

110TH CONGRESS
1ST SESSION

S. 1518

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

IN THE SENATE OF THE UNITED STATES

MAY 24, 2007

Mr. REED (for himself, Mr. ALLARD, Ms. MIKULSKI, Mr. BOND, Mr. DURBIN, Ms. COLLINS, Mr. SCHUMER, Mr. AKAKA, Mrs. CLINTON, Mr. WHITEHOUSE, Mr. LEVIN, Mr. BROWN, and Mrs. BOXER) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

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

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

3 **SECTION 1. SHORT TITLE; 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. United States Interagency Council on Homelessness.
 Sec. 4. Housing assistance general provisions.
 Sec. 5. Emergency homelessness prevention and shelter grants program.
 Sec. 6. Homeless assistance program.
 Sec. 7. Rural housing stability assistance.
 Sec. 8. Funds to prevent homelessness and stabilize housing for precariously housed individuals and families.
 Sec. 9. Repeals and conforming amendments.
 Sec. 10. 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. UNITED STATES INTERAGENCY COUNCIL ON HOME-**
5 **LESSNESS.**

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

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

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

16 (A) in subsection (a)—

17 (i) by striking “(16)” and inserting
18 “(19)”; and

19 (ii) by inserting after paragraph (15)
20 the following:

21 “(16) The Commissioner of Social Security, or
22 the designee of the Commissioner.

23 “(17) The Attorney General of the United
24 States, or the designee of the Attorney General.

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

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

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

6 “(e) ADMINISTRATION.—The Assistant to the Presi-
7 dent for Domestic Policy within the Executive Office of
8 the President shall oversee the functioning of the United
9 States Interagency Council on Homelessness to ensure
10 Federal interagency collaboration and program coordina-
11 tion to focus on preventing and ending homelessness, to
12 increase access to mainstream programs (as identified in
13 a report by the Government Accountability Office entitled
14 ‘Homelessness: Barriers to Using Mainstream Programs’,
15 issued July 6, 2000) by persons experiencing homeles-
16 ness, to eliminate the barriers to participation in those
17 programs, to implement a Federal plan to prevent and end
18 homelessness, and to identify Federal resources that can
19 be expended to prevent and end homelessness.”;

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

21 (A) by redesignating paragraphs (1), (2),
22 (3), (4), (5), (6), and (7) as paragraphs (2),
23 (3), (4), (5), (8), (9), and (10), respectively;

1 (B) by inserting before paragraph (2), as
2 redesignated by subparagraph (A), the fol-
3 lowing:

4 “(1) not later than 1 year after the date of en-
5 actment of the Community Partnership to End
6 Homelessness Act of 2007, develop and submit to
7 the President and to Congress a National Strategic
8 Plan to End Homelessness;”;

9 (C) in paragraph (5), as redesignated by
10 subparagraph (A), by striking “at least 2, but
11 in no case more than 5” and inserting “not less
12 than 5, but in no case more than 10”; and

13 (D) by inserting after paragraph (5), as
14 redesignated by subparagraph (A), the fol-
15 lowing:

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

20 “(7) develop mechanisms to ensure access by
21 persons experiencing homelessness to all Federal,
22 State, and local programs for which the persons are
23 eligible, and to verify collaboration among entities
24 within a community that receive Federal funding
25 under programs targeted for persons experiencing

1 homelessness, and other programs for which persons
2 experiencing homelessness are eligible, including
3 mainstream programs identified by the Government
4 Accountability Office in the 2 reports described in
5 section 102(a)(5)(B);” and

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

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

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

13 **SEC. 4. HOUSING ASSISTANCE GENERAL PROVISIONS.**

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

17 (1) by striking the subtitle heading and insert-
18 ing the following:

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

20 (2) by redesignating section 401 (42 U.S.C.
21 11361) as section 403;

22 (3) by redesignating section 402 (42 U.S.C.
23 11362) as section 406;

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

1 **“SEC. 401. DEFINITIONS.**

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

3 “(1) **CHRONICALLY HOMELESS.**—

4 “(A) **IN GENERAL.**—The term ‘chronically
5 homeless’, used with respect to an individual or
6 family, means an individual or family who—

7 “(i) is homeless and lives or resides in
8 a place not meant for human habitation or
9 in an emergency shelter;

10 “(ii) has been homeless and living or
11 residing in a place not meant for human
12 habitation or in an emergency shelter con-
13 tinuously for at least 1 year or on at least
14 4 separate occasions in the last 3 years;
15 and

16 “(iii) has an adult head of household
17 with a diagnosable substance use disorder,
18 serious mental illness, developmental dis-
19 ability (as defined in section 102 of the
20 Developmental Disabilities Assistance and
21 Bill of Rights Act of 2000 (42 U.S.C.
22 15002)), or chronic physical illness or dis-
23 ability, including the co-occurrence of 2 or
24 more of those conditions.

25 “(2) **COLLABORATIVE APPLICANT.**—The term
26 ‘collaborative applicant’ means an entity that—

1 “(A) carries out the duties specified in sec-
2 tion 402;

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

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

10 “(3) COLLABORATIVE APPLICATION.—The term
11 ‘collaborative application’ means an application for a
12 grant under subtitle C that—

13 “(A) satisfies section 422; and

14 “(B) is submitted to the Secretary by a
15 collaborative applicant.

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

21 “(5) ELIGIBLE ENTITY.—The term ‘eligible en-
22 tity’ means, with respect to a subtitle, a public enti-
23 ty, a private entity, or an entity that is a combina-
24 tion of public and private entities, that is eligible to
25 receive directly grant amounts under that subtitle.

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

8 “(7) HOMELESS INDIVIDUAL WITH A DIS-
9 ABILITY.—

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

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

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

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

21 “(IV) is a physical, mental, or emo-
22 tional impairment, including an impair-
23 ment caused by alcohol or drug abuse;

24 “(ii) is a developmental disability, as
25 defined in section 102 of the Develop-

1 mental Disabilities Assistance and Bill of
2 Rights Act of 2000 (42 U.S.C. 15002); or

3 “(iii) is the disease of acquired im-
4 munodeficiency syndrome or any condition
5 arising from the etiologic agency for ac-
6 quired immunodeficiency syndrome.

7 “(B) RULE.—Nothing in clause (iii) of
8 subparagraph (A) shall be construed to limit
9 eligibility under clause (i) or (ii) of subpara-
10 graph (A).

11 “(8) LEGAL ENTITY.—The term ‘legal entity’
12 means—

13 “(A) an entity described in section
14 501(c)(3) of the Internal Revenue Code of 1986
15 and exempt from tax under section 501(a) of
16 that Code;

17 “(B) an instrumentality of State or local
18 government; or

19 “(C) a consortium of instrumentalities of
20 State or local governments that has constituted
21 itself as an entity.

22 “(9) METROPOLITAN CITY; URBAN COUNTY;
23 NONENTITLEMENT AREA.—The terms ‘metropolitan
24 city’, ‘urban county’, and ‘nonentitlement area’ have
25 the meanings given such terms in section 102(a) of

1 the Housing and Community Development Act of
2 1974 (42 U.S.C. 5302(a)).

3 “(10) NEW.—The term ‘new’, used with respect
4 to housing, means housing for which no assistance
5 has been provided under this title.

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

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

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

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

16 “(12) OUTPATIENT HEALTH SERVICES.—The
17 term ‘outpatient health services’ means outpatient
18 health care services, mental health services, and out-
19 patient substance abuse treatment services.

20 “(13) PERMANENT HOUSING.—The term ‘per-
21 manent housing’ means community-based housing
22 without a designated length of stay, and includes
23 permanent supportive housing for homeless individ-
24 uals with disabilities and homeless families that in-
25 clude such an individual who is an adult.

1 “(14) PRIVATE NONPROFIT ORGANIZATION.—
2 The term ‘private nonprofit organization’ means an
3 organization—

4 “(A) no part of the net earnings of which
5 inures to the benefit of any member, founder,
6 contributor, or individual;

7 “(B) that has a voluntary board;

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

11 “(D) that practices nondiscrimination in
12 the provision of assistance.

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

19 “(16) PROJECT-BASED.—The term ‘project-
20 based’, used with respect to rental assistance, means
21 assistance provided pursuant to a contract that—

22 “(A) is between—

23 “(i) a project sponsor; and

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

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

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

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

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

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

22 “(C)(i) serves as a project sponsor for the
23 projects; or

24 “(ii) awards the funds to project sponsors
25 to carry out the projects.

1 “(19) SECRETARY.—The term ‘Secretary’
2 means the Secretary of Housing and Urban Develop-
3 ment.

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

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

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

20 “(23) TENANT-BASED.—The term ‘tenant-
21 based’, used with respect to rental assistance, means
22 assistance that allows an eligible person to select a
23 housing unit in which such person will live using
24 rental assistance provided under subtitle C, except
25 that if necessary to assure that the provision of sup-

1 portive services to a person participating in a pro-
 2 gram is feasible, a recipient or project sponsor may
 3 require that the person live—

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

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

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

17 “(25) UNIFIED FUNDING AGENCY.—The term
 18 ‘unified funding agency’ means a collaborative appli-
 19 cant that performs the duties described in section
 20 402(f).

21 **“SEC. 402. COLLABORATIVE APPLICANTS.**

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

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

3 “(2) perform the duties specified in subsection
4 (e) and, if applicable, subsection (f).

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

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

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

21 “(e) DUTIES.—A collaborative applicant shall—

22 “(1) design a collaborative process for the de-
23 velopment of an application under subtitle C, and
24 for evaluating the outcomes of projects for which
25 funds are awarded under subtitle B, in such a man-

1 ner as to provide information necessary for the Sec-
2 retary—

3 “(A) to determine compliance with—

4 “(i) the program requirements under
5 section 425; and

6 “(ii) the selection criteria described
7 under section 427; and

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

10 “(2) participate in the Consolidated Plan for
11 the geographic area served by the collaborative ap-
12 plicant; and

13 “(3) ensure operation of, and consistent partici-
14 pation by, project sponsors in a community-wide
15 homeless management information system for pur-
16 poses of —

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

19 “(B) analyzing patterns of use of assist-
20 ance provided under subtitles B and C for the
21 geographic area involved; and

22 “(C) providing information to project spon-
23 sors and applicants for needs analyses and
24 funding priorities.

25 “(f) UNIFIED FUNDING.—

1 “(1) IN GENERAL.—In addition to the duties
2 described in subsection (e), a collaborative applicant
3 shall receive from the Secretary and distribute to
4 other project sponsors in the applicable geographic
5 area funds for projects to be carried out by such
6 other project sponsors, if—

7 “(A) the collaborative applicant—

8 “(i) applies to undertake such collec-
9 tion and distribution responsibilities in an
10 application submitted under this subtitle;
11 and

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

14 “(B) the Secretary designates the collabo-
15 rative applicant as the unified funding agency
16 in the geographic area, after—

17 “(i) a finding by the Secretary that
18 the applicant—

19 “(I) has the capacity to perform
20 such responsibilities; and

21 “(II) would serve the purposes of
22 this Act as they apply to the geo-
23 graphic area; and

24 “(ii) the Secretary provides the col-
25 laborative applicant with the technical as-

1 sistance necessary to perform such respon-
2 sibilities as such assistance is agreed to by
3 the collaborative applicant.

4 “(2) REQUIRED ACTIONS BY A UNIFIED FUND-
5 ING AGENCY.—A collaborative applicant that is ei-
6 ther selected or designated as a unified funding
7 agency for a geographic area under paragraph (1)
8 shall—

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

20 “(B) arrange for an annual survey, audit,
21 or evaluation of the financial records of each
22 project carried out by a project sponsor funded
23 by a grant received under subtitle C.

24 “(g) CONFLICT OF INTEREST.—No board member of
25 a collaborative applicant may participate in decisions of

1 the collaborative applicant concerning the award of a
2 grant, or provision of other financial benefits, to such
3 member or the organization that such member rep-
4 resents.”;

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

7 **“SEC. 404. TECHNICAL ASSISTANCE.**

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

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

21 “(1) to improve their ability to carry out the
22 duties required under subsections (e) and (f) of sec-
23 tion 402;

24 “(2) to design and execute outcome-effective
25 strategies for preventing and ending homelessness in

1 their geographic areas consistent with the provisions
2 of this title; and

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

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

12 **“SEC. 405. APPEALS.**

13 “(a) IN GENERAL.—Not later than 3 months after
14 the date of enactment of the Community Partnership to
15 End Homelessness Act of 2007, the Secretary shall estab-
16 lish a timely appeal procedure for grant amounts awarded
17 or denied under this subtitle pursuant to an application
18 for funding.

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

22 “(1) collaborative applicants;

23 “(2) entities carrying out homeless housing and
24 services projects (including emergency shelters and
25 homelessness prevention programs); and

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

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

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

6 “There are authorized to be appropriated to carry out
7 this title \$1,800,000,000 for fiscal year 2008 and such
8 sums as may be necessary for fiscal years 2009, 2010,
9 2011, and 2012.”.

10 **SEC. 5. EMERGENCY HOMELESSNESS PREVENTION AND**
11 **SHELTER GRANTS PROGRAM.**

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

15 (1) by striking the subtitle heading and insert-
16 ing the following:

17 **“Subtitle B—Emergency Homeless-**
18 **ness Prevention and Shelter**
19 **Grants Program”;**

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

22 **“SEC. 412. GRANT ASSISTANCE.**

23 “‘The Secretary shall make grants to States and local
24 governments (and to private nonprofit organizations pro-
25 viding assistance to persons experiencing homelessness, in

1 the case of grants made with reallocated amounts) for the
2 purpose of carrying out activities described in section 414.

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

4 “(a) IN GENERAL.—Of the amount made available
5 to carry out this subtitle and subtitle C for a fiscal year,
6 the Secretary shall allocate nationally not less than 10 nor
7 more than 15 percent of such amount for activities de-
8 scribed in section 414.

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

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

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

23 **“SEC. 414. ELIGIBLE ACTIVITIES.**

24 “Assistance provided under section 412 may be used
25 for the following activities:

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

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

14 “(3) Maintenance, operation, insurance, provi-
15 sion of utilities, and provision of furnishings.

16 “(4) Housing relocation or stabilization services
17 for individuals and families at risk of homelessness,
18 including housing search, mediation or outreach to
19 property owners, legal services, credit repair, pro-
20 viding security or utility deposits, short- or medium-
21 term rental assistance, assistance with moving costs,
22 or other activities that are effective at—

23 “(A) stabilizing individuals and families in
24 their current housing; or

1 “(B) quickly moving such individuals and
2 families to other housing before such individ-
3 uals and families become homeless.”;

4 (5) by repealing section 417 (42 U.S.C. 11377);

5 and

6 (6) by redesignating section 418 as section 417.

7 **SEC. 6. HOMELESS ASSISTANCE PROGRAM.**

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

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

13 **“Subtitle C—Homeless Assistance**
14 **Program”;**

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

17 **“SEC. 421. PURPOSES.**

18 “‘The purposes of this subtitle are—

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

21 “(2) to provide funding for efforts by nonprofit
22 providers and State and local governments to quickly
23 rehouse homeless individuals and families while
24 minimizing the trauma and dislocation caused to in-

1 individuals, families, and communities by homeless-
2 ness;

3 “(3) to promote access to, and effective utiliza-
4 tion of, mainstream programs identified by the Gov-
5 ernment Accountability Office in the 2 reports de-
6 scribed in section 102(a)(5)(B) and programs fund-
7 ed with State or local resources; and

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

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

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

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

25 “(c) APPLICATIONS.—

1 “(1) SUBMISSION TO THE SECRETARY.—To be
2 eligible to receive a grant under subsection (a), a
3 project sponsor or unified funding agency in a geo-
4 graphic area shall submit an application to the Sec-
5 retary at such time and in such manner as the Sec-
6 retary may require, and containing—

7 “(A) such information as the Secretary de-
8 termines necessary—

9 “(i) to determine compliance with the
10 program requirements and selection cri-
11 teria under this subtitle; and

12 “(ii) to establish priorities for funding
13 projects in the geographic area.

14 “(2) ANNOUNCEMENT OF AWARDS.—The Sec-
15 retary shall announce, within 4 months after the last
16 date for the submission of applications described in
17 this subsection for a fiscal year, the grants condi-
18 tionally awarded under subsection (a) for that fiscal
19 year.

20 “(d) OBLIGATION, DISTRIBUTION, AND UTILIZATION
21 OF FUNDS.—

22 “(1) REQUIREMENTS FOR OBLIGATION.—

23 “(A) IN GENERAL.—Not later than 9
24 months after the announcement referred to in
25 subsection (c)(2), each recipient of a grant an-

1 nounced under such subsection shall, with re-
2 spect to a project to be funded through such
3 grant, meet, or cause the project sponsor to
4 meet, all requirements for the obligation of
5 funds for such project, including site control,
6 matching funds, and environmental review re-
7 quirements, except as provided in subparagraph
8 (C).

9 “(B) ACQUISITION, REHABILITATION, OR
10 CONSTRUCTION.—Not later than 15 months
11 after the announcement referred to in sub-
12 section (c)(2), each recipient of a grant an-
13 nounced under such subsection seeking the obli-
14 gation of funds for acquisition of housing, reha-
15 bilitation of housing, or construction of new
16 housing for a grant announced under such sub-
17 section shall meet all requirements for the obli-
18 gation of those funds, including site control,
19 matching funds, and environmental review re-
20 quirements.

21 “(C) EXTENSIONS.—At the discretion of
22 the Secretary, and in compelling circumstances,
23 the Secretary may extend the date by which a
24 recipient of a grant announced under subsection
25 (c)(2) shall meet or cause a project sponsor to

1 meet the requirements described in subpara-
2 graphs (A) and (B) if the Secretary determines
3 that compliance with the requirements was de-
4 layed due to factors beyond the reasonable con-
5 trol of the recipient or project sponsor. Such
6 factors may include difficulties in obtaining site
7 control for a proposed project, completing the
8 process of obtaining secure financing for the
9 project, or completing the technical submission
10 requirements for the project.

11 “(2) OBLIGATION.—Not later than 45 days
12 after a recipient meets or causes a project sponsor
13 to meet the requirements described in paragraph
14 (1), the Secretary shall obligate the funds for the
15 grant involved.

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

19 “(A) shall distribute the funds to project
20 sponsors (in advance of expenditures by the
21 project sponsors); and

22 “(B) shall distribute the appropriate por-
23 tion of the funds to a project sponsor not later
24 than 45 days after receiving a request for such
25 distribution from the project sponsor.

1 “(4) EXPENDITURE OF FUNDS.—The Secretary
2 may establish a date by which funds made available
3 through a grant announced under subsection (c)(2)
4 for a homeless assistance project shall be entirely ex-
5 pended by the recipient or project sponsors involved.
6 The Secretary shall recapture the funds not ex-
7 pended by such date. The Secretary shall reallocate
8 the funds for another homeless assistance and pre-
9 vention project that meets the requirements of this
10 subtitle to be carried out, if possible and appro-
11 priate, in the same geographic area as the area
12 served through the original grant.

13 “(e) RENEWAL FUNDING FOR UNSUCCESSFUL AP-
14 PLICANTS.—The Secretary may renew funding for a spe-
15 cific project previously funded under this subtitle that the
16 Secretary determines meets the purposes of this subtitle,
17 and was included as part of a total application that met
18 the criteria of subsection (c), even if the application was
19 not selected to receive grant assistance. The Secretary
20 may renew the funding for a period of not more than 1
21 year, and under such conditions as the Secretary deter-
22 mines to be appropriate.

23 “(f) CONSIDERATIONS IN DETERMINING RENEWAL
24 FUNDING.—When providing renewal funding for leasing
25 or rental assistance for permanent housing, the Secretary

1 shall take into account increases in the fair market rents
2 for modest rental property in the geographic area.

3 “(g) MORE THAN 1 APPLICATION FOR A GEO-
4 GRAPHIC AREA.—If more than 1 collaborative applicant
5 applies for funds for a geographic area, the Secretary shall
6 award funds to the collaborative applicant with the highest
7 score based on the selection criteria set forth in section
8 427.

9 **“SEC. 423. ELIGIBLE ACTIVITIES.**

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

14 “(1) Construction of new housing units to pro-
15 vide transitional or permanent housing to homeless
16 individuals and families.

17 “(2) Acquisition or rehabilitation of a structure
18 to provide supportive services or to provide transi-
19 tional or permanent housing, other than emergency
20 shelter, to homeless individuals and families.

21 “(3) Leasing of property, or portions of prop-
22 erty, not owned by the recipient or project sponsor
23 involved, for use in providing transitional or perma-
24 nent housing to homeless individuals and families, or

1 providing supportive services to homeless individuals
2 and families.

3 “(4) Provision of rental assistance to provide
4 transitional or permanent housing to homeless indi-
5 viduals and families. The rental assistance may in-
6 clude tenant-based or project-based rental assist-
7 ance.

8 “(5) Payment of operating costs for housing
9 units assisted under this subtitle.

10 “(6) Provision of supportive services to home-
11 less individuals and families, or individuals and fam-
12 ilies who in the prior 6 months have been homeless
13 but are currently residing in permanent housing.

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

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

22 or

23 “(B) may benefit individuals and families
24 who in the prior 6 months have been homeless,

1 but are currently residing in permanent hous-
2 ing.

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

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

10 “(10) In the case of a collaborative applicant
11 that is a legal entity, payment of administrative
12 costs related to meeting the requirements described
13 in paragraphs (1) and (2) of section 402(e), for
14 which the collaborative applicant may use not more
15 than 3 percent of the total funds made available in
16 the geographic area under this subtitle for such
17 costs, in addition to funds used under paragraph
18 (10).

19 “(11) In the case of a collaborative applicant
20 that is a unified funding agency under section
21 402(f), payment of administrative costs related to
22 meeting the requirements of that section, for which
23 the unified funding agency may use not more than
24 3 percent of the total funds made available in the

1 geographic area under this subtitle for such costs, in
2 addition to funds used under paragraph (10).

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

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

11 “(c) USE RESTRICTIONS.—

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

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

24 “(3) CONVERSION.—If the recipient or project
25 sponsor carrying out a project that provides transi-

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

16 “(d) REPAYMENT OF ASSISTANCE AND PREVENTION
17 OF UNDUE BENEFITS.—

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

24 “(A) earlier than 10 years after operation
25 of the project begins, the Secretary shall re-

1 quire the recipient (or the project sponsor re-
2 ceiving funds from the recipient) to repay 100
3 percent of the assistance; or

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

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

1 “(3) EXCEPTION.—A recipient (or a project
2 sponsor receiving funds from the recipient) shall not
3 be required to make the repayments, and comply
4 with the terms and conditions, required under para-
5 graph (1) or (2) if—

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

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

14 “(C) there are no individuals and families
15 in the geographic area who are homeless, in
16 which case the project may serve individuals
17 and families at risk of homelessness under sec-
18 tion 1004.

19 **“SEC. 424. FLEXIBILITY INCENTIVES FOR HIGH-PER-**
20 **FORMING COMMUNITIES.**

21 “(a) DESIGNATION AS A HIGH-PERFORMING COMMU-
22 NITY.—

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

1 “(2) CONSIDERATION.—In determining whether
2 to designate a collaborative applicant as a high-per-
3 forming community under paragraph (1), the Sec-
4 retary shall establish criteria to ensure that the re-
5 quirements described under paragraphs (1)(B) and
6 (2)(B) of subsection (d) are measured by comparing
7 homeless individuals and families under similar cir-
8 cumstances, in order to encourage projects in the ge-
9 ographic area to serve homeless individuals and fam-
10 ilies with more severe barriers to housing stability.

11 “(3) 2-YEAR PHASE IN.—In each of the first 2
12 years after the date of enactment of this section, the
13 Secretary shall designate not more than 10 collabo-
14 rative applicants as high-performing communities.

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

23 “(5) TIME LIMIT ON DESIGNATION.—The des-
24 ignation of any collaborative applicant as a high-per-
25 forming community under this subsection shall be

1 effective only for the year in which such designation
2 is made. The Secretary, on an annual basis, may
3 renew any such designation.

4 “(b) APPLICATION TO BE A HIGH-PERFORMING
5 COMMUNITY.—

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

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

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

17 “(B) information that such applicant can
18 meet the requirements described under sub-
19 section (d).

20 “(3) PUBLICATION OF APPLICATION.—The Sec-
21 retary shall—

22 “(A) publish any report or information
23 submitted in an application under this section
24 in the geographic area represented by the col-
25 laborative applicant; and

1 “(B) seek comments from the public as to
2 whether the collaborative applicant seeking des-
3 ignation as a high-performing community meets
4 the requirements described under subsection
5 (d).

6 “(c) USE OF FUNDS.—

7 “(1) BY PROJECT SPONSORS IN A HIGH-PER-
8 FORMING COMMUNITY.—Funds awarded under sec-
9 tion 422(a) to a project sponsor who is located in a
10 high-performing community may be used—

11 “(A) for any of the eligible activities de-
12 scribed in section 423; or

13 “(B) for any of the eligible activities de-
14 scribed in section 1003.

15 “(2) COMMUNITY HOMELESSNESS PREVENTION
16 FUNDS.—

17 “(A) IN GENERAL.—Funds used for activi-
18 ties that are eligible under section 1003 but not
19 under section 423 shall be subject to—

20 “(i) the matching requirements of sec-
21 tion 1008 rather than section 430; and

22 “(ii) the other program requirements
23 of title X rather than of this subtitle.

24 “(B) DUTY OF SECRETARY.—The Sec-
25 retary shall transfer any funds awarded under

1 section 422(a) for activities that are eligible
2 under section 1003 but not under section 423
3 from the account for this subtitle to the account
4 for title X.

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

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

12 “(A) is less than 20 days; or

13 “(B) for individuals and families in similar
14 circumstances in the preceding year was at
15 least 10 percent less than in the year before.

16 “(2) Of individuals and families—

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

21 “(B) in similar circumstances who leave
22 homelessness, the percentage of such individ-
23 uals and families who become homeless again
24 within the next 2 years has decreased by at
25 least $\frac{1}{5}$ within the preceding year.

1 “(3) The communities that compose the geo-
2 graphic area have—

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

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

11 “(4) If recipients in the geographic area have
12 used funding awarded under section 422(a) for eligi-
13 ble activities described under section 1003 in pre-
14 vious years based on the authority granted under
15 subsection (c), that such activities were effective at
16 reducing the number of individuals and families who
17 became homeless in that community.

18 “(e) COOPERATION AMONG ENTITIES.—A collabo-
19 rative applicant designated as a high-performing commu-
20 nity under this section shall cooperate with the Secretary
21 in distributing information about successful efforts within
22 the geographic area represented by the collaborative appli-
23 cant to reduce homelessness.” ;

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

1 (A) by striking subsection (a) and insert-
2 ing the following:

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

18 (B) by striking subsection (b) and insert-
19 ing the following:

20 “(b) REQUIRED AGREEMENTS.—The Secretary may
21 not provide assistance for a proposed project under this
22 subtitle unless the collaborative applicant involved
23 agrees—

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

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

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

10 “(4) to require certification from all project
11 sponsors that—

12 “(A) they will maintain the confidentiality
13 of records pertaining to any individual or family
14 provided family violence prevention or treat-
15 ment services through the project;

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

21 “(C) they will establish policies and prac-
22 tices that are consistent with, and do not re-
23 strict the exercise of rights provided by, subtitle
24 B of title VII, and other laws relating to the
25 provision of educational and related services to

1 individuals and families experiencing homeless-
2 ness;

3 “(D) they will provide data and reports as
4 required by the Secretary pursuant to the Act;
5 and

6 “(E) if the project includes the provision of
7 permanent housing to people with disabilities,
8 the housing will be provided for not more
9 than—

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

12 “(ii) 16 such persons, but only if not
13 more than 20 percent of the units in a
14 structure are designated for such persons;
15 or

16 “(iii) more than 16 such persons if
17 the applicant demonstrates that local mar-
18 ket conditions dictate the development of a
19 large project and such development will
20 achieve the neighborhood integration objec-
21 tives of the program within the context of
22 the affected community;

23 “(5) if a collaborative applicant is a unified
24 funding agency under section 402(f) and receives
25 funds under subtitle C to carry out the payment of

1 administrative costs described in section 423(a)(7),
2 to establish such fiscal control and fund accounting
3 procedures as may be necessary to assure the proper
4 disbursement of, and accounting for, such funds in order
5 to ensure that all financial transactions carried out
6 with such funds are conducted, and records main-
7 tained, in accordance with generally accepted ac-
8 counting principles;

9 “(6) to monitor and report to the Secretary the
10 provision of matching funds as required by section
11 430; and

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

15 (C) by redesignating subsection (d) as sub-
16 section (e);

17 (D) in subsection (c) (as redesignated in
18 subparagraph (C)), in the first sentence, by
19 striking “recipient” and inserting “recipient or
20 project sponsor”;

21 (E) by striking subsection (e);

22 (F) by redesignating subsections (f), (g),
23 and (h), as subsections (d), (e), and (f), respec-
24 tively;

1 (G) in subsection (e) (as redesignated in
2 subparagraph (F)), in the first sentence, by
3 striking “recipient” each place it appears and
4 inserting “recipient or project sponsor”;

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

6 (I) by redesignating subsection (j) as sub-
7 section (g);

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

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

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

13 **“SEC. 427. SELECTION CRITERIA.**

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

17 “(b) REQUIRED CRITERIA.—

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

20 “(A) the previous performance of the re-
21 cipient regarding homelessness, measured by
22 criteria that shall be announced by the Sec-
23 retary, that shall take into account barriers
24 faced by individual homeless people, and that
25 shall include—

1 “(i) the length of time individuals and
2 families remain homeless;

3 “(ii) the extent to which individuals
4 and families who leave homelessness expe-
5 rience additional spells of homelessness;

6 “(iii) the thoroughness of grantees in
7 the geographic area in reaching all home-
8 less individuals and families;

9 “(iv) overall reduction in the number
10 of homeless individuals and families;

11 “(v) jobs and income growth for
12 homeless individuals and families;

13 “(vi) success at reducing the number
14 of individuals and families who become
15 homeless; and

16 “(vii) other accomplishments by the
17 recipient related to reducing homelessness;

18 “(B) the plan of the recipient, which shall
19 describe—

20 “(i) how the number of individuals
21 and families who become homeless will be
22 reduced in the community;

23 “(ii) how the length of time that indi-
24 viduals and families remain homeless will
25 be reduced; and

1 “(iii) the extent to which the recipient
2 will—

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

5 “(aa) individuals with seri-
6 ous mental illness, addiction dis-
7 orders, HIV/AIDS and other
8 prevalent disabilities;

9 “(bb) families with children;

10 “(cc) unaccompanied youth;

11 “(dd) veterans; and

12 “(ee) other subpopulations
13 with a risk of becoming homeless;

14 “(II) incorporate all necessary
15 strategies for reducing homelessness,
16 including the interventions referred to
17 in section 428(d);

18 “(III) set quantifiable perform-
19 ance measures;

20 “(IV) set timelines for completion
21 of specific tasks;

22 “(V) identify specific funding
23 sources for planned activities;

1 “(VI) identify an individual or
2 body responsible for overseeing imple-
3 mentation of specific strategies;

4 “(VII) include a review of local
5 policies and practices relating to dis-
6 charge planning from institutions, ac-
7 cess to benefits and services from
8 mainstream government programs,
9 and zoning and land use, to determine
10 whether such local policies and prac-
11 tices aggravate or ameliorate home-
12 lessness in the geographic area;

13 “(VIII) include interventions that
14 will help reunify families that have
15 been split up as a result of homeless-
16 ness; and

17 “(IX) incorporate the findings
18 and recommendations of the most re-
19 cently completed annual assessments,
20 conducted pursuant to section 2034 of
21 title 38, United States Code, of the
22 Department of Veterans Affairs med-
23 ical centers or regional benefits offices
24 whose service areas include the geo-
25 graphic area of the recipient;

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

5 “(i) uses periodically collected infor-
6 mation and analysis to determine the ex-
7 tent to which each project has resulted in
8 rapid return to permanent housing for
9 those served by the project, taking into ac-
10 count the severity of barriers faced by the
11 people the project serves;

12 “(ii) includes evaluations obtained di-
13 rectly from the individuals and families
14 served by the project;

15 “(iii) evaluates whether the population
16 served by the project matches the priority
17 population for that project;

18 “(iv) is based on objective criteria
19 that have been publicly announced by the
20 recipient;

21 “(v) is open to proposals from entities
22 that have not previously received funds
23 under this subtitle; and

24 “(vi) avoids conflicts of interest in the
25 decision-making of the recipient;

1 “(D) the extent to which the recipient has
2 a comprehensive understanding of the extent
3 and nature of homelessness in the geographic
4 area and efforts needed to combat the problem
5 of homelessness in the geographic area;

6 “(E) the need for the types of projects pro-
7 posed in the geographic area to be served and
8 the extent to which the prioritized programs of
9 the recipient meet such unmet needs;

10 “(F) the extent to which the amount of as-
11 sistance to be provided under this subtitle to
12 the recipient will be supplemented with re-
13 sources from other public and private sources,
14 including mainstream programs identified by
15 the Government Accountability Office in the 2
16 reports described in section 102(a)(5)(B);

17 “(G) demonstrated coordination by the re-
18 cipient with the other Federal, State, local, pri-
19 vate, and other entities serving individuals and
20 families experiencing homelessness and at risk
21 of homelessness in the planning and operation
22 of projects, to the extent practicable;

23 “(H) the degree to which homeless individ-
24 uals and families in the geographic area, includ-
25 ing members of all relevant subpopulations list-

1 ed in subparagraph (B)(III)(I), are able to ac-
2 cess—

3 “(i) public benefits and services for
4 which they are eligible, besides the services
5 funded under this subtitle, including public
6 schools; and

7 “(ii) the benefits and services provided
8 by the Department of Veterans Affairs;

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

12 “(i) homeless individuals and families,
13 individuals and families at risk of home-
14 lessness, and individuals and families who
15 have experienced homelessness;

16 “(ii) individuals associated with com-
17 munity-based organizations that serve
18 homeless individuals and families and indi-
19 viduals and families at risk of homeless-
20 ness;

21 “(iii) persons who act as advocates for
22 the diverse subpopulations of individuals
23 and families experiencing or at risk of
24 homelessness;

1 “(iv) relatives of individuals and fami-
2 lies experiencing or at risk of homeless-
3 ness;

4 “(v) Federal, State, and local govern-
5 ment agency officials, particularly those of-
6 ficials responsible for administering fund-
7 ing under programs targeted for individ-
8 uals and families experiencing homeless-
9 ness, and other programs for which indi-
10 viduals and families experiencing homeless-
11 ness are eligible, including mainstream
12 programs identified by the Government Ac-
13 countability Office in the 2 reports de-
14 scribed in section 102(a)(5)(B);

15 “(vi) local educational agency liaisons
16 designated under section 722(g)(1)(J)(ii),
17 or their designees;

18 “(vii) members of the business com-
19 munity;

20 “(viii) members of neighborhood advoca-
21 cacy organizations; and

22 “(ix) members of philanthropic organiza-
23 tions that contribute to preventing and
24 ending homelessness in the geographic
25 area of the collaborative applicant; and

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

4 “(2) ADDITIONAL CRITERIA.—In addition to
5 the criteria required under paragraph (1), the cri-
6 teria established under subsection (a) shall also in-
7 clude the need within the geographic area for home-
8 less services, determined as follows and under the
9 following conditions:

10 “(A) NOTICE.—The Secretary shall inform
11 each collaborative applicant, at a time concu-
12 rent with the release of the Notice of Funding
13 Availability for grants under section 422(b), of
14 the pro rata estimated need amount under this
15 subtitle for the geographic area represented by
16 the collaborative applicant.

17 “(B) AMOUNT.—

18 “(i) BASIS.—The estimated need
19 amount under subparagraph (A) shall be
20 based on a percentage of the total funds
21 available, or estimated to be available, to
22 carry out this subtitle for any fiscal year
23 that is equal to the percentage of the total
24 amount available for section 106 of the
25 Housing and Community Development Act

1 of 1974 (42 U.S.C. 5306) for the prior fis-
2 cal year that—

3 “(I) was allocated to all metro-
4 politan cities and urban counties with-
5 in the geographic area represented by
6 the collaborative applicant; or

7 “(II) would have been distributed
8 to all counties within such geographic
9 area that are not urban counties, if
10 the 30 percent portion of the alloca-
11 tion to the State involved (as de-
12 scribed in subsection (d)(1) of that
13 section 106) for that year had been
14 distributed among the counties that
15 are not urban counties in the State in
16 accordance with the formula specified
17 in that subsection (with references in
18 that subsection to nonentitlement
19 areas considered to be references to
20 those counties).

21 “(ii) RULE.—In computing the esti-
22 mated need amount under subparagraph
23 (A), the Secretary shall adjust the esti-
24 mated need amount determined pursuant
25 to clause (i) to ensure that—

1 “(I) 75 percent of the total funds
2 available, or estimated to be available,
3 to carry out this subtitle for any fiscal
4 year are allocated to the metropolitan
5 cities and urban counties that received
6 a direct allocation of funds under sec-
7 tion 413 for the prior fiscal year; and

8 “(II) 25 percent of the total
9 funds available, or estimated to be
10 available, to carry out this subtitle for
11 any fiscal year are allocated—

12 “(aa) to the metropolitan
13 cities and urban counties that did
14 not receive a direct allocation of
15 funds under section 413 for the
16 prior fiscal year; and

17 “(bb) to counties that are
18 not urban counties.

19 “(iii) COMBINATIONS OR CON-
20 SORTIA.—For a collaborative applicant
21 that represents a combination or consor-
22 tium of cities or counties, the estimated
23 need amount shall be the sum of the esti-
24 mated need amounts for the cities or coun-

1 ties represented by the collaborative appli-
2 cant.

3 “(iv) AUTHORITY OF SECRETARY.—

4 The Secretary may increase the estimated
5 need amount for a geographic area if nec-
6 essary to provide 1 year of renewal funding
7 for all expiring contracts entered into
8 under this subtitle for the geographic area.

9 **“SEC. 428. ALLOCATION AMOUNTS AND INCENTIVES FOR**
10 **SPECIFIC ELIGIBLE ACTIVITIES.**

11 “(a) MINIMUM ALLOCATION FOR PERMANENT HOUS-
12 ING FOR HOMELESS INDIVIDUALS AND FAMILIES WITH
13 DISABILITIES.—

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

22 “(2) CALCULATION.—In calculating the portion
23 of the amount described in paragraph (1) that is
24 used for activities that are described in paragraph
25 (1), the Secretary shall not count funds made avail-

1 able to renew contracts for existing projects under
2 section 429.

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

8 “(4) SUSPENSION.—The requirement estab-
9 lished in paragraph (1) shall be suspended for any
10 year in which available funding for grants under this
11 subtitle would not be sufficient to renew for 1 year
12 existing grants that would otherwise be funded
13 under this subtitle.

14 “(5) TERMINATION.—The requirement estab-
15 lished in paragraph (1) shall terminate upon a find-
16 ing by the Secretary that since the beginning of
17 2001 at least 150,000 new units of permanent hous-
18 ing for homeless individuals and families with dis-
19 abilities have been funded under this subtitle.

20 “(b) MINIMUM ALLOCATION FOR PERMANENT HOUS-
21 ING FOR HOMELESS FAMILIES WITH CHILDREN.—From
22 the amounts made available to carry out this subtitle for
23 a fiscal year, a portion equal to not less than 10 percent
24 of the sums made available to carry out subtitle B and
25 this subtitle for that fiscal year shall be used to provide

1 or secure permanent housing for homeless families with
2 children.

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

10 “(d) INCENTIVES FOR PROVEN STRATEGIES.—

11 “(1) IN GENERAL.—The Secretary shall provide
12 bonuses or other incentives to geographic areas for
13 using funding under this subtitle for activities that
14 have been proven to be effective at reducing home-
15 lessness generally or reducing homelessness for a
16 specific subpopulation.

17 “(2) RULE OF CONSTRUCTION.—For purposes
18 of this subsection, activities that have been proven to
19 be effective at reducing homelessness generally or re-
20 ducing homelessness for a specific subpopulation in-
21 cludes—

22 “(A) permanent supportive housing for
23 chronically homeless individuals and families;

24 “(B) for homeless families, rapid rehousing
25 services, short-term flexible subsidies to over-

1 come barriers to rehousing, support services
2 concentrating on improving incomes to pay
3 rent, coupled with performance measures em-
4 phasizing rapid and permanent rehousing and
5 with leveraging funding from mainstream fam-
6 ily service systems such as Temporary Assist-
7 ance for Needy Families and Child Welfare
8 services; and

9 “(C) any other activity determined by the
10 Secretary, based on research and after notice
11 and comment to the public, to have been proven
12 effective at reducing homelessness generally or
13 reducing homelessness for a specific subpopula-
14 tion.

15 “(e) INCENTIVES FOR SUCCESSFUL IMPLEMENTA-
16 TION OF PROVEN STRATEGIES.—

17 “(1) IN GENERAL.—If any geographic area
18 demonstrates that it has fully implemented any of
19 the activities described in subsection (d) for all
20 homeless individuals and families or for all members
21 of subpopulations for whom such activities are tar-
22 geted, that geographic area shall receive the bonus
23 or incentive provided under subsection (d), but may
24 use such bonus or incentive for any eligible activity
25 under either section 423 or section 1003 for home-

1 less people generally or for the relevant subpopula-
2 tion.

3 “(2) USE OF FUNDS.—Bonus or incentive funds
4 awarded under this subsection that are used for ac-
5 tivities that are eligible under section 1003 but not
6 under section 423 shall be subject to—

7 “(A) the matching requirements of section
8 1008 rather than section 430; and

9 “(B) the other program requirements of
10 title X rather than of this subtitle.

11 “(3) DUTY OF SECRETARY.—The Secretary
12 shall transfer any bonus or incentive funds awarded
13 under this subsection for activities that are eligible
14 under section 1003 but not under section 423 from
15 the account for this subtitle to the account for title
16 X.

17 **“SEC. 429. RENEWAL FUNDING AND TERMS OF ASSISTANCE**
18 **FOR PERMANENT HOUSING.**

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

1 “(b) RENEWALS.—The sums made available under
2 subsection (a) shall be available for the renewal of con-
3 tracts for a 1-year term for rental assistance and housing
4 operation costs associated with permanent housing
5 projects funded under this subtitle, or under subtitle C
6 or F (as in effect on the day before the date of enactment
7 of the Community Partnership to End Homelessness Act
8 of 2007). The Secretary shall determine whether to renew
9 a contract for such a permanent housing project on the
10 basis of certification by the collaborative applicant for the
11 geographic area that—

12 “(1) there is a demonstrated need for the
13 project; and

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

17 “(c) CONSTRUCTION.—Nothing in this section shall
18 be construed as prohibiting the Secretary from renewing
19 contracts under this subtitle in accordance with criteria
20 set forth in a provision of this subtitle other than this sec-
21 tion.

22 **“SEC. 430. MATCHING FUNDING.**

23 “(a) IN GENERAL.—A collaborative applicant in a ge-
24 ographic area in which funds are awarded under this sub-
25 title shall specify contributions that shall be made avail-

1 able in the geographic area in an amount equal to not
2 less than 25 percent of the funds provided to recipients
3 in the geographic area.

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

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

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

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

18 **SEC. 7. RURAL HOUSING STABILITY ASSISTANCE.**

19 Subtitle D of title IV of the McKinney-Vento Home-
20 less Assistance Act (42 U.S.C. 11408 et seq.), as redesi-
21 gnated by section 9, is amended—

22 (1) by striking the subtitle heading and insert-
23 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 and title X” after “eligi-
13 ble organizations”; 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 that shall be made available
17 in an amount equal to not less than 25 percent of
18 the funds provided for the project or activity.

19 “(2) LIMITATIONS ON IN-KIND MATCH.—The
20 cash value of services provided to the beneficiaries or
21 clients of an eligible organization by an entity other
22 than the organization may count toward the con-
23 tributions in paragraph (1) only when documented
24 by a memorandum of understanding between the or-

1 organization and the other entity that such services
2 will be provided.

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

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

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

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

13 “(1) the participation of potential beneficiaries
14 of the project in assessing the need for, and impor-
15 tance of, the project in the community;

16 “(2) the degree to which the project addresses
17 the most harmful housing situations present in the
18 community;

19 “(3) the degree of collaboration with others in
20 the community to meet the goals described in sub-
21 section (a);

22 “(4) the performance of the organization in im-
23 proving housing situations, taking account of the se-
24 verity of barriers of individuals and families served
25 by the organization;

1 “(5) for organizations that have previously re-
2 ceived funding under this section, the extent of im-
3 provement in homelessness and the worst housing
4 situations in the community since such funding
5 began;

6 “(6) the need for such funds, as determined by
7 the formula established under section 427(b)(2); and

8 “(7) any other relevant criteria as determined
9 by the Secretary.”;

10 (H) in subsection (h)—

11 (i) in paragraph (1)(A), by striking
12 “providing housing and other assistance to
13 homeless persons” and inserting “meeting
14 the goals described in subsection (a)”;

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

18 (iii) in paragraph (2), by inserting “in
19 the worst housing situations” after “home-
20 lessness”;

21 (I) in subsection (k)(1), by striking “rural
22 homelessness grant program” and inserting
23 “rural housing stability grant program”;

24 (J) in subsection (l)—

1 (i) by striking the subsection heading
2 and inserting “PROGRAM FUNDING.—”;
3 and

4 (ii) by striking paragraph (1) and in-
5 serting the following:

6 “(1) IN GENERAL.—The Secretary shall deter-
7 mine the total amount of funding attributable under
8 both section 427(b)(2) and section 1003(h) to meet
9 the needs of any geographic area in the Nation that
10 applies for funding under this section. The Secretary
11 shall transfer any amounts determined under this
12 subsection from the Community Homeless Assist-
13 ance Program and the grant program under section
14 1002 and consolidate such transferred amounts for
15 grants under this section.”; and

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

17 “(m) DIVISION OF FUNDS.—

18 “(1) AGREEMENT AMONG GEOGRAPHIC
19 AREAS.—If the Secretary receives an application or
20 applications to provide services in a geographic area
21 under this subtitle, and also under subtitle C and
22 title X, the Secretary shall consult with all appli-
23 cants from the geographic area to determine whether
24 all agree to proceed under either this subtitle or
25 under subtitle C and title X.

1 “(2) DEFAULT IF NO AGREEMENT.—If no
 2 agreement is reached under paragraph (1), the Sec-
 3 retary shall proceed under this subtitle, or under
 4 subtitle C and title X, depending on which results in
 5 the largest total grant funding to the geographic
 6 area.”.

7 **SEC. 8. FUNDS TO PREVENT HOMELESSNESS AND STA-**
 8 **BILIZE HOUSING FOR PRECARIOUSLY**
 9 **HOUSED INDIVIDUALS AND FAMILIES.**

10 The McKinney-Vento Homeless Assistance Act (42
 11 U.S.C. 11301 et seq.) is amended by inserting after title
 12 IX the following:

13 **“TITLE X—PREVENTING HOME-**
 14 **LESSNESS AND STABILIZING**
 15 **HOUSING FOR PRECAR-**
 16 **IOUSLY HOUSED INDIVID-**
 17 **UALS AND FAMILIES**

18 **“SEC. 1001. PURPOSES.**

19 “The purposes of this title are—

20 “(1) to assist local communities to stabilize the
 21 housing of individuals and families who are most at
 22 risk of homelessness; and

23 “(2) to improve the ability of publicly funded
 24 institutions to avoid homelessness among individuals
 25 and families leaving the institutions.

1 **“SEC. 1002. COMMUNITY HOMELESSNESS PREVENTION AND**
2 **HOUSING STABILITY.**

3 “(a) **PROJECTS.**—The Secretary shall award grants
4 to recipients, on a competitive basis using the selection
5 criteria described in section 1006, to carry out eligible ac-
6 tivities under this title, for projects that meet the program
7 requirements established under section 1005.

8 “(b) **NOTIFICATION OF FUNDING AVAILABILITY.**—
9 The Secretary shall release a Notification of Funding
10 Availability for grants awarded under this title for a fiscal
11 year not later than 3 months after the date of enactment
12 of the appropriate Act making appropriations for the De-
13 partment of Housing and Urban Development for the fis-
14 cal year.

15 “(c) **COLLABORATIVE APPLICANT.**—

16 “(1) **IN GENERAL.**—A collaborative applicant,
17 as such term is defined in section 401, shall for pur-
18 poses of this title have the same responsibilities as
19 set forth under section 402.

20 “(2) **DUAL ROLE ENCOURAGED.**—The Sec-
21 retary shall encourage the same entity which serves
22 as a collaborative applicant for purposes of subtitle
23 C of title IV to serve as a collaborative applicant for
24 purposes of this title.

25 “(d) **APPLICATIONS.**—

1 “(1) SUBMISSION TO THE SECRETARY.—A col-
2 laborative applicant shall submit an application to
3 the Secretary at such time and in such manner as
4 the Secretary may require, and containing such in-
5 formation as the Secretary determines necessary to
6 determine if the applicant is in compliance with—

7 “(A) program requirements established
8 under section 1005;

9 “(B) the selection criteria described in sec-
10 tion 1006; and

11 “(C) the priorities for funding projects in
12 the geographic area under this title.

13 “(2) COORDINATION WITH COMMUNITY HOME-
14 LESS ASSISTANCE PROGRAM.—The Secretary shall,
15 to the maximum extent feasible, coordinate the ap-
16 plication process under this section with the applica-
17 tion processes for programs under subtitles B and C
18 of title IV.

19 “(3) ANNOUNCEMENT OF AWARDS.—The Sec-
20 retary shall announce, within 4 months after the last
21 date for the submission of applications described in
22 this subsection for a fiscal year, the grants condi-
23 tionally awarded under subsection (a) for that fiscal
24 year.

1 “(e) RENEWAL FUNDING FOR UNSUCCESSFUL AP-
2 PLICANTS.—The Secretary may renew funding for a spe-
3 cific project previously funded under this title that the
4 Secretary determines is effective at preventing homeless-
5 ness, and was included as part of a total application that
6 met the criteria of subsection (d)(1), even if the applica-
7 tion was not selected to receive grant assistance. The Sec-
8 retary may renew the funding for a period of not more
9 than 1 year, and under such conditions as the Secretary
10 determines to be appropriate.

11 “(f) MORE THAN 1 APPLICATION FOR A GEO-
12 GRAPHIC AREA.—If more than 1 collaborative applicant
13 applies for funds for a geographic area, the Secretary shall
14 award funds to the collaborative applicant with the highest
15 score based on the selection criteria set forth in section
16 1006.

17 **“SEC. 1003. ELIGIBLE ACTIVITIES.**

18 “The Secretary may award grants to qualified recipi-
19 ents under section 1002 to carry out homeless prevention
20 projects that consist of 1 or more of the following eligible
21 activities:

22 “(1) Leasing of property, or portions of prop-
23 erty, not owned by the recipient involved, for use in
24 providing short-term or medium-term housing to

1 people at risk of homelessness, or providing sup-
2 portive services to people at risk of homelessness.

3 “(2) Provision of rental assistance to provide
4 short-term or medium-term housing to people at risk
5 of homelessness. The rental assistance may include
6 tenant-based or project-based rental assistance.

7 “(3) Payment of operating costs for housing
8 units assisted under this title.

9 “(4) Supportive services for people at risk of
10 homelessness.

11 “(5) Housing relocation or stabilization serv-
12 ices, including housing search, mediation or outreach
13 to property owners, legal services, credit repair, pro-
14 viding security or utility deposits, rental assistance
15 for a final month at a location, assistance with mov-
16 ing costs, or other activities that are effective at sta-
17 bilizing individuals and families in their current
18 housing or quickly moving them to other housing.

19 “(6) In the case of a collaborative applicant
20 that is a legal entity payment of administrative costs
21 related to meeting the requirements of section
22 1002(e), for which the collaborative applicant may
23 use not more than 3 percent of the total funds made
24 available in the geographic area under this subtitle.

1 “(7) In the case of a collaborative applicant
2 that is a unified funding agency, as such term is de-
3 fined under section 402, payment of administrative
4 costs related to meeting the requirements of serving
5 as such an agency, for which the collaborative appli-
6 cant may use not more than 3 percent of the total
7 funds made available in the geographic area under
8 this title.

9 **“SEC. 1004. ELIGIBLE CLIENTS FOR FUNDED PROJECTS.**

10 “(a) RULE OF CONSTRUCTION.—For purposes of this
11 title, ‘individuals and families at risk of homelessness’
12 means individuals and families who meet all of the fol-
13 lowing criteria:

14 “(1) Have incomes below 20 percent of the me-
15 dian for the geographic area, adjusted for household
16 size.

17 “(2) Have moved frequently due to economic
18 reasons, are living in the home of another due to
19 economic hardship, have been notified that their
20 right to occupy their current housing or living situa-
21 tion will be terminated, live in severely overcrowded
22 housing, or otherwise live in housing that has char-
23 acteristics associated with instability and increased
24 risk of homelessness as determined by the Secretary.

1 “(3) Have insufficient resources immediately
2 available to attain housing stability.

3 “(b) WAIVER AUTHORITY.—The Secretary may waive
4 any of the criteria described in subsection (a) in a geo-
5 graphic area upon a finding that all individuals and fami-
6 lies who meet such criteria in the geographic area will be
7 served under this title, and that individuals and families
8 in the geographic area who do not meet the criteria de-
9 scribed in subsection (a) remain at risk of homelessness.

10 **“SEC. 1005. PROGRAM REQUIREMENTS.**

11 “The program requirements set forth under section
12 426 shall apply to projects funded under this title.

13 **“SEC. 1006. SELECTION CRITERIA.**

14 “(a) IN GENERAL.—The Secretary shall award funds
15 to recipients by a national competition based on criteria
16 established by the Secretary.

17 “(b) REQUIRED CRITERIA.—The criteria established
18 under subsection (a) shall include—

19 “(1) the previous performance of the recipient
20 regarding stabilizing housing and preventing home-
21 lessness, measured by criteria that shall be an-
22 nounced by the Secretary, that shall take into ac-
23 count barriers faced by individuals and families at
24 risk of homelessness;

1 “(2) the plan of the recipient, which shall de-
2 scribe—

3 “(A) how the number of individuals and
4 families who become homeless will be reduced in
5 the community; and

6 “(B) how the length of time that individ-
7 uals and families remain homeless will be re-
8 duced;

9 “(3) all of the criteria established under section
10 427(b)(1)(B)(iii);

11 “(4) the methodology used by the recipient to
12 determine the priority for funding local projects
13 under section 1002(d)(1), including use of the same
14 methodology used in section 427(b)(1)(C);

15 “(5) the degree to which services are to be pro-
16 vided by the recipient to those individuals and fami-
17 lies most at risk of homelessness; and

18 “(6) all of the criteria established under—

19 “(A) subparagraphs (D) through (J) of
20 subsection (b)(1) of section 427; and

21 “(B) subsection (b)(2) of section 427.

22 **“SEC. 1007. ELIGIBLE GRANT RECIPIENTS.**

23 “The Secretary may make grants under this title to
24 States, local governments, or nonprofit corporations.

1 **“SEC. 1008. MATCHING REQUIREMENT.**

2 “(a) IN GENERAL.—A collaborative applicant in a ge-
3 ographic area in which funds are awarded under this title
4 shall specify contributions that shall be made available in
5 that geographic area, in an amount equal to not less than
6 25 percent of the Federal funds provided under the grant,
7 except that when services are provided to individuals and
8 families who are or were within the past 2 years residents
9 of institutions or systems of care funded, in whole or in
10 part, by State or local government, including prison, jail,
11 child welfare, and hospitals (including mental hospitals),
12 for periods exceeding 2 years, then the collaborative appli-
13 cant shall specify contributions that shall be made avail-
14 able in an amount equal to not less than 60 percent of
15 the Federal funds provided under the grant.

16 “(b) LIMITATIONS ON IN-KIND MATCH.—The cash
17 value of services provided to the residents or clients of a
18 recipient of a grant under this title by an entity other than
19 the recipient may count toward the contributions in sub-
20 section (a) only when documented by a memorandum of
21 understanding between the recipient and the other entity
22 that such services will be provided.

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

25 “(1) funding for any eligible activity described
26 under section 423 or section 1003; and

1 “(2) subject to subsection (b), in-kind provision
2 of services of any eligible activity described under
3 section 423 or section 1003.

4 **“SEC. 1009. REGULATIONS.**

5 “The Secretary shall promulgate regulations to carry
6 out this title.

7 **“SEC. 1010. REPORT TO CONGRESS.**

8 “Not later than 1 year after the date of enactment
9 of the Community Partnership to End Homelessness Act
10 of 2007, the Secretary shall report to Congress on the ac-
11 complishments of the program in this title.

12 **“SEC. 1011. AUTHORIZATION OF APPROPRIATIONS.**

13 “There are authorized to be appropriated to carry out
14 this title \$250,000,000 for fiscal year 2008, and such
15 sums as may be necessary for fiscal years 2009, 2010,
16 2011, and 2012.”.

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

18 (a) REPEALS.—Subtitles D, E, and F of title IV of
19 the McKinney-Vento Homeless Assistance Act (42 U.S.C.
20 11391 et seq., 11401 et seq., and 11403 et seq.) are re-
21 pealed.

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

1 **SEC. 10. EFFECTIVE DATE.**

2 This Act shall take effect 6 months after the date
3 of enactment of this Act.

○