

114TH CONGRESS
2D SESSION

H. R. 4707

To provide housing opportunities for individuals living with HIV or AIDS,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2016

Mr. PRICE of North Carolina (for himself and Mr. ADERHOLT) introduced the
following bill; which was referred to the Committee on Financial Services

A BILL

To provide housing opportunities for individuals living with
HIV or AIDS, 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.**

4 This Act may be cited as the “Housing Opportunities
5 for Persons With AIDS Modernization Act of 2016”.

1 **SEC. 2. FORMULA AND TERMS FOR ALLOCATIONS TO PRE-**
2 **VENT HOMELESSNESS FOR INDIVIDUALS LIV-**
3 **ING WITH HIV OR AIDS.**

4 (a) IN GENERAL.—Subsection (c) of section 854 of
5 the AIDS Housing Opportunity Act (42 U.S.C. 12903(c))
6 is amended by—

7 (1) redesignating paragraph (3) as paragraph
8 (5); and

9 (2) striking paragraphs (1) and (2) and insert-
10 ing the following:

11 “(1) ALLOCATION OF RESOURCES.—

12 “(A) ALLOCATION FORMULA.—The Sec-
13 retary shall allocate 90 percent of the amount
14 approved in appropriations Acts under section
15 863 among States and metropolitan statistical
16 areas as follows:

17 “(i) 75 percent of such amounts
18 among—

19 “(I) cities that are the most pop-
20 ulous unit of general local government
21 in a metropolitan statistical area with
22 a population greater than 500,000, as
23 determined on the basis of the most
24 recent census, and with more than
25 2,000 individuals living with HIV or

1 AIDS, using the data specified in sub-
2 paragraph (B); and

3 “(II) States with more than
4 2,000 individuals living with HIV or
5 AIDS outside of metropolitan statis-
6 tical areas.

7 “(ii) 25 percent of such amounts
8 among States and metropolitan statistical
9 areas based on the method described in
10 subparagraph (C).

11 “(B) SOURCE OF DATA.—For purposes of
12 allocating amounts under this paragraph for
13 any fiscal year, the number of individuals living
14 with HIV or AIDS shall be the number of such
15 individuals as confirmed by the Director of the
16 Centers for Disease Control and Prevention, as
17 of December 31 of the most recent calendar
18 year for which such data is available.

19 “(C) ALLOCATION UNDER SUBPARAGRAPH
20 (A)(ii).—For purposes of allocating amounts
21 under subparagraph (A)(ii), the Secretary shall
22 develop a method that accounts for—

23 “(i) differences in housing costs
24 among States and metropolitan statistical
25 areas based on the fair market rental es-

1 tablished pursuant to section 8(c) of the
2 United States Housing Act of 1937 (42
3 U.S.C. 1437f(c)) or another methodology
4 established through a notice published by
5 the Secretary in the Federal Register; and

6 “ (ii) differences in poverty rates
7 among States and metropolitan statistical
8 areas based on area poverty indexes or an-
9 other methodology established through a
10 notice published by the Secretary in the
11 Federal Register.

12 “(2) MAINTAINING GRANTS.—

13 “(A) CONTINUED ELIGIBILITY OF FISCAL
14 YEAR 2016 GRANTEES.—A grantee that received
15 an allocation in fiscal year 2016 shall continue
16 to be eligible for allocations under paragraph
17 (1) in subsequent fiscal years, subject to—

18 “(i) the amounts available from ap-
19 propriations Acts under section 863;

20 “(ii) approval under section 105 by
21 the Secretary of the most recent com-
22 prehensive housing affordability strategy
23 for the grantee; and

24 “(iii) the requirements of subpara-
25 graph (C).

1 “(B) ADJUSTMENTS.—Allocations to
2 grantees described in subparagraph (A) shall be
3 adjusted annually based on sections 203 (except
4 subsection (d)) and 209 of division C of the
5 Consolidated and Further Continuing Appro-
6 priations Act, 2012 (Public Law 112–55; 125
7 Stat. 693, 694), except that in lieu of the num-
8 ber of cases of AIDS, such sections shall be ad-
9 justed, through a notice published by the Sec-
10 retary in the Federal Register, to reflect the
11 number of individuals living with HIV or AIDS,
12 and the allocation factors under paragraph
13 (1)(C) of this subsection.

14 “(C) REDETERMINATION OF CONTINUED
15 ELIGIBILITY.—The Secretary shall redetermine
16 the continued eligibility of a grantee that re-
17 ceived an allocation in fiscal year 2016 at least
18 once during the 10-year period following fiscal
19 year 2016.

20 “(D) ADJUSTMENT TO GRANTS.—For each
21 of fiscal years 2017, 2018, 2019, 2020, and
22 2021, the Secretary shall ensure that a grantee
23 that received an allocation in the prior fiscal
24 year does not receive an allocation that is 5 per-
25 cent less than or 10 percent greater than the

1 share of total available formula funds allocated
2 to such grantee in the preceding fiscal year.

3 “(3) ALTERNATIVE GRANTEES.—

4 “(A) REQUIREMENTS.—The Secretary may
5 award funds reserved for a grantee eligible
6 under paragraph (1) to an alternative grantee
7 if—

8 “(i) the grantee submits to the Sec-
9 retary a written agreement between the
10 grantee and the alternative grantee that
11 describes how the alternative grantee will
12 take actions consistent with the applicable
13 comprehensive housing affordability strat-
14 egy for the grantee approved under section
15 105 of this Act;

16 “(ii) the Secretary approves the writ-
17 ten agreement described in clause (i) and
18 agrees to award funds to the alternative
19 grantee; and

20 “(iii) the written agreement does not
21 exceed a term of 10 years.

22 “(B) RENEWAL.—An agreement approved
23 pursuant to subparagraph (A) may be renewed
24 by the parties with the approval of the Sec-
25 retary.

1 “(C) DEFINITION.—In this paragraph, the
2 term ‘alternative grantee’ means a public hous-
3 ing agency (as defined in section 3(b) of the
4 United States Housing Act of 1937 (42 U.S.C.
5 1437a(b))), a unified funding agency (as de-
6 fined in section 401 of the McKinney-Vento
7 Homeless Assistance Act (42 U.S.C. 11360)), a
8 State, a unit of general local government, or an
9 instrumentality of State or local government.

10 “(4) REALLOCATIONS.—If a State or the city
11 that is the most populous unit of general local gov-
12 ernment in a metropolitan statistical area declines
13 an allocation under paragraph (1)(A), or the Sec-
14 retary determines, in accordance with criteria speci-
15 fied in regulation, that a State or the city that is the
16 most populous unit of general local government in a
17 metropolitan statistical area that is eligible for an
18 allocation under paragraph (1)(A) is unable to prop-
19 erly administer such allocation, the Secretary shall
20 reallocate any funds reserved for such State or met-
21 ropolitan statistical area as follows:

22 “(A) For funds reserved for a State—

23 “(i) to eligible metropolitan statistical
24 areas within the State on a pro rata basis;

25 or

1 “(ii) if there is no eligible metropoli-
2 tan statistical areas within a State, to met-
3 ropolitan cities and urban counties within
4 the State that are eligible for grant under
5 section 106 of the Housing and Commu-
6 nity Development Act of 1974 (42 U.S.C.
7 5306), on a pro rata basis.

8 “(B) For funds reserved for a metropolitan
9 statistical area, to the State in which the metro-
10 politan statistical area is located.

11 “(C) If the Secretary is unable to make a
12 reallocation under subparagraph (A) or (B), the
13 Secretary shall make such funds available on a
14 pro rata basis under the formula in paragraph
15 (1)(A).”.

16 (b) AMENDMENT TO DEFINITIONS.—Section 853 of
17 the AIDS Housing Opportunity Act (42 U.S.C. 12902)
18 is amended—

19 (1) in paragraph (1), by inserting “or ‘AIDS’ ”
20 before “means”; and

21 (2) by inserting at the end the following new
22 paragraphs:

23 “(15) The term ‘HIV’ means infection with the
24 human immunodeficiency virus.

1 “(16) The term ‘individuals living with HIV or
2 AIDS’ means, with respect to the counting of cases
3 in a geographic area during a period of time, the
4 sum of—

5 “(A) the number of living non-AIDS cases
6 of HIV in the area; and

7 “(B) the number of living cases of AIDS
8 in the area.”.

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