VI) identify an individual or
14 body responsible for overseeing imple-
15 mentation of specific strategies;

16 “(VII) include a review of local
17 policies and practices relating to dis-
18 charge planning from institutions, ac-
19 cess to benefits and services from
20 mainstream government programs,
21 and zoning and land use, to determine
22 whether such local policies and prac-
23 tices aggravate or ameliorate home-
24 lessness in the geographic area;

1 “(VIII) include interventions that
2 will help reunify families that have
3 been split up as a result of homeless-
4 ness; and

5 “(IX) incorporate the findings
6 and recommendations of the most re-
7 cently completed annual assessments,
8 conducted pursuant to section 2034 of
9 title 38, United States Code, of the
10 Department of Veterans Affairs med-
11 ical centers or regional benefits offices
12 whose service areas include the geo-
13 graphic area of the recipient;

14 “(C) the methodology of the recipient used
15 to determine the priority for funding local
16 projects under section 422(c)(1), including the
17 extent to which the priority-setting process—

18 “(i) uses periodically collected infor-
19 mation and analysis to determine the ex-
20 tent to which each project has resulted in
21 rapid return to permanent housing for
22 those served by the project, taking into ac-
23 count the severity of barriers faced by the
24 people the project serves;

1 “(ii) includes evaluations obtained di-
2 rectly from the individuals and families
3 served by the project;

4 “(iii) evaluates whether the population
5 served by the project matches the priority
6 population for that project;

7 “(iv) is based on objective criteria
8 that have been publicly announced by the
9 recipient;

10 “(v) is open to proposals from entities
11 that have not previously received funds
12 under this subtitle; and

13 “(vi) avoids conflicts of interest in the
14 decision-making of the recipient;

15 “(D) the extent to which the recipient has
16 a comprehensive understanding of the extent
17 and nature of homelessness in the geographic
18 area and efforts needed to combat the problem
19 of homelessness in the geographic area;

20 “(E) the need for the types of projects pro-
21 posed in the geographic area to be served and
22 the extent to which the prioritized programs of
23 the recipient meet such unmet needs;

24 “(F) the extent to which the amount of as-
25 sistance to be provided under this subtitle to

1 the recipient will be supplemented with re-
2 sources from other public and private sources,
3 including mainstream programs identified by
4 the Government Accountability Office in the 2
5 reports described in section 102(a)(5)(B);

6 “(G) demonstrated coordination by the re-
7 cipient with the other Federal, State, local, pri-
8 vate, and other entities serving individuals and
9 families experiencing homelessness and at risk
10 of homelessness in the planning and operation
11 of projects, to the extent practicable;

12 “(H) the degree to which homeless individ-
13 uals and families in the geographic area, includ-
14 ing members of all relevant subpopulations list-
15 ed in subparagraph (B)(III)(I), are able to ac-
16 cess—

17 “(i) public benefits and services for
18 which they are eligible, besides the services
19 funded under this subtitle, including public
20 schools; and

21 “(ii) the benefits and services provided
22 by the Department of Veterans Affairs;

23 “(I) the extent to which the opinions and
24 views of the full range of people in the geo-
25 graphic area are considered, including—

1 “(i) homeless individuals and families,
2 individuals and families at risk of home-
3 lessness, and individuals and families who
4 have experienced homelessness;

5 “(ii) individuals associated with com-
6 munity-based organizations that serve
7 homeless individuals and families and indi-
8 viduals and families at risk of homeless-
9 ness;

10 “(iii) persons who act as advocates for
11 the diverse subpopulations of individuals
12 and families experiencing or at risk of
13 homelessness;

14 “(iv) relatives of individuals and fami-
15 lies experiencing or at risk of homeless-
16 ness;

17 “(v) Federal, State, and local govern-
18 ment agency officials, particularly those of-
19 ficials responsible for administering fund-
20 ing under programs targeted for individ-
21 uals and families experiencing homeless-
22 ness, and other programs for which indi-
23 viduals and families experiencing homeless-
24 ness are eligible, including mainstream
25 programs identified by the Government Ac-

1 countability Office in the 2 reports de-
2 scribed in section 102(a)(5)(B);

3 “(vi) local educational agency liaisons
4 designated under section 722(g)(1)(J)(ii),
5 or their designees;

6 “(vii) members of the business com-
7 munity;

8 “(viii) members of neighborhood advoca-
9 cacy organizations; and

10 “(ix) members of philanthropic orga-
11 nizations that contribute to preventing and
12 ending homelessness in the geographic
13 area of the collaborative applicant; and

14 “(J) such other factors as the Secretary
15 determines to be appropriate to carry out this
16 subtitle in an effective and efficient manner.

17 “(2) ADDITIONAL CRITERIA.—In addition to
18 the criteria required under paragraph (1), the cri-
19 teria established under subsection (a) shall also in-
20 clude the need within the geographic area for home-
21 less services, determined as follows and under the
22 following conditions:

23 “(A) NOTICE.—The Secretary shall inform
24 each collaborative applicant, at a time concu-
25 rent with the release of the Notice of Funding

1 actual rates of homelessness and the
2 risk of homelessness in the geographic
3 area represented by the collaborative
4 applicant.

5 “(III) CONSIDERATIONS.—In de-
6 veloping the new formula required
7 under subclause (I), the Secretary
8 shall give—

9 “(aa) significant consider-
10 ation to data providing accurate
11 counts of—

12 “(AA) the current num-
13 ber of homeless individuals
14 in the geographic area rep-
15 resented by the collaborative
16 applicant;

17 “(BB) shortages of af-
18 fordable housing in the geo-
19 graphic area represented by
20 the collaborative applicant;
21 and

22 “(CC) the severe hous-
23 ing problems among ex-
24 tremely low-income house-
25 holds in the geographic area

1 represented by the collabo-
2 rative applicant; and

3 “(bb) particular attention to
4 variables measuring—

5 “(AA) shortages of
6 housing affordable and
7 available to extremely low-
8 income renters in the geo-
9 graphic area represented by
10 the collaborative applicant;

11 “(BB) the number of
12 extremely low-income house-
13 holds in the geographic area
14 represented by the collabo-
15 rative applicant who experi-
16 ence severe cost burden, live
17 in substandard housing, or
18 have crowding problems; and

19 “(CC) the poverty rate
20 in the geographic area rep-
21 resented by the collaborative
22 applicant.

23 “(iii) COMBINATIONS OR CON-
24 SORTIA.—For a collaborative applicant
25 that represents a combination or consor-

1 tium of cities or counties, the estimated
2 need amount shall be the sum of the esti-
3 mated need amounts for the cities or coun-
4 ties represented by the collaborative appli-
5 cant.

6 “(iv) AUTHORITY OF SECRETARY.—
7 Subject to the availability of appropria-
8 tions, the Secretary shall increase the esti-
9 mated need amount for a geographic area
10 if necessary to provide 1 year of renewal
11 funding for all expiring contracts entered
12 into under this subtitle for the geographic
13 area.

14 **“SEC. 428. ALLOCATION AMOUNTS AND INCENTIVES FOR**
15 **SPECIFIC ELIGIBLE ACTIVITIES.**

16 “(a) MINIMUM ALLOCATION FOR PERMANENT HOUS-
17 ING FOR HOMELESS INDIVIDUALS AND FAMILIES WITH
18 DISABILITIES.—

19 “(1) IN GENERAL.—From the amounts made
20 available to carry out this subtitle for a fiscal year,
21 a portion equal to not less than 30 percent of the
22 sums made available to carry out subtitle B and this
23 subtitle for that fiscal year shall be used for perma-
24 nent housing for homeless individuals with disabil-
25 ities and homeless families that include such an indi-

1 vidual who is an adult or a minor head of household
2 if no adult is present in the household.

3 “(2) CALCULATION.—In calculating the portion
4 of the amount described in paragraph (1) that is
5 used for activities that are described in paragraph
6 (1), the Secretary shall not count funds made avail-
7 able to renew contracts for existing projects under
8 section 429.

9 “(3) ADJUSTMENT.—The 30 percent figure in
10 paragraph (1) shall be reduced proportionately based
11 on need under section 427(b)(2) in geographic areas
12 for which subsection (e) applies in regard to sub-
13 section (d)(2)(A).

14 “(4) SUSPENSION.—The requirement estab-
15 lished in paragraph (1) shall be suspended for any
16 year in which available funding for grants under this
17 subtitle would not be sufficient to renew for 1 year
18 existing grants that would otherwise be funded
19 under this subtitle.

20 “(5) TERMINATION.—The requirement estab-
21 lished in paragraph (1) shall terminate upon a find-
22 ing by the Secretary that since the beginning of
23 2001 at least 150,000 new units of permanent hous-
24 ing for homeless individuals and families with dis-
25 abilities have been funded under this subtitle.

1 “(b) MINIMUM ALLOCATION FOR PERMANENT HOUS-
2 ING FOR HOMELESS FAMILIES WITH CHILDREN.—From
3 the amounts made available to carry out this subtitle for
4 a fiscal year, a portion equal to not less than 10 percent
5 of the sums made available to carry out subtitle B and
6 this subtitle for that fiscal year shall be used to provide
7 or secure permanent housing for homeless families with
8 children.

9 “(c) FUNDING FOR ACQUISITION, CONSTRUCTION,
10 AND REHABILITATION OF PERMANENT OR TRANSITIONAL
11 HOUSING.—Nothing in this subtitle shall be construed to
12 establish a limit on the amount of funding that an appli-
13 cant may request under this subtitle for acquisition, con-
14 struction, or rehabilitation activities for the development
15 of permanent housing or transitional housing.

16 “(d) INCENTIVES FOR PROVEN STRATEGIES.—

17 “(1) IN GENERAL.—The Secretary shall provide
18 bonuses or other incentives to geographic areas for
19 using funding under this subtitle for activities that
20 have been proven to be effective at reducing home-
21 lessness generally or reducing homelessness for a
22 specific subpopulation.

23 “(2) RULE OF CONSTRUCTION.—For purposes
24 of this subsection, activities that have been proven to
25 be effective at reducing homelessness generally or re-

1 ducing homelessness for a specific subpopulation in-
2 cludes—

3 “(A) permanent supportive housing for
4 chronically homeless individuals and families;

5 “(B) for homeless families, rapid rehousing
6 services, short-term flexible subsidies to over-
7 come barriers to rehousing, support services
8 concentrating on improving incomes to pay
9 rent, coupled with performance measures em-
10 phasizing rapid and permanent rehousing and
11 with leveraging funding from mainstream fam-
12 ily service systems such as Temporary Assist-
13 ance for Needy Families and Child Welfare
14 services; and

15 “(C) any other activity determined by the
16 Secretary, based on research and after notice
17 and comment to the public, to have been proven
18 effective at reducing homelessness generally or
19 reducing homelessness for a specific subpopula-
20 tion.

21 “(e) INCENTIVES FOR SUCCESSFUL IMPLEMENTA-
22 TION OF PROVEN STRATEGIES.—If any geographic area
23 demonstrates that it has fully implemented any of the ac-
24 tivities described in subsection (d) for all homeless individ-
25 uals and families or for all members of subpopulations for

1 whom such activities are targeted, that geographic area
2 shall receive the bonus or incentive provided under sub-
3 section (d), but may use such bonus or incentive for any
4 eligible activity under either section 423 or paragraphs (4)
5 and (5) of section 414(a) for homeless people generally
6 or for the relevant subpopulation.

7 **“SEC. 429. RENEWAL FUNDING AND TERMS OF ASSISTANCE**
8 **FOR PERMANENT HOUSING.**

9 “(a) IN GENERAL.—Of the total amount available in
10 the account or accounts designated for appropriations for
11 use in connection with section 8 of the United States
12 Housing Act of 1937 (42 U.S.C. 1437f), the Secretary
13 shall use such sums as may be necessary for the purpose
14 of renewing expiring contracts for leasing, rental assist-
15 ance, or operating costs for permanent housing.

16 “(b) RENEWALS.—The sums made available under
17 subsection (a) shall be available for the renewal of con-
18 tracts in the case of tenant-based assistance, successive
19 1-year terms, and in the case of project-based assistance,
20 successive terms of up to 15 years at the discretion of the
21 applicant or project sponsor and subject to the availability
22 of annual appropriations, for rental assistance and hous-
23 ing operation costs associated with permanent housing
24 projects funded under this subtitle, or under subtitle C
25 or F (as in effect on the day before the date of enactment

1 of the Community Partnership to End Homelessness Act
2 of 2007). The Secretary shall determine whether to renew
3 a contract for such a permanent housing project on the
4 basis of certification by the collaborative applicant for the
5 geographic area that—

6 “(1) there is a demonstrated need for the
7 project; and

8 “(2) the project complies with program require-
9 ments and appropriate standards of housing quality
10 and habitability, as determined by the Secretary.

11 “(c) CONSTRUCTION.—Nothing in this section shall
12 be construed as prohibiting the Secretary from renewing
13 contracts under this subtitle in accordance with criteria
14 set forth in a provision of this subtitle other than this sec-
15 tion.

16 **“SEC. 430. MATCHING FUNDING.**

17 “(a) IN GENERAL.—A collaborative applicant in a ge-
18 ographic area in which funds are awarded under this sub-
19 title shall specify contributions from any source other than
20 a grant awarded under this subtitle, that shall be made
21 available in the geographic area in an amount equal to
22 not less than 25 percent of the funds provided to recipi-
23 ents in the geographic area, except that grants for leasing
24 under section 423(a)(3) of this Act, as such section existed
25 prior to the date of the enactment of the Community Part-

1 nership to End Homelessness Act of 2007, that were origi-
2 nally made without a match requirement under the terms
3 of such prior section, shall not be subject to any match
4 requirement when such grants are renewed.

5 “(b) LIMITATIONS ON IN-KIND MATCH.—The cash
6 value of services provided to the residents or clients of a
7 project sponsor by an entity other than the project sponsor
8 may count toward the contributions in subsection (a) only
9 when documented by a memorandum of understanding be-
10 tween the project sponsor and the other entity that such
11 services will be provided.

12 “(c) COUNTABLE ACTIVITIES.— The contributions
13 required under subsection (a) may consist of—

14 “(1) funding for any eligible activity described
15 under section 423; and

16 “(2) subject to subsection (b), in-kind provision
17 of services of any eligible activity described under
18 section 423.”.

19 **SEC. 8. RURAL HOUSING STABILITY ASSISTANCE.**

20 Subtitle D of title IV of the McKinney-Vento Home-
21 less Assistance Act (42 U.S.C. 11408 et seq.), as redesi-
22 gnated by section 10, is amended—

23 (1) by striking the subtitle heading and insert-
24 ing the following:

1 **“Subtitle D—Rural Housing**
2 **Stability Assistance Program”**; and

3 (2) in section 491—

4 (A) by striking the section heading and in-
5 serting **“RURAL HOUSING STABILITY**
6 **GRANT PROGRAM.”**;

7 (B) in subsection (a)—

8 (i) by striking “rural homelessness
9 grant program” and inserting “rural hous-
10 ing stability grant program”;

11 (ii) by inserting “in lieu of grants
12 under subtitle C” after “eligible organiza-
13 tions”; and

14 (iii) by striking paragraphs (1), (2),
15 and (3), and inserting the following:

16 “(1) rehousing or improving the housing situa-
17 tions of individuals and families who are homeless or
18 in the worst housing situations in the geographic
19 area;

20 “(2) stabilizing the housing of individuals and
21 families who are in imminent danger of losing hous-
22 ing; and

23 “(3) improving the ability of the lowest-income
24 residents of the community to afford stable hous-
25 ing.”;

1 (C) in subsection (b)(1)—

2 (i) by redesignating subparagraphs
3 (E), (F), and (G) as subparagraphs (I),
4 (J), and (K), respectively; and

5 (ii) by striking subparagraph (D) and
6 inserting the following:

7 “(D) construction of new housing units to
8 provide transitional or permanent housing to
9 homeless individuals and families;

10 “(E) acquisition or rehabilitation of a
11 structure to provide supportive services or to
12 provide transitional or permanent housing,
13 other than emergency shelter, to homeless indi-
14 viduals and families;

15 “(F) leasing of property, or portions of
16 property, not owned by the recipient or project
17 sponsor involved, for use in providing transi-
18 tional or permanent housing to homeless indi-
19 viduals and families, or providing supportive
20 services to homeless individuals and families;

21 “(G) provision of rental assistance to pro-
22 vide transitional or permanent housing to home-
23 less individuals and families, such rental assist-
24 ance may include tenant-based or project-based
25 rental assistance;

1 “(H) payment of operating costs for hous-
2 ing units assisted under this title;”;

3 (D) in subsection (b)(2), by striking “ap-
4 propriated” and inserting “transferred”;

5 (E) in subsection (c)—

6 (i) in paragraph (1)(A), by striking
7 “appropriated” and inserting “trans-
8 ferred”; and

9 (ii) in paragraph (3), by striking “ap-
10 propriated” and inserting “transferred”;

11 (F) in subsection (d)—

12 (i) in paragraph (5), by striking “;
13 and” and inserting a semicolon;

14 (ii) in paragraph (6)—

15 (I) by striking “an agreement”
16 and all that follows through “fami-
17 lies” and inserting the following: “a
18 description of how individuals and
19 families who are homeless or who have
20 the lowest incomes in the community
21 will be involved by the organization”;
22 and

23 (II) by striking the period at the
24 end, and inserting a semicolon; and

1 (iii) by adding at the end the fol-
2 lowing:

3 “(7) a description of consultations that took
4 place within the community to ascertain the most
5 important uses for funding under this section, in-
6 cluding the involvement of potential beneficiaries of
7 the project; and

8 “(8) a description of the extent and nature of
9 homelessness and of the worst housing situations in
10 the community.”;

11 (G) by striking subsections (f) and (g) and
12 inserting the following:

13 “(f) MATCHING FUNDING.—

14 “(1) IN GENERAL.—An organization eligible to
15 receive a grant under subsection (a) shall specify
16 matching contributions from any source other than
17 a grant awarded under this subtitle, that shall be
18 made available in an amount equal to not less than
19 25 percent of the funds provided for the project or
20 activity, except that grants for leasing under section
21 423(a)(3) of this Act, as such section existed prior
22 to the date of the enactment of the Community
23 Partnership to End Homelessness Act of 2007, that
24 were originally made without a match requirement
25 under the terms of such prior section, shall not be

1 subject to any match requirement when such grants
2 are renewed.

3 “(2) LIMITATIONS ON IN-KIND MATCH.—The
4 cash value of services provided to the beneficiaries or
5 clients of an eligible organization by an entity other
6 than the organization may count toward the con-
7 tributions in paragraph (1) only when documented
8 by a memorandum of understanding between the or-
9 ganization and the other entity that such services
10 will be provided.

11 “(3) COUNTABLE ACTIVITIES.—The contribu-
12 tions required under paragraph (1) may consist of—

13 “(A) funding for any eligible activity de-
14 scribed under subsection (b); and

15 “(B) subject to paragraph (2), in-kind pro-
16 vision of services of any eligible activity de-
17 scribed under subsection (b).

18 “(g) SELECTION CRITERIA.—The Secretary shall es-
19 tablish criteria for selecting recipients of grants under
20 subsection (a), including—

21 “(1) the participation of potential beneficiaries
22 of the project in assessing the need for, and impor-
23 tance of, the project in the community;

1 (ii) in paragraph (1)(B), by inserting
2 “and the worst housing situations” after
3 “homelessness”; and

4 (iii) in paragraph (2), by inserting
5 “and the worst housing situations” after
6 “homelessness”;

7 (I) in subsection (k)—

8 (i) in paragraph (1), by striking
9 “rural homelessness grant program” and
10 inserting “rural housing stability grant
11 program”; and

12 (ii) in paragraph (2)(B)(ii), by strik-
13 ing “rural census tract” and inserting
14 “census tract where at least 75 percent of
15 the population is rural”;

16 (J) in subsection (l)—

17 (i) by striking the subsection heading
18 and inserting “PROGRAM FUNDING.—”;
19 and

20 (ii) by striking paragraph (1) and in-
21 serting the following:

22 “(1) IN GENERAL.—The Secretary shall deter-
23 mine the total amount of funding attributable under
24 section 427(b)(2) to meet the needs of any geo-
25 graphic area in the Nation that applies for funding

1 under this section. The Secretary shall transfer any
2 amounts determined under this subsection from the
3 Community Homeless Assistance Program and con-
4 solidate such transferred amounts for grants under
5 this section, except that the Secretary shall transfer
6 an amount not less than 5 percent of the amount
7 available under this subtitle for grants under this
8 section.”; and

9 (K) by adding at the end the following:

10 “(m) DIVISION OF FUNDS.—

11 “(1) AGREEMENT AMONG GEOGRAPHIC
12 AREAS.—If the Secretary receives an application or
13 applications to provide services in a geographic area
14 under this subtitle, and also under subtitle C, the
15 Secretary shall consult with all applicants from the
16 geographic area to determine whether all agree to
17 proceed under either this subtitle or under subtitle
18 C.

19 “(2) DEFAULT IF NO AGREEMENT.—If no
20 agreement is reached under paragraph (1), the Sec-
21 retary shall proceed under this subtitle or under sub-
22 title C, depending on which results in the largest
23 total grant funding to the geographic area.

24 “(n) REGULATIONS.—

1 “(1) IN GENERAL.—Not later than 18 months
2 after the date of the enactment of the Community
3 Partnership to End Homelessness Act of 2007, the
4 Secretary shall promulgate regulations governing the
5 administration of the grant program under this sec-
6 tion, as such program was modified by section 8 of
7 such Act.

8 “(2) RULE OF CONSTRUCTION.—The require-
9 ment of regulations under paragraph (1) shall not be
10 construed so as to prevent the Secretary from car-
11 rying out the grant program set forth under this
12 section prior to the expiration of the 18-month pe-
13 riod described under paragraph (1).”.

14 **SEC. 9. REPEALS AND CONFORMING AMENDMENTS.**

15 (a) REPEALS.—Subtitles D, E, and F of title IV of
16 the McKinney-Vento Homeless Assistance Act (42 U.S.C.
17 11391 et seq., 11401 et seq., and 11403 et seq.) are re-
18 pealed.

19 (b) CONFORMING AMENDMENT.—Subtitle G of title
20 IV of the McKinney-Vento Homeless Assistance Act (42
21 U.S.C. 11408 et seq.) is amended by redesignating sub-
22 title G as subtitle D.

1 **SEC. 10. SPECIAL ASSISTANT FOR VETERANS AFFAIRS IN**
2 **OFFICE OF SECRETARY OF HOUSING AND**
3 **URBAN DEVELOPMENT.**

4 Section 4 of the Department of Housing and Urban
5 Development Act (42 U.S.C. 3533) is amended by adding
6 at the end the following new subsection:

7 “(g) SPECIAL ASSISTANT FOR VETERANS AF-
8 FAIRS.—

9 “(1) ESTABLISHMENT.—There shall be in the
10 Department a Special Assistant for Veterans Af-
11 fairs, who shall be in the Office of the Secretary.

12 “(2) APPOINTMENT.—The Special Assistant for
13 Veterans Affairs shall be appointed based solely on
14 merit and shall be covered under the provisions of
15 title 5, United States Code, governing appointments
16 in the competitive service.

17 “(3) RESPONSIBILITIES.—The Special Assist-
18 ant for Veterans Affairs shall be responsible for—

19 “(A) ensuring veterans have access to
20 housing and homeless assistance under each
21 program of the Department providing either
22 such assistance;

23 “(B) coordinating all programs and activi-
24 ties of the Department relating to veterans;

25 “(C) serving as a liaison for the Depart-
26 ment with the Department of Veterans Affairs,

1 including establishing and maintaining relation-
2 ships with the Secretary of Veterans Affairs;

3 “(D) serving as a liaison for the Depart-
4 ment, and establishing and maintaining rela-
5 tionships with officials of State, local, regional,
6 and nongovernmental organizations concerned
7 with veterans;

8 “(E) providing information and advice re-
9 garding—

10 “(i) sponsoring housing projects for
11 veterans assisted under programs adminis-
12 tered by the Department; or

13 “(ii) assisting veterans in obtaining
14 housing or homeless assistance under pro-
15 grams administered by the Department;

16 “(F) preparing, on an annual basis, a re-
17 port to the Secretaries of Housing and Urban
18 Development and of Veterans Affairs on the
19 housing needs of veterans; and’

20 “(G) carrying out such other duties as may
21 be assigned to the Special Assistant by the Sec-
22 retary or by law.”.

23 **SEC. 11. EFFECTIVE DATE.**

24 This Act shall take effect 6 months after the date
25 of enactment of this Act.