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S. 1518

[Report No. 110–216]

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, Mrs. BOXER, Mr. LIEBERMAN, Mr. REID, Ms. KLOBUCHAR, Mr. MENENDEZ, Ms. CANTWELL, Ms. SNOWE, Mr. LAUTENBERG, Mr. SALAZAR, Mr. SUNUNU, Mr. DORGAN, Mr. OBAMA, Ms. STABENOW, and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

NOVEMBER 1, 2007

Reported by Mr. DODD, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

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,*

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

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

5 (b) **TABLE OF CONTENTS.**—The table of contents for
 6 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.

7 **SEC. 2. FINDINGS AND PURPOSE.**

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

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

11 **“(a) FINDINGS.**—Congress finds that—

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

15 “(2) assistance from the Federal Government is
 16 an important factor in the success of efforts by
 17 State and local governments and the private sector
 18 to address the problem of homelessness in a com-
 19 prehensive manner;

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

5 “(4) homeless assistance programs must be
 6 evaluated on the basis of their effectiveness in reduc-
 7 ing homelessness, transitioning individuals and fami-
 8 lies to permanent housing and stability, and opti-
 9 mizing their self-sufficiency;

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

14 “(A) implementing plans to appropriately
 15 discharge individuals to and from mainstream
 16 service systems; and

17 “(B) reducing barriers to participation in
 18 mainstream programs; as identified in—

19 “(i) a report by the Government Ac-
 20 countability Office entitled ‘Homelessness:
 21 Coordination and Evaluation of Programs
 22 Are Essential’, issued February 26, 1999;
 23 or

24 “(ii) a report by the Government Ac-
 25 countability Office entitled ‘Homelessness:

Barriers to Using Mainstream Programs',
issued July 6, 2000;

“(6) an effective plan for reducing homelessness
should provide a comprehensive housing system (in-
cluding permanent housing and, as needed, transi-
tional housing) that recognizes that, while some indi-
viduals and families experiencing homelessness at-
tain economic viability and independence utilizing
transitional housing and then permanent housing,
others can reenter society directly and optimize self-
sufficiency through acquiring permanent housing;

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

“(8) homeless housing and supportive services
programs within a community are most effective
when they are developed and operated as part of an
inclusive, collaborative, locally driven homeless plan-
ning process that involves as decision makers per-
sons experiencing homelessness, advocates for per-
sons experiencing homelessness, service organiza-

1 tions, government officials, business persons, neigh-
2 borhood advocates, and other community members;

3 “(9) homelessness should be treated as a symp-
4 tom of many neighborhood, community, and system
5 problems, whose remedies require a comprehensive
6 approach integrating all available resources;

7 “(10) there are many private sector entities,
8 particularly nonprofit organizations, that have suc-
9 cessfully operated outcome-effective homeless pro-
10 grams;

11 “(11) Federal homeless assistance should sup-
12 plement other public and private funding provided
13 by communities for housing and supportive services
14 for low-income households;

15 “(12) the Federal Government has a responsi-
16 bility to establish partnerships with State and local
17 governments and private sector entities to address
18 comprehensively the problems of homelessness; and

19 “(13) the results of Federal programs targeted
20 for persons experiencing homelessness have been
21 positive.

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

23 “(1) to create a unified and performance-based
24 process for allocating and administering funds under
25 title IV;

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

4 “(3) to focus the resources and efforts of the
5 public and private sectors on ending and preventing
6 homelessness;

7 “(4) to provide funds for programs to assist in-
8 dividuals and families in the transition from home-
9 lessness, and to prevent homelessness for those vul-
10 nerable to homelessness;

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

18 “(6) to allow flexibility and creativity in re-
19 thinking solutions to homelessness, including alter-
20 native housing strategies, outcome-effective service
21 delivery, and the involvement of persons experiencing
22 homelessness in decision-making regarding opportu-
23 nities for their long-term stability, growth, well-
24 being, and optimum self-sufficiency; and

1 “(7) to ensure that multiple Federal agencies
 2 are involved in the provision of housing, health care,
 3 human services, employment, and education assist-
 4 ance, as appropriate for the missions of the agencies,
 5 to persons experiencing homelessness, through the
 6 funding provided for implementation of programs
 7 carried out under this Act and other programs tar-
 8 geted for persons experiencing homelessness, and
 9 mainstream funding, and to promote coordination
 10 among those Federal agencies, including providing
 11 funding for a United States Interagency Council on
 12 Homelessness to advance such coordination.”.

13 **SEC. 3. UNITED STATES INTERAGENCY COUNCIL ON HOME-**
 14 **LESSNESS.**

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

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

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

25 (A) in subsection (a)—

1 (i) by striking “(16)” and inserting
 2 “(19)”; and

3 (ii) by inserting after paragraph (15)
 4 the following:

5 “(16) The Commissioner of Social Security, or
 6 the designee of the Commissioner.

7 “(17) The Attorney General of the United
 8 States, or the designee of the Attorney General.

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

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

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

14 “(e) ADMINISTRATION.—The Assistant to the Presi-
 15 dent for Domestic Policy within the Executive Office of
 16 the President shall oversee the functioning of the United
 17 States Interagency Council on Homelessness to ensure
 18 Federal interagency collaboration and program coordina-
 19 tion to focus on preventing and ending homelessness; to
 20 increase access to mainstream programs (as identified in
 21 a report by the Government Accountability Office entitled
 22 ‘Homelessness: Barriers to Using Mainstream Programs’,
 23 issued July 6, 2000) by persons experiencing homeless-
 24 ness; to eliminate the barriers to participation in those
 25 programs; to implement a Federal plan to prevent and end

1 homelessness, and to identify Federal resources that can
 2 be expended to prevent and end homelessness.”;

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

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

7 ~~(B) by inserting before paragraph (2), as~~
 8 ~~redesignated by subparagraph (A), the fol-~~
 9 ~~lowing:~~

10 ~~“(1) not later than 1 year after the date of en-~~
 11 ~~actment of the Community Partnership to End~~
 12 ~~Homelessness Act of 2007, develop and submit to~~
 13 ~~the President and to Congress a National Strategic~~
 14 ~~Plan to End Homelessness;”;~~

15 ~~(C) in paragraph (5), as redesignated by~~
 16 ~~subparagraph (A), by striking “at least 2, but~~
 17 ~~in no case more than 5” and inserting “not less~~
 18 ~~than 5, but in no case more than 10”; and~~

19 ~~(D) by inserting after paragraph (5), as~~
 20 ~~redesignated by subparagraph (A), the fol-~~
 21 ~~lowing:~~

22 ~~“(6) encourage the creation of State Inter-~~
 23 ~~agency Councils on Homelessness and the formula-~~
 24 ~~tion of multi-year plans to end homelessness at~~
 25 ~~State, city, and county levels;~~

1 “(7) develop mechanisms to ensure access by
 2 persons experiencing homelessness to all Federal,
 3 State, and local programs for which the persons are
 4 eligible, and to verify collaboration among entities
 5 within a community that receive Federal funding
 6 under programs targeted for persons experiencing
 7 homelessness, and other programs for which persons
 8 experiencing homelessness are eligible, including
 9 mainstream programs identified by the Government
 10 Accountability Office in the 2 reports described in
 11 section 102(a)(5)(B);” and

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

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

15 “‘There are authorized to be appropriated to carry out
 16 this title \$3,000,000 for fiscal year 2008 and such sums
 17 as may be necessary for fiscal years 2009, 2010, 2011,
 18 and 2012.’”.

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

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

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

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

2 (2) by redesignating section 401 (42 U.S.C.
3 11361) as section 403;

4 (3) by redesignating section 402 (42 U.S.C.
5 11362) as section 406;

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

8 **“SEC. 401. DEFINITIONS.**

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

10 “(1) CHRONICALLY HOMELESS.—

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

14 “(i) is homeless and lives or resides in
15 a place not meant for human habitation or
16 in an emergency shelter;

17 “(ii) has been homeless and living or
18 residing in a place not meant for human
19 habitation or in an emergency shelter con-
20 tinuously for at least 1 year or on at least
21 4 separate occasions in the last 3 years;
22 and

23 “(iii) has an adult head of household
24 with a diagnosable substance use disorder,
25 serious mental illness, developmental dis-

ability (as defined in section 402 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002)), or chronic physical illness or disability, including the co-occurrence of 2 or more of those conditions.

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

~~“(A) carries out the duties specified in section 402;~~

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

~~“(C) if the entity is a legal entity and is awarded such grant, receives such grant directly from the Secretary.~~

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

~~“(A) satisfies section 422; and~~

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

~~“(4) CONSOLIDATED PLAN.—The term ‘Consolidated Plan’ means a comprehensive housing af-~~

fordability strategy and community development
plan required in part 91 of title 24, Code of Federal
Regulations.

“(5) ELIGIBLE ENTITY.—The term ‘eligible entity’ means, with respect to a subtitle, a public entity, a private entity, or an entity that is a combination of public and private entities, that is eligible to receive directly grant amounts under that subtitle.

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

“(7) HOMELESS INDIVIDUAL WITH A DISABILITY.—

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

“(i)(I) is expected to be long-continuing or of indefinite duration;

“(II) substantially impedes the individual’s ability to live independently;

1 ~~“(III) could be improved by the provi-~~
 2 ~~sion of more suitable housing conditions;~~
 3 ~~and~~

4 ~~“(IV) is a physical, mental, or emo-~~
 5 ~~tional impairment, including an impair-~~
 6 ~~ment caused by alcohol or drug abuse;~~

7 ~~“(ii) is a developmental disability, as~~
 8 ~~defined in section 102 of the Develop-~~
 9 ~~mental Disabilities Assistance and Bill of~~
 10 ~~Rights Act of 2000 (42 U.S.C. 15002); or~~

11 ~~“(iii) is the disease of acquired im-~~
 12 ~~munodeficiency syndrome or any condition~~
 13 ~~arising from the etiologic agency for ac-~~
 14 ~~quired immunodeficiency syndrome.~~

15 ~~“(B) RULE.—Nothing in clause (iii) of~~
 16 ~~subparagraph (A) shall be construed to limit~~
 17 ~~eligibility under clause (i) or (ii) of subpara-~~
 18 ~~graph (A).~~

19 ~~“(8) LEGAL ENTITY.—The term ‘legal entity’~~
 20 ~~means—~~

21 ~~“(A) an entity described in section~~
 22 ~~501(c)(3) of the Internal Revenue Code of 1986~~
 23 ~~and exempt from tax under section 501(a) of~~
 24 ~~that Code;~~

1 “(B) an instrumentality of State or local
2 government; or

3 “(C) a consortium of instrumentalities of
4 State or local governments that has constituted
5 itself as an entity.

6 ~~“(9) METROPOLITAN CITY; URBAN COUNTY;
7 NONENTITLEMENT AREA.—The terms ‘metropolitan
8 city’, ‘urban county’, and ‘nonentitlement area’ have
9 the meanings given such terms in section 102(a) of
10 the Housing and Community Development Act of
11 1974 (42 U.S.C. 5302(a)).~~

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

15 ~~“(11) OPERATING COSTS.—The term ‘operating
16 costs’ means expenses incurred by a project sponsor
17 operating transitional housing or permanent housing
18 under this title with respect to—~~

19 ~~“(A) the administration, maintenance, re-
20 pair, and security of such housing;~~

21 ~~“(B) utilities, fuel, furnishings, and equip-
22 ment for such housing; or~~

23 ~~“(C) coordination of services as needed to
24 ensure long-term housing stability.~~

1 “(12) OUTPATIENT HEALTH SERVICES.—The
 2 term ‘outpatient health services’ means outpatient
 3 health care services; mental health services; and out-
 4 patient substance abuse treatment services.

5 “(13) PERMANENT HOUSING.—The term ‘per-
 6 manent housing’ means community-based housing
 7 without a designated length of stay; and includes
 8 permanent supportive housing for homeless individ-
 9 uals with disabilities and homeless families that in-
 10 clude such an individual who is an adult.

11 “(14) PRIVATE NONPROFIT ORGANIZATION.—
 12 The term ‘private nonprofit organization’ means an
 13 organization—

14 “(A) no part of the net earnings of which
 15 inures to the benefit of any member, founder,
 16 contributor, or individual;

17 “(B) that has a voluntary board;

18 “(C) that has an accounting system; or has
 19 designated a fiscal agent in accordance with re-
 20 quirements established by the Secretary; and

21 “(D) that practices nondiscrimination in
 22 the provision of assistance.

23 “(15) PROJECT.—The term ‘project’, used with
 24 respect to activities carried out under subtitle C,
 25 means eligible activities described in section 423(a);

1 undertaken pursuant to a specific endeavor, such as
 2 serving a particular population or providing a par-
 3 ticular resource.

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

7 “(A) is between—

8 “(i) a project sponsor; and

9 “(ii) an owner of a structure that ex-
 10 ists as of the date the contract is entered
 11 into; and

12 “(B) provides that rental assistance pay-
 13 ments shall be made to the owner and that the
 14 units in the structure shall be occupied by eligi-
 15 ble persons for not less than the term of the
 16 contract.

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

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

1 “(A) submits an application for a grant
2 under section 422 that is approved by the Sec-
3 retary;

4 “(B) receives the grant directly from the
5 Secretary to support approved projects de-
6 scribed in the application; and

7 “(C)(i) serves as a project sponsor for the
8 projects; or

9 “(ii) awards the funds to project sponsors
10 to carry out the projects.

11 “(19) SECRETARY.—The term ‘Secretary’
12 means the Secretary of Housing and Urban Develop-
13 ment.

14 “(20) SERIOUS MENTAL ILLNESS.—The term
15 ‘serious mental illness’ means a severe and per-
16 sistent mental illness or emotional impairment that
17 seriously limits a person’s ability to live independ-
18 ently.

19 “(21) STATE.—Except as used in subtitle B,
20 the term ‘State’ means each of the several States,
21 the District of Columbia, the Commonwealth of
22 Puerto Rico, the United States Virgin Islands,
23 Guam, American Samoa, the Commonwealth of the
24 Northern Mariana Islands, the Trust Territory of

1 the Pacific Islands, and any other territory or pos-
 2 session of the United States.

3 ~~“(22) SUPPORTIVE SERVICES.—~~The term ‘sup-
 4 portive services’ means the supportive services de-
 5 scribed in section 425(e).

6 ~~“(23) TENANT-BASED.—~~The term ‘tenant-
 7 based’, used with respect to rental assistance, means
 8 assistance that allows an eligible person to select a
 9 housing unit in which such person will live using
 10 rental assistance provided under subtitle C, except
 11 that if necessary to assure that the provision of sup-
 12 portive services to a person participating in a pro-
 13 gram is feasible, a recipient or project sponsor may
 14 require that the person live—

15 ~~“(A) in a particular structure or unit for~~
 16 ~~not more than the first year of the participa-~~
 17 ~~tion; and~~

18 ~~“(B) within a particular geographic area~~
 19 ~~for the full period of the participation, or the~~
 20 ~~period remaining after the period referred to in~~
 21 ~~subparagraph (A).~~

22 ~~“(24) TRANSITIONAL HOUSING.—~~The term
 23 ‘transitional housing’ means housing, the purpose of
 24 which is to facilitate the movement of individuals
 25 and families experiencing homelessness to permanent

1 housing within 24 months or such longer period as
2 the Secretary determines necessary.

3 ~~“(25) UNIFIED FUNDING AGENCY.—~~The term
4 ‘unified funding agency’ means a collaborative appli-
5 cant that performs the duties described in section
6 402(f).

7 **“SEC. 402. COLLABORATIVE APPLICANTS.**

8 ~~“(a) ESTABLISHMENT AND DESIGNATION.—~~A col-
9 laborative applicant shall be established for a geographic
10 area by the relevant parties in that geographic area to—

11 ~~“(1) submit an application for amounts under~~
12 this subtitle; and

13 ~~“(2) perform the duties specified in subsection~~
14 (e) and, if applicable, subsection (f).

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

18 ~~“(c) REMEDIAL ACTION.—~~If the Secretary finds that
19 a collaborative applicant for a geographic area does not
20 meet the requirements of this section, or if there is no
21 collaborative applicant for a geographic area, the Sec-
22 retary may take remedial action to ensure fair distribution
23 of grant amounts under subtitle C to eligible entities with-
24 in that area. Such measures may include designating an-

1 other body as a collaborative applicant, or permitting
 2 other eligible entities to apply directly for grants.

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

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

8 “(1) design a collaborative process for the de-
 9 velopment of an application under subtitle C, and
 10 for evaluating the outcomes of projects for which
 11 funds are awarded under subtitle B, in such a man-
 12 ner as to provide information necessary for the Sec-
 13 retary—

14 “(A) to determine compliance with—

15 “(i) the program requirements under
 16 section 425; and

17 “(ii) the selection criteria described
 18 under section 427; and

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

21 “(2) participate in the Consolidated Plan for
 22 the geographic area served by the collaborative ap-
 23 plicant; and

24 “(3) ensure operation of, and consistent partici-
 25 pation by, project sponsors in a community-wide

1 homeless management information system for pur-
 2 poses of —

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

5 “(B) analyzing patterns of use of assist-
 6 ance provided under subtitles B and C for the
 7 geographic area involved; and

8 “(C) providing information to project spon-
 9 sors and applicants for needs analyses and
 10 funding priorities.

11 “(f) UNIFIED FUNDING.—

12 “(1) IN GENERAL.—In addition to the duties
 13 described in subsection (c), a collaborative applicant
 14 shall receive from the Secretary and distribute to
 15 other project sponsors in the applicable geographic
 16 area funds for projects to be carried out by such
 17 other project sponsors, if—

18 “(A) the collaborative applicant—

19 “(i) applies to undertake such collec-
 20 tion and distribution responsibilities in an
 21 application submitted under this subtitle;
 22 and

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

1 “(B) the Secretary designates the collabo-
 2 rative applicant as the unified funding agency
 3 in the geographic area, after—

4 “(i) a finding by the Secretary that
 5 the applicant—

6 “(I) has the capacity to perform
 7 such responsibilities; and

8 “(II) would serve the purposes of
 9 this Act as they apply to the geo-
 10 graphic area; and

11 “(ii) the Secretary provides the col-
 12 laborative applicant with the technical as-
 13 sistance necessary to perform such respon-
 14 sibilities as such assistance is agreed to by
 15 the collaborative applicant.

16 “(2) REQUIRED ACTIONS BY A UNIFIED FUND-
 17 ING AGENCY.—A collaborative applicant that is ei-
 18 ther selected or designated as a unified funding
 19 agency for a geographic area under paragraph (1)
 20 shall—

21 “(A) require each project sponsor who is
 22 funded by a grant received under subtitle C to
 23 establish such fiscal control and fund account-
 24 ing procedures as may be necessary to assure
 25 the proper disbursement of, and accounting for,

1 Federal funds awarded to the project sponsor
 2 under subtitle C in order to ensure that all fi-
 3 nancial transactions carried out under subtitle
 4 C are conducted, and records maintained, in ac-
 5 cordance with generally accepted accounting
 6 principles; and

7 “(B) arrange for an annual survey, audit,
 8 or evaluation of the financial records of each
 9 project carried out by a project sponsor funded
 10 by a grant received under subtitle C.

11 “(g) CONFLICT OF INTEREST.—No board member of
 12 a collaborative applicant may participate in decisions of
 13 the collaborative applicant concerning the award of a
 14 grant, or provision of other financial benefits, to such
 15 member or the organization that such member rep-
 16 resents.”;

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

19 **“SEC. 404. TECHNICAL ASSISTANCE.**

20 “(a) TECHNICAL ASSISTANCE FOR PROJECT SPON-
 21 SORS.—The Secretary shall make effective technical as-
 22 sistance available to private nonprofit organizations and
 23 other nongovernmental entities, States, metropolitan cit-
 24 ies, urban counties, and counties that are not urban coun-
 25 ties that are potential project sponsors, in order to imple-

1 ment effective planning processes for preventing and end-
 2 ing homelessness; to optimize self-sufficiency among indi-
 3 viduals experiencing homelessness; and to improve their
 4 capacity to become project sponsors.

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

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

11 “(2) to design and execute outcome-effective
 12 strategies for preventing and ending homelessness in
 13 their geographic areas consistent with the provisions
 14 of this title; and

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

19 “(c) RESERVATION.—The Secretary may reserve not
 20 more than 1 percent of the funds made available for any
 21 fiscal year for carrying out subtitles B and C; to make
 22 available technical assistance under subsections (a) and
 23 (b).

1 **~~“SEC. 405. APPEALS.~~**

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

8 ~~“(b) PROCESS.—The Secretary shall ensure that ap-~~
 9 ~~peals procedure established under subsection (a) permits~~
 10 ~~appeals submitted by—~~

11 ~~“(1) collaborative applicants;~~

12 ~~“(2) entities carrying out homeless housing and~~
 13 ~~services projects (including emergency shelters and~~
 14 ~~homelessness prevention programs); and~~

15 ~~“(3) homeless planning bodies not established~~
 16 ~~as collaborative applicants.”; and~~

17 ~~(6) by inserting after section 406 (as redesign-~~
 18 ~~ated in paragraph (2)) the following:~~

19 **~~“SEC. 407. AUTHORIZATION OF APPROPRIATIONS.~~**

20 ~~“There are authorized to be appropriated to carry out~~
 21 ~~this title \$1,800,000,000 for fiscal year 2008 and such~~
 22 ~~sums as may be necessary for fiscal years 2009, 2010,~~
 23 ~~2011, and 2012.”.~~

1 **SEC. 5. EMERGENCY HOMELESSNESS PREVENTION AND**
 2 **SHELTER GRANTS PROGRAM.**

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

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

8 **“Subtitle B—Emergency Homeless-**
 9 **ness Prevention and Shelter**
 10 **Grants Program”;**

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

13 **“SEC. 412. GRANT ASSISTANCE.**

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

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

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

25 “(b) ALLOCATION.—An entity that receives a grant
 26 under section 412, and serves an area that includes 1 or

1 more geographic areas (or portions of such areas) served
 2 by collaborative applicants that submit applications under
 3 subtitle C, shall allocate the funds made available through
 4 the grant to carry out activities described in section 414,
 5 in consultation with the collaborative applicants.”;

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

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

13 **“SEC. 414. ELIGIBLE ACTIVITIES.**

14 “Assistance provided under section 412 may be used
 15 for the following activities:

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

19 “(2) The provision of essential services, includ-
 20 ing services concerned with employment, health, edu-
 21 cation, family support services for homeless youth,
 22 alcohol or drug abuse prevention or treatment, or
 23 mental health treatment, if such essential services
 24 have not been provided by the local government dur-
 25 ing any part of the immediately preceding 12-month

1 period, or the use of assistance under this subtitle
 2 would complement the provision of those essential
 3 services.

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

6 “(4) Housing relocation or stabilization services
 7 for individuals and families at risk of homelessness;
 8 including housing search, mediation or outreach to
 9 property owners, legal services, credit repair, pro-
 10 viding security or utility deposits, short- or medium-
 11 term rental assistance, assistance with moving costs,
 12 or other activities that are effective at—

13 “(A) stabilizing individuals and families in
 14 their current housing; or

15 “(B) quickly moving such individuals and
 16 families to other housing before such individ-
 17 uals and families become homeless.”;

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

19 and

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

21 **SEC. 6. HOMELESS ASSISTANCE PROGRAM.**

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

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

3 **“Subtitle C—Homeless Assistance**
4 **Program”;**

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

7 **“SEC. 421. PURPOSES.**

8 “The purposes of this subtitle are—

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

11 “(2) to provide funding for efforts by nonprofit
12 providers and State and local governments to quickly
13 rehouse homeless individuals and families while
14 minimizing the trauma and dislocation caused to in-
15 dividuals, families, and communities by homeless-
16 ness;

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

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

1 ~~“SEC. 422. COMMUNITY HOMELESS ASSISTANCE PROGRAM.~~

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

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

16 ~~“(c) APPLICATIONS.—~~

17 ~~“(1) SUBMISSION TO THE SECRETARY.—To be~~
 18 ~~eligible to receive a grant under subsection (a), a~~
 19 ~~project sponsor or unified funding agency in a geo-~~
 20 ~~graphic area shall submit an application to the Sec-~~
 21 ~~retary at such time and in such manner as the Sec-~~
 22 ~~retary may require, and containing—~~

23 ~~“(A) such information as the Secretary de-~~
 24 ~~termines necessary—~~

1 “(i) to determine compliance with the
 2 program requirements and selection cri-
 3 teria under this subtitle; and

4 “(ii) to establish priorities for funding
 5 projects in the geographic area.

6 “(2) ANNOUNCEMENT OF AWARDS.—The Sec-
 7 retary shall announce, within 4 months after the last
 8 date for the submission of applications described in
 9 this subsection for a fiscal year, the grants condi-
 10 tionally awarded under subsection (a) for that fiscal
 11 year.

12 “(d) OBLIGATION, DISTRIBUTION, AND UTILIZATION
 13 OF FUNDS.—

14 “(1) REQUIREMENTS FOR OBLIGATION.—

15 “(A) IN GENERAL.—Not later than 9
 16 months after the announcement referred to in
 17 subsection (c)(2), each recipient of a grant an-
 18 nounced under such subsection shall, with re-
 19 spect to a project to be funded through such
 20 grant, meet, or cause the project sponsor to
 21 meet, all requirements for the obligation of
 22 funds for such project, including site control,
 23 matching funds, and environmental review re-
 24 quirements, except as provided in subparagraph
 25 (C).

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

13 “(C) EXTENSIONS.—At the discretion of
14 the Secretary, and in compelling circumstances,
15 the Secretary may extend the date by which a
16 recipient of a grant announced under subsection
17 (c)(2) shall meet or cause a project sponsor to
18 meet the requirements described in subpara-
19 graphs (A) and (B) if the Secretary determines
20 that compliance with the requirements was de-
21 layed due to factors beyond the reasonable con-
22 trol of the recipient or project sponsor. Such
23 factors may include difficulties in obtaining site
24 control for a proposed project, completing the
25 process of obtaining secure financing for the

1 project, or completing the technical submission
2 requirements for the project.

3 ~~“(2) OBLIGATION.—Not later than 45 days~~
4 ~~after a recipient meets or causes a project sponsor~~
5 ~~to meet the requirements described in paragraph~~
6 ~~(1), the Secretary shall obligate the funds for the~~
7 ~~grant involved.~~

8 ~~“(3) DISTRIBUTION.—A unified funding agency~~
9 ~~that receives funds through a grant under this sec-~~
10 ~~tion—~~

11 ~~“(A) shall distribute the funds to project~~
12 ~~sponsors (in advance of expenditures by the~~
13 ~~project sponsors); and~~

14 ~~“(B) shall distribute the appropriate por-~~
15 ~~tion of the funds to a project sponsor not later~~
16 ~~than 45 days after receiving a request for such~~
17 ~~distribution from the project sponsor.~~

18 ~~“(4) EXPENDITURE OF FUNDS.—The Secretary~~
19 ~~may establish a date by which funds made available~~
20 ~~through a grant announced under subsection (c)(2)~~
21 ~~for a homeless assistance project shall be entirely ex-~~
22 ~~pended by the recipient or project sponsors involved.~~
23 ~~The Secretary shall recapture the funds not ex-~~
24 ~~pended by such date. The Secretary shall reallocate~~
25 ~~the funds for another homeless assistance and pre-~~

1 vention project that meets the requirements of this
 2 subtitle to be carried out, if possible and appro-
 3 priate, in the same geographic area as the area
 4 served through the original grant.

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

15 “(f) CONSIDERATIONS IN DETERMINING RENEWAL
 16 FUNDING.—When providing renewal funding for leasing
 17 or rental assistance for permanent housing, the Secretary
 18 shall take into account increases in the fair market rents
 19 for modest rental property in the geographic area.

20 “(g) MORE THAN 1 APPLICATION FOR A GEO-
 21 GRAPHIC AREA.—If more than 1 collaborative applicant
 22 applies for funds for a geographic area, the Secretary shall
 23 award funds to the collaborative applicant with the highest
 24 score based on the selection criteria set forth in section
 25 427.

1 **~~“SEC. 423. ELIGIBLE ACTIVITIES.~~**

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

6 ~~“(1) Construction of new housing units to pro-~~
 7 ~~vide transitional or permanent housing to homeless~~
 8 ~~individuals and families.~~

9 ~~“(2) Acquisition or rehabilitation of a structure~~
 10 ~~to provide supportive services or to provide transi-~~
 11 ~~tional or permanent housing, other than emergency~~
 12 ~~shelter, to homeless individuals and families.~~

13 ~~“(3) Leasing of property, or portions of prop-~~
 14 ~~erty, not owned by the recipient or project sponsor~~
 15 ~~involved, for use in providing transitional or perma-~~
 16 ~~nent housing to homeless individuals and families, or~~
 17 ~~providing supportive services to homeless individuals~~
 18 ~~and families.~~

19 ~~“(4) Provision of rental assistance to provide~~
 20 ~~transitional or permanent housing to homeless indi-~~
 21 ~~viduals and families. The rental assistance may in-~~
 22 ~~clude tenant-based or project-based rental assist-~~
 23 ~~ance.~~

24 ~~“(5) Payment of operating costs for housing~~
 25 ~~units assisted under this subtitle.~~

1 ~~“(6) Provision of supportive services to home-~~
 2 ~~less individuals and families; or individuals and fam-~~
 3 ~~ilies who in the prior 6 months have been homeless~~
 4 ~~but are currently residing in permanent housing.~~

5 ~~“(7) Provision of rehousing services, including~~
 6 ~~housing search, mediation or outreach to property~~
 7 ~~owners, credit repair, providing security or utility~~
 8 ~~deposits, rental assistance for a final month at a lo-~~
 9 ~~cation, assistance with moving costs, or other activi-~~
 10 ~~ties that—~~

11 ~~“(A) are effective at moving homeless indi-~~
 12 ~~viduals and families immediately into housing;~~
 13 ~~or~~

14 ~~“(B) may benefit individuals and families~~
 15 ~~who in the prior 6 months have been homeless;~~
 16 ~~but are currently residing in permanent hous-~~
 17 ~~ing.~~

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

21 ~~“(9) Operation of, participation in, and ensur-~~
 22 ~~ing consistent participation by project sponsors in, a~~
 23 ~~community-wide homeless management information~~
 24 ~~system.~~

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

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

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

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

1 ~~“(c) USE RESTRICTIONS.—~~

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

8 ~~“(2) OTHER ACTIVITIES.—A project that con-~~
 9 ~~sists of activities described in any of paragraphs (3)~~
 10 ~~through (12) of subsection (a) shall be operated for~~
 11 ~~the purpose specified in the application submitted~~
 12 ~~for the project under section 422 for the duration of~~
 13 ~~the grant period involved.~~

14 ~~“(3) CONVERSION.—If the recipient or project~~
 15 ~~sponsor carrying out a project that provides transi-~~
 16 ~~tional or permanent housing submits a request to~~
 17 ~~the collaborative applicant or unified funding agency~~
 18 ~~involved to carry out instead a project for the direct~~
 19 ~~benefit of low-income persons, and the collaborative~~
 20 ~~applicant or unified funding agency determines that~~
 21 ~~the initial project is no longer needed to provide~~
 22 ~~transitional or permanent housing, the collaborative~~
 23 ~~applicant or unified funding agency may recommend~~
 24 ~~that the Secretary approve the project described in~~
 25 ~~the request and authorize the recipient or project~~

1 sponsor to carry out that project. If the collaborative
 2 applicant or unified funding agency is the recipient
 3 or project sponsor, it shall submit such a request di-
 4 rectly to the Secretary who shall determine if the
 5 conversion of the project is appropriate.

6 “(d) REPAYMENT OF ASSISTANCE AND PREVENTION
 7 OF UNDUE BENEFITS.—

8 “(1) REPAYMENT.—If a recipient (or a project
 9 sponsor receiving funds from the recipient) receives
 10 assistance under section 422 to carry out a project
 11 that consists of activities described in paragraph (1)
 12 or (2) of subsection (a) and the project ceases to
 13 provide transitional or permanent housing—

14 “(A) earlier than 10 years after operation
 15 of the project begins, the Secretary shall re-
 16 quire the recipient (or the project sponsor re-
 17 ceiving funds from the recipient) to repay 100
 18 percent of the assistance; or

19 “(B) not earlier than 10 years, but earlier
 20 than 15 years, after operation of the project be-
 21 gins, the Secretary shall require the recipient
 22 (or the project sponsor receiving funds from the
 23 recipient) to repay 20 percent of the assistance
 24 for each of the years in the 15-year period for
 25 which the project fails to provide that housing.

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

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

20 ~~“(A) the sale or disposition of the property~~
 21 used for the project results in the use of the
 22 property for the direct benefit of very low-in-
 23 come persons;

24 ~~“(B) all of the proceeds of the sale or dis-~~
 25 position are used to provide transitional or per-

1 manent housing meeting the requirements of
2 this subtitle; or

3 ~~“(C) there are no individuals and families~~
4 ~~in the geographic area who are homeless; in~~
5 ~~which case the project may serve individuals~~
6 ~~and families at risk of homelessness under sec-~~
7 ~~tion 1004.~~

8 **~~“SEC. 424. FLEXIBILITY INCENTIVES FOR HIGH-PER-~~**
9 **~~FORMING COMMUNITIES.~~**

10 ~~“(a) DESIGNATION AS A HIGH-PERFORMING COMMU-~~
11 ~~NITY.—~~

12 ~~“(1) IN GENERAL.—The Secretary shall des-~~
13 ~~ignate, on an annual basis, which collaborative appli-~~
14 ~~cants represent high-performing communities.~~

15 ~~“(2) CONSIDERATION.—In determining whether~~
16 ~~to designate a collaborative applicant as a high-per-~~
17 ~~forming community under paragraph (1), the Sec-~~
18 ~~retary shall establish criteria to ensure that the re-~~
19 ~~quirements described under paragraphs (1)(B) and~~
20 ~~(2)(B) of subsection (d) are measured by comparing~~
21 ~~homeless individuals and families under similar cir-~~
22 ~~cumstances; in order to encourage projects in the ge-~~
23 ~~ographic area to serve homeless individuals and fam-~~
24 ~~ilies with more severe barriers to housing stability.~~

1 ~~“(3) 2-YEAR PHASE IN.—~~In each of the first 2
 2 years after the date of enactment of this section, the
 3 Secretary shall designate not more than 10 collabo-
 4 rative applicants as high-performing communities.

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

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

19 ~~“(b) APPLICATION TO BE A HIGH-PERFORMING~~
 20 COMMUNITY.—

21 ~~“(1) IN GENERAL.—~~A collaborative applicant
 22 seeking designation as a high-performing community
 23 under subsection (a) shall submit an application to
 24 the Secretary at such time, and in such manner as
 25 the Secretary may require.

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

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

7 “(B) information that such applicant can
 8 meet the requirements described under sub-
 9 section (d).

10 “(3) PUBLICATION OF APPLICATION.—The Sec-
 11 retary shall—

12 “(A) publish any report or information
 13 submitted in an application under this section
 14 in the geographic area represented by the col-
 15 laborative applicant; and

16 “(B) seek comments from the public as to
 17 whether the collaborative applicant seeking des-
 18 ignation as a high-performing community meets
 19 the requirements described under subsection
 20 (d).

21 “(e) USE OF FUNDS.—

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

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

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

5 “(2) COMMUNITY HOMELESSNESS PREVENTION
6 FUNDS.—

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

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

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

14 “(B) DUTY OF SECRETARY.—The Sec-
15 retary shall transfer any funds awarded under
16 section 422(a) for activities that are eligible
17 under section 1003 but not under section 423
18 from the account for this subtitle to the account
19 for title X.

20 “(d) DEFINITION OF HIGH-PERFORMING COMMU-
21 NITY.—For purposes of this section, the term ‘high-per-
22 forming community’ means a geographic area that dem-
23 onstrates through reliable data that all of the following
24 4 requirements are met for that geographic area:

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

3 “(A) is less than 20 days; or

4 “(B) for individuals and families in similar
5 circumstances in the preceding year was at
6 least 10 percent less than in the year before.

7 “(2) Of individuals and families—

8 “(A) who leave homelessness, less than 5
9 percent of such individuals and families become
10 homeless again at any time within the next 2
11 years; or

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

17 “(3) The communities that compose the geo-
18 graphic area have—

19 “(A) actively encouraged homeless individ-
20 uals and families to participate in homeless as-
21 sistance services available in that geographic
22 area; and

23 “(B) included each homeless individual or
24 family who sought homeless assistance services

1 in the data system used by that community for
 2 determining compliance with this subsection.

3 “(4) If recipients in the geographic area have
 4 used funding awarded under section 422(a) for eligi-
 5 ble activities described under section 1003 in pre-
 6 vious years based on the authority granted under
 7 subsection (c), that such activities were effective at
 8 reducing the number of individuals and families who
 9 became homeless in that community.

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

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

17 (A) by striking subsection (a) and insert-
 18 ing the following:

19 “(a) SITE CONTROL.—The Secretary shall require
 20 that each application include reasonable assurances that
 21 the applicant will own or have control of a site for the
 22 proposed project not later than the expiration of the 12-
 23 month period beginning upon notification of an award for
 24 grant assistance, unless the application proposes providing
 25 supportive housing assistance under section 423(a)(3) or

1 housing that will eventually be owned or controlled by the
 2 families and individuals served. An applicant may obtain
 3 ownership or control of a suitable site different from the
 4 site specified in the application. If any recipient (or project
 5 sponsor receiving funds from the recipient) fails to obtain
 6 ownership or control of the site within 12 months after
 7 notification of an award for grant assistance, the grant
 8 shall be recaptured and reallocated under this subtitle.”;

9 (B) by striking subsection (b) and insert-
 10 ing the following:

11 “(b) REQUIRED AGREEMENTS.—The Secretary may
 12 not provide assistance for a proposed project under this
 13 subtitle unless the collaborative applicant involved
 14 agrees—

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

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

19 “(3) to ensure, to the maximum extent prac-
 20 ticable, that individuals and families experiencing
 21 homelessness are involved, through employment, pro-
 22 vision of volunteer services, or otherwise, in con-
 23 structing, rehabilitating, maintaining, and operating
 24 facilities for the project and in providing supportive
 25 services for the project;

1 “(4) to require certification from all project
2 sponsors that—

3 “(A) they will maintain the confidentiality
4 of records pertaining to any individual or family
5 provided family violence prevention or treat-
6 ment services through the project;

7 “(B) that the address or location of any
8 family violence shelter project assisted under
9 this subtitle will not be made public, except
10 with written authorization of the person respon-
11 sible for the operation of such project;

12 “(C) they will establish policies and prac-
13 tices that are consistent with, and do not re-
14 strict the exercise of rights provided by, subtitle
15 B of title VII, and other laws relating to the
16 provision of educational and related services to
17 individuals and families experiencing homeless-
18 ness;

19 “(D) they will provide data and reports as
20 required by the Secretary pursuant to the Act;
21 and

22 “(E) if the project includes the provision of
23 permanent housing to people with disabilities,
24 the housing will be provided for not more
25 than—

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

3 “(ii) 16 such persons, but only if not
4 more than 20 percent of the units in a
5 structure are designated for such persons;
6 or

7 “(iii) more than 16 such persons if
8 the applicant demonstrates that local mar-
9 ket conditions dictate the development of a
10 large project and such development will
11 achieve the neighborhood integration objec-
12 tives of the program within the context of
13 the affected community;

14 “(5) if a collaborative applicant is a unified
15 funding agency under section 402(f) and receives
16 funds under subtitle C to carry out the payment of
17 administrative costs described in section 423(a)(7),
18 to establish such fiscal control and fund accounting
19 procedures as may be necessary to assure the proper
20 disbursal of, and accounting for, such funds in order
21 to ensure that all financial transactions carried out
22 with such funds are conducted, and records main-
23 tained, in accordance with generally accepted ac-
24 counting principles;

1 ~~“(6) to monitor and report to the Secretary the~~
 2 ~~provision of matching funds as required by section~~
 3 ~~430; and~~

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

7 ~~(C) by redesignating subsection (d) as sub-~~
 8 ~~section (e);~~

9 ~~(D) in subsection (e) (as redesignated in~~
 10 ~~subparagraph (C)), in the first sentence, by~~
 11 ~~striking “recipient” and inserting “recipient or~~
 12 ~~project sponsor”;~~

13 ~~(E) by striking subsection (e);~~

14 ~~(F) by redesignating subsections (f), (g),~~
 15 ~~and (h), as subsections (d), (e), and (f), respec-~~
 16 ~~tively;~~

17 ~~(G) in subsection (e) (as redesignated in~~
 18 ~~subparagraph (F)), in the first sentence, by~~
 19 ~~striking “recipient” each place it appears and~~
 20 ~~inserting “recipient or project sponsor”;~~

21 ~~(H) by striking subsection (i); and~~

22 ~~(I) by redesignating subsection (j) as sub-~~
 23 ~~section (g);~~

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

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

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

5 **~~“SEC. 427. SELECTION CRITERIA.~~**

6 ~~“(a) IN GENERAL.—~~The Secretary shall award funds
7 to recipients by a national competition between geographic
8 areas based on criteria established by the Secretary.

9 ~~“(b) REQUIRED CRITERIA.—~~

10 ~~“(1) IN GENERAL.—~~The criteria established
11 under subsection (a) shall include—

12 ~~“(A) the previous performance of the re-~~
13 ipient regarding homelessness, measured by
14 criteria that shall be announced by the Sec-
15 retary, that shall take into account barriers
16 faced by individual homeless people, and that
17 shall include—

18 ~~“(i) the length of time individuals and~~
19 families remain homeless;

20 ~~“(ii) the extent to which individuals~~
21 and families who leave homelessness expe-
22 rience additional spells of homelessness;

23 ~~“(iii) the thoroughness of grantees in~~
24 the geographic area in reaching all home-
25 less individuals and families;

1 “(iv) overall reduction in the number
2 of homeless individuals and families;

3 “(v) jobs and income growth for
4 homeless individuals and families;

5 “(vi) success at reducing the number
6 of individuals and families who become
7 homeless; and

8 “(vii) other accomplishments by the
9 recipient related to reducing homelessness;

10 “(B) the plan of the recipient, which shall
11 describe—

12 “(i) how the number of individuals
13 and families who become homeless will be
14 reduced in the community;

15 “(ii) how the length of time that indi-
16 viduals and families remain homeless will
17 be reduced; and

18 “(iii) the extent to which the recipient
19 will—

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

22 “(aa) individuals with seri-
23 ous mental illness, addiction dis-
24 orders, HIV/AIDS and other
25 prevalent disabilities;

1 “(bb) families with children;
 2 “(cc) unaccompanied youth;
 3 “(dd) veterans; and
 4 “(ee) other subpopulations
 5 with a risk of becoming homeless;
 6 “(H) incorporate all necessary
 7 strategies for reducing homelessness;
 8 including the interventions referred to
 9 in section 428(d);
 10 “(III) set quantifiable perform-
 11 ance measures;
 12 “(IV) set timelines for completion
 13 of specific tasks;
 14 “(V) identify specific funding
 15 sources for planned activities;
 16 “(VI) identify an individual or
 17 body responsible for overseeing imple-
 18 mentation of specific strategies;
 19 “(VII) include a review of local
 20 policies and practices relating to dis-
 21 charge planning from institutions; ac-
 22 cess to benefits and services from
 23 mainstream government programs;
 24 and zoning and land use; to determine
 25 whether such local policies and prac-

1 tices aggravate or ameliorate home-
2 lessness in the geographic area;

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

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

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

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

1 count the severity of barriers faced by the
2 people the project serves;

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

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

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

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

15 “(vi) avoids conflicts of interest in the
16 decision-making of the recipient;

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

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

1 “(F) the extent to which the amount of as-
 2 sistance to be provided under this subtitle to
 3 the recipient will be supplemented with re-
 4 sources from other public and private sources;
 5 including mainstream programs identified by
 6 the Government Accountability Office in the 2
 7 reports described in section 102(a)(5)(B);

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

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

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

23 “(ii) the benefits and services provided
 24 by the Department of Veterans Affairs;

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

4 “(i) homeless individuals and families;
5 individuals and families at risk of home-
6 lessness; and individuals and families who
7 have experienced homelessness;

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

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

17 “(iv) relatives of individuals and fami-
18 lies experiencing or at risk of homeless-
19 ness;

20 “(v) Federal, State, and local govern-
21 ment agency officials, particularly those of-
22 ficials responsible for administering fund-
23 ing under programs targeted for individ-
24 uals and families experiencing homeless-
25 ness; and other programs for which indi-

viduals and families experiencing homelessness are eligible, including mainstream programs identified by the Government Accountability Office in the 2 reports described in section 102(a)(5)(B);

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

“(vii) members of the business community;

“(viii) members of neighborhood advocacy organizations; and

“(ix) members of philanthropic organizations that contribute to preventing and ending homelessness in the geographic area of the collaborative applicant; and

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

“(2) **ADDITIONAL CRITERIA.**—In addition to the criteria required under paragraph (1), the criteria established under subsection (a) shall also include the need within the geographic area for homeless services, determined as follows and under the following conditions:

1 “(A) NOTICE.—The Secretary shall inform
 2 each collaborative applicant, at a time concu-
 3 rent with the release of the Notice of Funding
 4 Availability for grants under section 422(b), of
 5 the pro rata estimated need amount under this
 6 subtitle for the geographic area represented by
 7 the collaborative applicant.

8 “(B) AMOUNT.—

9 “(i) BASIS.—The estimated need
 10 amount under subparagraph (A) shall be
 11 based on a percentage of the total funds
 12 available; or estimated to be available; to
 13 carry out this subtitle for any fiscal year
 14 that is equal to the percentage of the total
 15 amount available for section 106 of the
 16 Housing and Community Development Act
 17 of 1974 (42 U.S.C. 5306) for the prior fis-
 18 cal year that—

19 “(I) was allocated to all metro-
 20 politan cities and urban counties with-
 21 in the geographic area represented by
 22 the collaborative applicant; or

23 “(II) would have been distributed
 24 to all counties within such geographic
 25 area that are not urban counties; if

1 the 30 percent portion of the alloca-
 2 tion to the State involved (as de-
 3 scribed in subsection (d)(1) of that
 4 section 106) for that year had been
 5 distributed among the counties that
 6 are not urban counties in the State in
 7 accordance with the formula specified
 8 in that subsection (with references in
 9 that subsection to nonentitlement
 10 areas considered to be references to
 11 those counties).

12 “(ii) RULE.—In computing the esti-
 13 mated need amount under subparagraph
 14 (A), the Secretary shall adjust the esti-
 15 mated need amount determined pursuant
 16 to clause (i) to ensure that—

17 “(I) 75 percent of the total funds
 18 available, or estimated to be available,
 19 to carry out this subtitle for any fiscal
 20 year are allocated to the metropolitan
 21 cities and urban counties that received
 22 a direct allocation of funds under sec-
 23 tion 413 for the prior fiscal year; and

24 “(II) 25 percent of the total
 25 funds available, or estimated to be

1 available, to carry out this subtitle for
 2 any fiscal year are allocated—

3 “(aa) to the metropolitan
 4 cities and urban counties that did
 5 not receive a direct allocation of
 6 funds under section 413 for the
 7 prior fiscal year; and

8 “(bb) to counties that are
 9 not urban counties.

10 “(iii) COMBINATIONS OR CON-
 11 SORTIA.—For a collaborative applicant
 12 that represents a combination or consor-
 13 tium of cities or counties, the estimated
 14 need amount shall be the sum of the esti-
 15 mated need amounts for the cities or coun-
 16 ties represented by the collaborative appli-
 17 cant.

18 “(iv) AUTHORITY OF SECRETARY.—
 19 The Secretary may increase the estimated
 20 need amount for a geographic area if nec-
 21 essary to provide 1 year of renewal funding
 22 for all expiring contracts entered into
 23 under this subtitle for the geographic area.

1 **“SEC. 428. ALLOCATION AMOUNTS AND INCENTIVES FOR**
2 **SPECIFIC ELIGIBLE ACTIVITIES.**

3 **“(a) MINIMUM ALLOCATION FOR PERMANENT HOUS-**
4 **ING FOR HOMELESS INDIVIDUALS AND FAMILIES WITH**
5 **DISABILITIES.—**

6 **“(1) IN GENERAL.—**From the amounts made
7 available to carry out this subtitle for a fiscal year,
8 a portion equal to not less than 30 percent of the
9 sums made available to carry out subtitle B and this
10 subtitle for that fiscal year shall be used for perma-
11 nent housing for homeless individuals with disabil-
12 ities and homeless families that include such an indi-
13 vidual who is an adult.

14 **“(2) CALCULATION.—**In calculating the portion
15 of the amount described in paragraph (1) that is
16 used for activities that are described in paragraph
17 (1), the Secretary shall not count funds made avail-
18 able to renew contracts for existing projects under
19 section 429.

20 **“(3) ADJUSTMENT.—**The 30 percent figure in
21 paragraph (1) shall be reduced proportionately based
22 on need under section 427(b)(2) in geographic areas
23 for which subsection (c) applies in regard to sub-
24 section (d)(2)(A).

25 **“(4) SUSPENSION.—**The requirement estab-
26 lished in paragraph (1) shall be suspended for any

1 year in which available funding for grants under this
 2 subtitle would not be sufficient to renew for 1 year
 3 existing grants that would otherwise be funded
 4 under this subtitle.

5 “(5) TERMINATION.—The requirement estab-
 6 lished in paragraph (1) shall terminate upon a find-
 7 ing by the Secretary that since the beginning of
 8 2001 at least 150,000 new units of permanent hous-
 9 ing for homeless individuals and families with dis-
 10 abilities have been funded under this subtitle.

11 “(b) MINIMUM ALLOCATION FOR PERMANENT HOUS-
 12 ING FOR HOMELESS FAMILIES WITH CHILDREN.—From
 13 the amounts made available to carry out this subtitle for
 14 a fiscal year, a portion equal to not less than 10 percent
 15 of the sums made available to carry out subtitle B and
 16 this subtitle for that fiscal year shall be used to provide
 17 or secure permanent housing for homeless families with
 18 children.

19 “(c) FUNDING FOR ACQUISITION, CONSTRUCTION,
 20 AND REHABILITATION OF PERMANENT OR TRANSITIONAL
 21 HOUSING.—Nothing in this subtitle shall be construed to
 22 establish a limit on the amount of funding that an appli-
 23 cant may request under this subtitle for acquisition, con-
 24 struction, or rehabilitation activities for the development
 25 of permanent housing or transitional housing.

1 “(d) INCENTIVES FOR PROVEN STRATEGIES.—

2 “(1) IN GENERAL.—The Secretary shall provide
3 bonuses or other incentives to geographic areas for
4 using funding under this subtitle for activities that
5 have been proven to be effective at reducing home-
6 lessness generally or reducing homelessness for a
7 specific subpopulation.

8 “(2) RULE OF CONSTRUCTION.—For purposes
9 of this subsection, activities that have been proven to
10 be effective at reducing homelessness generally or re-
11 ducing homelessness for a specific subpopulation in-
12 cludes—

13 “(A) permanent supportive housing for
14 chronically homeless individuals and families;

15 “(B) for homeless families, rapid rehousing
16 services, short-term flexible subsidies to over-
17 come barriers to rehousing, support services
18 concentrating on improving incomes to pay
19 rent, coupled with performance measures em-
20 phasizing rapid and permanent rehousing and
21 with leveraging funding from mainstream fam-
22 ily service systems such as Temporary Assist-
23 ance for Needy Families and Child Welfare
24 services; and

1 “(C) any other activity determined by the
 2 Secretary, based on research and after notice
 3 and comment to the public; to have been proven
 4 effective at reducing homelessness generally or
 5 reducing homelessness for a specific subpopula-
 6 tion.

7 “(e) INCENTIVES FOR SUCCESSFUL IMPLEMENTA-
 8 TION OF PROVEN STRATEGIES.—

9 “(1) IN GENERAL.—If any geographic area
 10 demonstrates that it has fully implemented any of
 11 the activities described in subsection (d) for all
 12 homeless individuals and families or for all members
 13 of subpopulations for whom such activities are tar-
 14 geted, that geographic area shall receive the bonus
 15 or incentive provided under subsection (d), but may
 16 use such bonus or incentive for any eligible activity
 17 under either section 423 or section 1003 for home-
 18 less people generally or for the relevant subpopula-
 19 tion.

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

24 “(A) the matching requirements of section
 25 1008 rather than section 430; and

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

3 ~~“(3) DUTY OF SECRETARY.—~~The Secretary
4 shall transfer any bonus or incentive funds awarded
5 under this subsection for activities that are eligible
6 under section 1003 but not under section 423 from
7 the account for this subtitle to the account for title
8 X.

9 **“SEC. 429. RENEWAL FUNDING AND TERMS OF ASSISTANCE**
10 **FOR PERMANENT HOUSING.**

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

18 ~~“(b) RENEWALS.—~~The sums made available under
19 subsection (a) shall be available for the renewal of con-
20 tracts for a 1-year term for rental assistance and housing
21 operation costs associated with permanent housing
22 projects funded under this subtitle, or under subtitle C
23 or F (as in effect on the day before the date of enactment
24 of the Community Partnership to End Homelessness Act
25 of 2007). The Secretary shall determine whether to renew

1 a contract for such a permanent housing project on the
 2 basis of certification by the collaborative applicant for the
 3 geographic area that—

4 “(1) there is a demonstrated need for the
 5 project; and

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

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

14 **“SEC. 430. MATCHING FUNDING.**

15 “(a) IN GENERAL.—A collaborative applicant in a ge-
 16 ographic area in which funds are awarded under this sub-
 17 title shall specify contributions that shall be made avail-
 18 able in the geographic area in an amount equal to not
 19 less than 25 percent of the funds provided to recipients
 20 in the geographic area.

21 “(b) LIMITATIONS ON IN-KIND MATCH.—The cash
 22 value of services provided to the residents or clients of a
 23 project sponsor by an entity other than the project sponsor
 24 may count toward the contributions in subsection (a) only
 25 when documented by a memorandum of understanding be-

1 tween the project sponsor and the other entity that such
 2 services will be provided.

3 ~~“(e) COUNTABLE ACTIVITIES.—~~ The contributions
 4 required under subsection (a) may consist of—

5 ~~“(1) funding for any eligible activity described~~
 6 ~~under section 423; and~~

7 ~~“(2) subject to subsection (b), in-kind provision~~
 8 ~~of services of any eligible activity described under~~
 9 ~~section 423.”.~~

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

11 Subtitle D of title IV of the McKinney-Vento Home-
 12 less Assistance Act (42 U.S.C. 11408 et seq.), as redesign-
 13 nated by section 9, is amended—

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

16 **“Subtitle D—Rural Housing**
 17 **Stability Assistance Program”; and**

18 ~~(2) in section 491—~~

19 (A) by striking the section heading and in-
 20 serting **“RURAL HOUSING STABILITY**
 21 **GRANT PROGRAM.”;**

22 ~~(B) in subsection (a)—~~

23 (i) by striking “rural homelessness
 24 grant program” and inserting “rural hous-
 25 ing stability grant program”;

1 (ii) by inserting “in lieu of grants
2 under subtitle C and title X” after “eligi-
3 ble organizations”; and

4 (iii) by striking paragraphs (1), (2),
5 and (3), and inserting the following:

6 “(1) rehousing or improving the housing situa-
7 tions of individuals and families who are homeless or
8 in the worst housing situations in the geographic
9 area;

10 “(2) stabilizing the housing of individuals and
11 families who are in imminent danger of losing hous-
12 ing; and

13 “(3) improving the ability of the lowest-income
14 residents of the community to afford stable hous-
15 ing.”;

16 (C) in subsection (b)(1)—

17 (i) by redesignating subparagraphs
18 (E), (F), and (G) as subparagraphs (I),
19 (J), and (K), respectively; and

20 (ii) by striking subparagraph (D) and
21 inserting the following:

22 “(D) construction of new housing units to
23 provide transitional or permanent housing to
24 homeless individuals and families;

1 “(E) acquisition or rehabilitation of a
 2 structure to provide supportive services or to
 3 provide transitional or permanent housing;
 4 other than emergency shelter, to homeless indi-
 5 viduals and families;

6 “(F) leasing of property, or portions of
 7 property, not owned by the recipient or project
 8 sponsor involved, for use in providing transi-
 9 tional or permanent housing to homeless indi-
 10 viduals and families, or providing supportive
 11 services to homeless individuals and families;

12 “(G) provision of rental assistance to pro-
 13 vide transitional or permanent housing to home-
 14 less individuals and families, such rental assist-
 15 ance may include tenant-based or project-based
 16 rental assistance;

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

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

21 (E) in subsection (c)—

22 (i) in paragraph (1)(A), by striking
 23 “appropriated” and inserting “trans-
 24 ferred”; and

1 (ii) in paragraph (3), by striking “ap-
 2 propriated” and inserting “transferred”;
 3 (F) in subsection (d)—

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

6 (ii) in paragraph (6)—

7 (I) by striking “an agreement”
 8 and all that follows through “fami-
 9 lies” and inserting the following: “a
 10 description of how individuals and
 11 families who are homeless or who have
 12 the lowest incomes in the community
 13 will be involved by the organization”;
 14 and

15 (II) by striking the period at the
 16 end, and inserting a semicolon; and

17 (iii) by adding at the end the fol-
 18 lowing:

19 “(7) a description of consultations that took
 20 place within the community to ascertain the most
 21 important uses for funding under this section, in-
 22 cluding the involvement of potential beneficiaries of
 23 the project; and

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

4 (G) by striking subsections (f) and (g) and
5 inserting the following:

6 “(f) MATCHING FUNDING.—

7 “(1) IN GENERAL.—An organization eligible to
8 receive a grant under subsection (a) shall specify
9 matching contributions that shall be made available
10 in an amount equal to not less than 25 percent of
11 the funds provided for the project or activity.

12 “(2) LIMITATIONS ON IN-KIND MATCH.—The
13 cash value of services provided to the beneficiaries or
14 clients of an eligible organization by an entity other
15 than the organization may count toward the con-
16 tributions in paragraph (1) only when documented
17 by a memorandum of understanding between the or-
18 ganization and the other entity that such services
19 will be provided.

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

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

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

4 ~~“(g) SELECTION CRITERIA.—The Secretary shall es-~~
 5 ~~tablish criteria for selecting recipients of grants under~~
 6 ~~subsection (a), including—~~

7 ~~“(1) the participation of potential beneficiaries~~
 8 ~~of the project in assessing the need for, and impor-~~
 9 ~~tance of, the project in the community;~~

10 ~~“(2) the degree to which the project addresses~~
 11 ~~the most harmful housing situations present in the~~
 12 ~~community;~~

13 ~~“(3) the degree of collaboration with others in~~
 14 ~~the community to meet the goals described in sub-~~
 15 ~~section (a);~~

16 ~~“(4) the performance of the organization in im-~~
 17 ~~proving housing situations, taking account of the se-~~
 18 ~~verity of barriers of individuals and families served~~
 19 ~~by the organization;~~

20 ~~“(5) for organizations that have previously re-~~
 21 ~~ceived funding under this section, the extent of im-~~
 22 ~~provement in homelessness and the worst housing~~
 23 ~~situations in the community since such funding~~
 24 ~~began;~~

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

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

5 (H) in subsection (h)—

6 (i) in paragraph (1)(A), by striking
7 “providing housing and other assistance to
8 homeless persons” and inserting “meeting
9 the goals described in subsection (a)”;

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

13 (iii) in paragraph (2), by inserting “in
14 the worst housing situations” after “home-
15 lessness”;

16 (I) in subsection (k)(1), by striking “rural
17 homelessness grant program” and inserting
18 “rural housing stability grant program”;

19 (J) in subsection (l)—

20 (i) by striking the subsection heading
21 and inserting “PROGRAM FUNDING.—”;
22 and

23 (ii) by striking paragraph (1) and in-
24 serting the following:

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

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

12 “(m) DIVISION OF FUNDS.—

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

21 “(2) DEFAULT IF NO AGREEMENT.—If no
 22 agreement is reached under paragraph (1), the Sec-
 23 retary shall proceed under this subtitle, or under
 24 subtitle C and title X, depending on which results in

1 the largest total grant funding to the geographic
2 area.”.

3 **SEC. 8. FUNDS TO PREVENT HOMELESSNESS AND STA-**
4 **BILIZE HOUSING FOR PRECARIOUSLY**
5 **HOUSED INDIVIDUALS AND FAMILIES.**

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

9 **“TITLE X—PREVENTING HOME-**
10 **LESSNESS AND STABILIZING**
11 **HOUSING FOR PRECAR-**
12 **IOUSLY HOUSED INDIVID-**
13 **UALS AND FAMILIES**

14 **“SEC. 1001. PURPOSES.**

15 “The purposes of this title are—

16 “(1) to assist local communities to stabilize the
17 housing of individuals and families who are most at
18 risk of homelessness; and

19 “(2) to improve the ability of publicly funded
20 institutions to avoid homelessness among individuals
21 and families leaving the institutions.

22 **“SEC. 1002. COMMUNITY HOMELESSNESS PREVENTION AND**
23 **HOUSING STABILITY.**

24 “(a) **PROJECTS.**—The Secretary shall award grants
25 to recipients, on a competitive basis using the selection

1 criteria described in section 1006, to carry out eligible ac-
 2 tivities under this title, for projects that meet the program
 3 requirements established under section 1005.

4 “(b) NOTIFICATION OF FUNDING AVAILABILITY.—

5 The Secretary shall release a Notification of Funding
 6 Availability for grants awarded under this title for a fiscal
 7 year not later than 3 months after the date of enactment
 8 of the appropriate Act making appropriations for the De-
 9 partment of Housing and Urban Development for the fis-
 10 cal year.

11 “(c) COLLABORATIVE APPLICANT.—

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

16 “(2) DUAL ROLE ENCOURAGED.—The Sec-
 17 retary shall encourage the same entity which serves
 18 as a collaborative applicant for purposes of subtitle
 19 C of title IV to serve as a collaborative applicant for
 20 purposes of this title.

21 “(d) APPLICATIONS.—

22 “(1) SUBMISSION TO THE SECRETARY.—A col-
 23 laborative applicant shall submit an application to
 24 the Secretary at such time and in such manner as
 25 the Secretary may require, and containing such in-

1 formation as the Secretary determines necessary to
 2 determine if the applicant is in compliance with—

3 “(A) program requirements established
 4 under section 1005;

5 “(B) the selection criteria described in sec-
 6 tion 1006; and

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

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

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

21 “(e) RENEWAL FUNDING FOR UNSUCCESSFUL AP-
 22 PPLICANTS.—The Secretary may renew funding for a spe-
 23 cific project previously funded under this title that the
 24 Secretary determines is effective at preventing homeless-
 25 ness, and was included as part of a total application that

1 met the criteria of subsection (d)(1), even if the applica-
 2 tion was not selected to receive grant assistance. The Sec-
 3 retary may renew the funding for a period of not more
 4 than 1 year, and under such conditions as the Secretary
 5 determines to be appropriate.

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

12 **“SEC. 1003. ELIGIBLE ACTIVITIES.**

13 “The Secretary may award grants to qualified recipi-
 14 ents under section 1002 to carry out homeless prevention
 15 projects that consist of 1 or more of the following eligible
 16 activities:

17 “(1) Leasing of property, or portions of prop-
 18 erty, not owned by the recipient involved, for use in
 19 providing short-term or medium-term housing to
 20 people at risk of homelessness, or providing sup-
 21 portive services to people at risk of homelessness.

22 “(2) Provision of rental assistance to provide
 23 short-term or medium-term housing to people at risk
 24 of homelessness. The rental assistance may include
 25 tenant-based or project-based rental assistance.

1 ~~“(3) Payment of operating costs for housing~~
2 ~~units assisted under this title.~~

3 ~~“(4) Supportive services for people at risk of~~
4 ~~homelessness.~~

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

13 ~~“(6) In the case of a collaborative applicant~~
14 ~~that is a legal entity payment of administrative costs~~
15 ~~related to meeting the requirements of section~~
16 ~~4002(c), for which the collaborative applicant may~~
17 ~~use not more than 3 percent of the total funds made~~
18 ~~available in the geographic area under this subtitle.~~

19 ~~“(7) In the case of a collaborative applicant~~
20 ~~that is a unified funding agency, as such term is de-~~
21 ~~fin ed under section 402, payment of administrative~~
22 ~~costs related to meeting the requirements of serving~~
23 ~~as such an agency, for which the collaborative appli-~~
24 ~~cant may use not more than 3 percent of the total~~

1 funds made available in the geographic area under
2 this title.

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

4 “(a) **RULE OF CONSTRUCTION.**—For purposes of this
5 title, ‘individuals and families at risk of homelessness’
6 means individuals and families who meet all of the fol-
7 lowing criteria:

8 “(1) Have incomes below 20 percent of the me-
9 dian for the geographic area, adjusted for household
10 size.

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

19 “(3) Have insufficient resources immediately
20 available to attain housing stability.

21 “(b) **WAIVER AUTHORITY.**—The Secretary may waive
22 any of the criteria described in subsection (a) in a geo-
23 graphic area upon a finding that all individuals and fami-
24 lies who meet such criteria in the geographic area will be
25 served under this title, and that individuals and families

1 in the geographic area who do not meet the criteria de-
 2 scribed in subsection (a) remain at risk of homelessness.

3 **~~“SEC. 1005. PROGRAM REQUIREMENTS.~~**

4 ~~“The program requirements set forth under section~~
 5 ~~426 shall apply to projects funded under this title.~~

6 **~~“SEC. 1006. SELECTION CRITERIA.~~**

7 ~~“(a) IN GENERAL.—The Secretary shall award funds~~
 8 ~~to recipients by a national competition based on criteria~~
 9 ~~established by the Secretary.~~

10 ~~“(b) REQUIRED CRITERIA.—The criteria established~~
 11 ~~under subsection (a) shall include—~~

12 ~~“(1) the previous performance of the recipient~~
 13 ~~regarding stabilizing housing and preventing home-~~
 14 ~~lessness; measured by criteria that shall be an-~~
 15 ~~nounced by the Secretary; that shall take into ac-~~
 16 ~~count barriers faced by individuals and families at~~
 17 ~~risk of homelessness;~~

18 ~~“(2) the plan of the recipient, which shall de-~~
 19 ~~scribe—~~

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

23 ~~“(B) how the length of time that individ-~~
 24 ~~uals and families remain homeless will be re-~~
 25 ~~duced;~~

1 ~~“(3) all of the criteria established under section~~
 2 ~~427(b)(1)(B)(iii);~~

3 ~~“(4) the methodology used by the recipient to~~
 4 ~~determine the priority for funding local projects~~
 5 ~~under section 1002(d)(1), including use of the same~~
 6 ~~methodology used in section 427(b)(1)(C);~~

7 ~~“(5) the degree to which services are to be pro-~~
 8 ~~vided by the recipient to those individuals and fami-~~
 9 ~~lies most at risk of homelessness; and~~

10 ~~“(6) all of the criteria established under—~~

11 ~~“(A) subparagraphs (D) through (J) of~~
 12 ~~subsection (b)(1) of section 427; and~~

13 ~~“(B) subsection (b)(2) of section 427.~~

14 **~~“SEC. 1007. ELIGIBLE GRANT RECIPIENTS.~~**

15 ~~“The Secretary may make grants under this title to~~
 16 ~~States, local governments, or nonprofit corporations.~~

17 **~~“SEC. 1008. MATCHING REQUIREMENT.~~**

18 ~~“(a) IN GENERAL.—A collaborative applicant in a ge-~~
 19 ~~ographic area in which funds are awarded under this title~~
 20 ~~shall specify contributions that shall be made available in~~
 21 ~~that geographic area, in an amount equal to not less than~~
 22 ~~25 percent of the Federal funds provided under the grant,~~
 23 ~~except that when services are provided to individuals and~~
 24 ~~families who are or were within the past 2 years residents~~
 25 ~~of institutions or systems of care funded, in whole or in~~

1 part, by State or local government, including prison, jail,
 2 child welfare, and hospitals (including mental hospitals),
 3 for periods exceeding 2 years, then the collaborative appli-
 4 cant shall specify contributions that shall be made avail-
 5 able in an amount equal to not less than 60 percent of
 6 the Federal funds provided under the grant.

7 “(b) LIMITATIONS ON IN-KIND MATCH.—The cash
 8 value of services provided to the residents or clients of a
 9 recipient of a grant under this title by an entity other than
 10 the recipient may count toward the contributions in sub-
 11 section (a) only when documented by a memorandum of
 12 understanding between the recipient and the other entity
 13 that such services will be provided.

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

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

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

21 **“SEC. 1009. REGULATIONS.**

22 “The Secretary shall promulgate regulations to carry
 23 out this title.

1 **~~“SEC. 1010. REPORT TO CONGRESS.~~**

2 ~~“Not later than 1 year after the date of enactment~~
 3 ~~of the Community Partnership to End Homelessness Act~~
 4 ~~of 2007, the Secretary shall report to Congress on the ac-~~
 5 ~~complishments of the program in this title.~~

6 **~~“SEC. 1011. AUTHORIZATION OF APPROPRIATIONS.~~**

7 ~~“There are authorized to be appropriated to carry out~~
 8 ~~this title \$250,000,000 for fiscal year 2008, and such~~
 9 ~~sums as may be necessary for fiscal years 2009, 2010,~~
 10 ~~2011, and 2012.”.~~

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

12 (a) **REPEALS.**—Subtitles D, E, and F of title IV of
 13 the McKinney-Vento Homeless Assistance Act (42 U.S.C.
 14 11391 et seq., 11401 et seq., and 11403 et seq.) are re-
 15 pealed.

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

20 **SEC. 10. EFFECTIVE DATE.**

21 This Act shall take effect 6 months after the date
 22 of enactment of this Act.

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

24 (a) **SHORT TITLE.**—*This Act may be cited as the*
 25 *“Community Partnership to End Homelessness Act of*
 26 *2007”.*

1 (b) *TABLE OF CONTENTS.—The table of contents for*
 2 *this Act is as follows:*

- Sec. 1. Short title; table of contents.*
- Sec. 2. Findings and purpose.*
- Sec. 3. General definition of homeless individual.*
- Sec. 4. United States Interagency Council on Homelessness.*
- Sec. 5. Housing assistance general provisions.*
- Sec. 6. Emergency solutions grants program.*
- Sec. 7. Homeless assistance program.*
- Sec. 8. Rural housing stability assistance.*
- Sec. 9. Research.*
- Sec. 10. Repeals and conforming amendments.*
- Sec. 11. Special assistant for veterans affairs in office of Secretary of Housing and Urban Development.*
- Sec. 12. Effective date.*

3 **SEC. 2. FINDINGS AND PURPOSE.**

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

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

7 “(a) *FINDINGS.—Congress finds that—*

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

11 “(2) *assistance from the Federal Government is*
 12 *an important factor in the success of efforts by State*
 13 *and local governments and the private sector to ad-*
 14 *dress the problem of homelessness in a comprehensive*
 15 *manner;*

16 “(3) *there are several Federal Government pro-*
 17 *grams to assist persons experiencing homelessness, in-*
 18 *cluding programs for individuals with disabilities,*
 19 *veterans, children, and youth;*

1 “(4) homeless assistance programs must be evalu-
 2 ated on the basis of their effectiveness in reducing
 3 homelessness, transitioning individuals and families
 4 to permanent housing and stability, and optimizing
 5 their self-sufficiency;

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

10 “(A) implementing plans to appropriately
 11 discharge individuals to and from mainstream
 12 service systems; and

13 “(B) reducing barriers to participation in
 14 mainstream programs, as identified in—

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

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

23 “(6) an effective plan for reducing homelessness
 24 should provide a comprehensive housing system (in-
 25 cluding permanent housing and, as needed, transi-

1 *tional housing) that recognizes that, while some indi-*
 2 *viduals and families experiencing homelessness attain*
 3 *economic viability and independence utilizing transi-*
 4 *tional housing and then permanent housing, others*
 5 *can reenter society directly and optimize self-suffi-*
 6 *ciency through acquiring permanent housing;*

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

13 *“(8) homeless housing and supportive services*
 14 *programs within a community are most effective*
 15 *when they are developed and operated as part of an*
 16 *inclusive, collaborative, locally driven homeless plan-*
 17 *ning process that involves as decision makers persons*
 18 *experiencing homelessness, advocates for persons expe-*
 19 *riencing homelessness, service organizations, govern-*
 20 *ment officials, business persons, neighborhood advo-*
 21 *cates, and other community members;*

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

1 “(10) there are many private sector entities, par-
 2 ticularly nonprofit organizations, that have success-
 3 fully operated outcome-effective homeless programs;

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

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

12 “(13) the results of Federal programs targeted for
 13 persons experiencing homelessness have been 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 pub-
 22 lic 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 vulner-*
2 *able 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 section*
7 *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 de-*
13 *livery, and the involvement of persons experiencing*
14 *homelessness in decision-making regarding opportuni-*
15 *ties for their long-term stability, growth, well-being,*
16 *and optimum self-sufficiency; and*

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

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

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

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

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

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

13 (3) in paragraph (2)—

14 (A) in subparagraph (A)—

15 (i) by striking “welfare hotels” and in-
 16 serting “hotels or motels paid for by Fed-
 17 eral, State, or local government programs
 18 for low-income individuals or by charitable
 19 organizations”; and

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

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

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

1 “(3) *an individual or family who—*

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

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

10 “(C) *has changed primary residences—*

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

12 *or*

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

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

19 “(4) *an individual or family who—*

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

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

4 “(C) has changed primary residences—

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

6 or

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

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

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

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

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

21 (A) *in subsection (a)—*

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

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

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

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

5 “(18) *The Director of the Office of Management*
6 *and Budget, or the designee of the Director.*”;

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

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

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

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

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

16 *(B) by inserting before paragraph (2), as*
17 *redesignated by subparagraph (A), the following:*

18 “(1) *not later than 1 year after the date of enact-*
19 *ment of the Community Partnership to End Home-*
20 *lessness Act of 2007, develop and submit to the Presi-*
21 *dent and to Congress a National Strategic Plan to*
22 *End Homelessness;*”;

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

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

3 *(D) by inserting after paragraph (5), as re-*
 4 *designated by subparagraph (A), the following:*

5 *“(6) encourage the creation of State Interagency*
 6 *Councils on Homelessness and the formulation of*
 7 *multi-year plans to end homelessness at State, city,*
 8 *and county levels;*

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

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

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

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

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

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

4 *Subtitle A of title IV of the McKinney-Vento Homeless*
 5 *Assistance Act (42 U.S.C. 11361 et seq.) is amended—*

6 *(1) by striking the subtitle heading and inserting*
 7 *the following:*

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

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

11 *(3) by redesignating section 402 (42 U.S.C.*
 12 *11362) as section 407;*

13 *(4) by inserting before section 403 (as redesign-*
 14 *ated in paragraph (2)) the following:*

15 **“SEC. 401. DEFINITIONS.**

16 *“In this title, the following definitions shall apply:*

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

21 *“(A) has income below 20 percent of median*
 22 *income for the geographic area;*

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

1 “(C)(i) *has moved frequently because of eco-*
2 *nomie reasons;*

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

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

8 “(iv) *lives in a hotel or motel;*

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

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

14 “(2) *CHRONICALLY HOMELESS.—*

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

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

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

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

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

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

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

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

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

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

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

15 “(A) satisfies section 422; and

16 “(B) is submitted to the Secretary by a col-
17 laborative applicant.

18 “(5) *CONSOLIDATED PLAN.*—The term ‘Consoli-
19 dated Plan’ means a comprehensive housing afford-
20 ability strategy and community development plan re-
21 quired in part 91 of title 24, Code of Federal Regula-
22 tions.

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

1 of public and private entities, that is eligible to re-
2 ceive directly grant amounts under that subtitle.

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

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

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

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

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

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

22 “(IV) is a physical, mental, or emo-
23 tional impairment, including an impair-
24 ment caused by alcohol or drug abuse, post
25 traumatic stress disorder, or brain injury;

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

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

9 “(B) *RULE.*—Nothing in clause (iii) of sub-
 10 paragraph (A) shall be construed to limit eligi-
 11 bility under clause (i) or (ii) of subparagraph
 12 (A).

13 “(9) *LEGAL ENTITY.*—The term ‘legal entity’
 14 means—

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

19 “(B) an instrumentality of State or local
 20 government; or

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

24 “(10) *METROPOLITAN CITY; URBAN COUNTY;*
 25 *NONENTITLEMENT AREA.*—The terms ‘metropolitan

1 *city’, ‘urban county’, and ‘nonentitlement area’ have*
 2 *the meanings given such terms in section 102(a) of*
 3 *the Housing and Community Development Act of*
 4 *1974 (42 U.S.C. 5302(a)).*

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

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

12 “(A) *the administration, maintenance, re-*
 13 *pair, and security of such housing;*

14 “(B) *utilities, fuel, furnishings, and equip-*
 15 *ment for such housing; or*

16 “(C) *coordination of services as needed to*
 17 *ensure long-term housing stability.*

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

22 “(14) *PERMANENT HOUSING.*—*The term ‘perma-*
 23 *nent housing’ means community-based housing with-*
 24 *out a designated length of stay, and includes perma-*
 25 *nent supportive housing for homeless individuals with*

1 *disabilities and homeless families that include such*
 2 *an individual who is an adult.*

3 “(15) *PRIVATE NONPROFIT ORGANIZATION.*—*The*
 4 *term ‘private nonprofit organization’ means an orga-*
 5 *nization—*

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

9 “(B) *that has a voluntary board;*

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

13 “(D) *that practices nondiscrimination in*
 14 *the provision of assistance.*

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

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

24 “(A) *is between—*

25 “(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 con-
 8 tract.

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

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

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

18 “(B) receives the grant directly from the
 19 Secretary to support approved projects described
 20 in the application; and

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

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

1 “(20) *SECRETARY*.—The term ‘Secretary’ means
2 the Secretary of Housing and Urban Development.

3 “(21) *SERIOUS MENTAL ILLNESS*.—The term ‘se-
4 rious mental illness’ means a severe and persistent
5 mental illness or emotional impairment that seriously
6 limits a person’s ability to live independently.

7 “(22) *STATE*.—Except as used in subtitle B, the
8 term ‘State’ means each of the several States, the Dis-
9 trict of Columbia, the Commonwealth of Puerto Rico,
10 the United States Virgin Islands, Guam, American
11 Samoa, the Commonwealth of the Northern Mariana
12 Islands, the Trust Territory of the Pacific Islands,
13 and any other territory or possession of the United
14 States.

15 “(23) *SUPPORTIVE SERVICES*.—The term ‘sup-
16 portive services’ means the supportive services de-
17 scribed in section 425(c).

18 “(24) *TENANT-BASED*.—The term ‘tenant-based’,
19 used with respect to rental assistance, means assist-
20 ance that allows an eligible person to select a housing
21 unit in which such person will live using rental as-
22 sistance provided under subtitle C, except that if nec-
23 essary to assure that the provision of supportive serv-
24 ices to a person participating in a program is fea-

1 *sible, a recipient or project sponsor may require that*
 2 *the person live—*

3 *“(A) in a particular structure or unit for*
 4 *not more than the first year of the participation;*
 5 *and*

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

10 *“(25) TRANSITIONAL HOUSING.—The term ‘tran-*
 11 *sitional housing’ means housing, the purpose of which*
 12 *is to facilitate the movement of individuals and fami-*
 13 *lies experiencing homelessness to permanent housing*
 14 *within 24 months or such longer period as the Sec-*
 15 *retary determines necessary.*

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

20 **“SEC. 402. COLLABORATIVE APPLICANTS.**

21 *“(a) ESTABLISHMENT AND DESIGNATION.—A collabo-*
 22 *rative applicant shall be established for a geographic area*
 23 *by the relevant parties in that geographic area to—*

24 *“(1) submit an application for amounts under*
 25 *this subtitle; and*

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

3 “(b) *NO REQUIREMENT TO BE A LEGAL ENTITY.*—
4 *An entity may be established to serve as a collaborative ap-*
5 *plicant under this section without being a legal entity.*

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

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

19 “(e) *APPOINTMENT OF AGENT.*—

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

22 “(A) *apply for a grant under section 422(c);*

23 “(B) *receive and distribute grant funds*
24 *awarded under subtitle C; and*

25 “(C) *perform other administrative duties.*

1 “(2) *RETENTION OF DUTIES.*—Any collaborative
 2 applicant that designates an agent pursuant to para-
 3 graph (1) shall regardless of such designation retain
 4 all of its duties and responsibilities under this title.

5 “(f) *DUTIES.*—A collaborative applicant shall—

6 “(1) design a collaborative process for the devel-
 7 opment of an application under subtitle C, and for
 8 evaluating the outcomes of projects for which funds
 9 are awarded under subtitle B, in such a manner as
 10 to provide information necessary for the Secretary—

11 “(A) to determine compliance with—

12 “(i) the program requirements under
 13 section 425; and

14 “(ii) the selection criteria described
 15 under section 427; and

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

18 “(2) participate in the Consolidated Plan for the
 19 geographic area served by the collaborative applicant;
 20 and

21 “(3) ensure operation of, and consistent partici-
 22 pation by, project sponsors in a community-wide
 23 homeless management information system for pur-
 24 poses of —

1 “(A) *collecting unduplicated counts of indi-*
 2 *viduals and families experiencing homelessness;*

3 “(B) *analyzing patterns of use of assistance*
 4 *provided under subtitles B and C for the geo-*
 5 *graphic area involved; and*

6 “(C) *providing information to project spon-*
 7 *sors and applicants for needs analyses and fund-*
 8 *ing priorities.*

9 “(g) *UNIFIED FUNDING.—*

10 “(1) *IN GENERAL.—In addition to the duties de-*
 11 *scribed in subsection (f), a collaborative applicant*
 12 *shall receive from the Secretary and distribute to*
 13 *other project sponsors in the applicable geographic*
 14 *area funds for projects to be carried out by such other*
 15 *project sponsors, if—*

16 “(A) *the collaborative applicant—*

17 “(i) *applies to undertake such collec-*
 18 *tion and distribution responsibilities in an*
 19 *application submitted under this subtitle;*
 20 *and*

21 “(ii) *is selected to perform such respon-*
 22 *sibilities by the Secretary; or*

23 “(B) *the Secretary designates the collabo-*
 24 *rative applicant as the unified funding agency*
 25 *in the geographic area, after—*

1 “(i) a finding by the Secretary that the
2 applicant—

3 “(I) has the capacity to perform
4 such responsibilities; and

5 “(II) would serve the purposes of
6 this Act as they apply to the geo-
7 graphic area; and

8 “(ii) the Secretary provides the collabo-
9 rative applicant with the technical assist-
10 ance necessary to perform such responsibil-
11 ities as such assistance is agreed to by the
12 collaborative applicant.

13 “(2) *REQUIRED ACTIONS BY A UNIFIED FUNDING*
14 *AGENCY.*—A collaborative applicant that is either se-
15 lected or designated as a unified funding agency for
16 a geographic area under paragraph (1) shall—

17 “(A) require each project sponsor who is
18 funded by a grant received under subtitle C to
19 establish such fiscal control and fund accounting
20 procedures as may be necessary to assure the
21 proper disbursement of, and accounting for, Federal
22 funds awarded to the project sponsor under sub-
23 title C in order to ensure that all financial
24 transactions carried out under subtitle C are
25 conducted, and records maintained, in accord-

1 *ance with generally accepted accounting prin-*
 2 *ciples; and*

3 “(B) *arrange for an annual survey, audit,*
 4 *or evaluation of the financial records of each*
 5 *project carried out by a project sponsor funded*
 6 *by a grant received under subtitle C.*

7 “(h) *CONFLICT OF INTEREST.—No board member of*
 8 *a collaborative applicant may participate in decisions of*
 9 *the collaborative applicant concerning the award of a grant,*
 10 *or provision of other financial benefits, to such member or*
 11 *the organization that such member represents.”;*

12 (5) *by inserting after section 403 (as redesign-*
 13 *ated in paragraph (2)) the following:*

14 **“SEC. 404. PREVENTING INVOLUNTARY FAMILY SEPARA-**
 15 **TION.**

16 “(a) *IN GENERAL.—Beginning on the date that is 2*
 17 *years after the date of the enactment of the Community*
 18 *Partnership to End Homelessness Act of 2007, and except*
 19 *as provided in subsection (b), any project sponsor receiving*
 20 *funds under this title to provide emergency shelter, transi-*
 21 *tional housing, or permanent housing to families with chil-*
 22 *dren under age 18 shall not deny admission to any family*
 23 *based on the age of any child under age 18.*

24 “(b) *EXCEPTION.—Notwithstanding the requirement*
 25 *under subsection (a), project sponsors of transitional hous-*

1 *ing receiving funds under this title may target transitional*
 2 *housing resources to families with children of a specific age*
 3 *only if the project sponsor—*

4 “(1) *receives a significant amount of funding*
 5 *from a source that requires targeting to a specific age*
 6 *group;*

7 “(2) *operates an emergency shelter, transitional*
 8 *housing, or permanent housing program that has a*
 9 *primary purpose of implementing an evidence-based*
 10 *practice that requires that shelter or housing units be*
 11 *targeted to families with children in a specific age*
 12 *group; or*

13 “(3) *provides such assurances, as the Secretary*
 14 *shall by regulation require, that an equivalent appro-*
 15 *priate alternative living arrangement for the whole*
 16 *family or household unit has been secured.*

17 **“SEC. 405. TECHNICAL ASSISTANCE.**

18 “(a) *TECHNICAL ASSISTANCE FOR PROJECT SPON-*
 19 *SORS.—The Secretary shall make effective technical assist-*
 20 *ance available to private nonprofit organizations and other*
 21 *nongovernmental entities, States, metropolitan cities, urban*
 22 *counties, and counties that are not urban counties that are*
 23 *potential project sponsors, in order to implement effective*
 24 *planning processes for preventing and ending homelessness,*
 25 *to optimize self-sufficiency among individuals experiencing*

1 *homelessness, to prevent the separation of families in emer-*
 2 *gency shelter or other housing programs, and to improve*
 3 *their capacity to become project sponsors.*

4 “(b) *TECHNICAL ASSISTANCE FOR COLLABORATIVE*
 5 *APPLICANTS.—The Secretary shall make effective technical*
 6 *assistance available to collaborative applicants—*

7 “(1) *to improve their ability to carry out the du-*
 8 *ties required under subsections (f) and (g) of section*
 9 *402;*

10 “(2) *to design and execute outcome-effective*
 11 *strategies for preventing and ending homelessness in*
 12 *their geographic areas consistent with the provisions*
 13 *of this title; and*

14 “(3) *to design and implement a community-wide*
 15 *process for assessing the performance of the applicant*
 16 *and project sponsors in meeting the purposes of this*
 17 *Act.*

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

22 **“SEC. 406. APPEALS.**

23 “(a) *IN GENERAL.—Not later than 3 months after the*
 24 *date of enactment of the Community Partnership to End*
 25 *Homelessness Act of 2007, the Secretary shall establish a*

1 *timely appeal procedure for grant amounts awarded or de-*
 2 *nied under this subtitle pursuant to an application for*
 3 *funding.*

4 “(b) *PROCESS.*—*The Secretary shall ensure that ap-*
 5 *peals procedure established under subsection (a) permits ap-*
 6 *peals submitted by—*

7 “(1) *collaborative applicants;*

8 “(2) *entities carrying out homeless housing and*
 9 *services projects (including emergency shelters and*
 10 *homelessness prevention programs); and*

11 “(3) *homeless planning bodies not established as*
 12 *collaborative applicants.*”; and

13 (6) *by inserting after section 407 (as redesign-*
 14 *ated in paragraph (2)) the following:*

15 **“SEC. 408. AUTHORIZATION OF APPROPRIATIONS.**

16 “*There are authorized to be appropriated to carry out*
 17 *this title \$2,200,000,000 for fiscal year 2008 and such sums*
 18 *as may be necessary for fiscal years 2009, 2010, 2011, and*
 19 *2012.*”.

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

21 *Subtitle B of title IV of the McKinney-Vento Homeless*
 22 *Assistance Act (42 U.S.C. 11371 et seq.) is amended—*

23 (1) *by striking the subtitle heading and inserting*
 24 *the following:*

1 **“Subtitle B—Emergency Solutions**
 2 **Grants Program”;**

3 (2) *by striking section 412 (42 U.S.C. 11372)*

4 *and inserting the following:*

5 **“SEC. 412. GRANT ASSISTANCE.**

6 *“The Secretary shall make grants to States and local*
 7 *governments (and to private nonprofit organizations pro-*
 8 *viding assistance to persons experiencing homelessness, in*
 9 *the case of grants made with reallocated amounts) for the*
 10 *purpose of carrying out activities described in section 414.*

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

12 *“(a) IN GENERAL.—Of the amount made available to*
 13 *carry out this subtitle and subtitle C for a fiscal year, the*
 14 *Secretary shall allocate nationally 20 percent of such*
 15 *amount for activities described in section 414. The Sec-*
 16 *retary shall be required to certify that such allocation will*
 17 *not adversely affect the renewal of existing projects under*
 18 *this subtitle and subtitle C for those individuals or families*
 19 *who are homeless.*

20 *“(b) ALLOCATION.—An entity that receives a grant*
 21 *under section 412, and serves an area that includes 1 or*
 22 *more geographic areas (or portions of such areas) served*
 23 *by collaborative applicants that submit applications under*
 24 *subtitle C, shall allocate the funds made available through*

1 *the grant to carry out activities described in section 414,*
 2 *in consultation with the collaborative applicants.”;*

3 *(3) in section 413(b) (42 U.S.C. 11373(b)), by*
 4 *striking “amounts appropriated” and all that follows*
 5 *through “for any” and inserting “amounts appro-*
 6 *priated under section 408 and made available to*
 7 *carry out this subtitle for any”;*

8 *(4) by striking section 414 (42 U.S.C. 11374)*
 9 *and inserting the following:*

10 **“SEC. 414. ELIGIBLE ACTIVITIES.**

11 *“(a) IN GENERAL.—Assistance provided under section*
 12 *412 may be used for the following activities:*

13 *“(1) The renovation, major rehabilitation, or*
 14 *conversion of buildings to be used as emergency shel-*
 15 *ters.*

16 *“(2) The provision of essential services related to*
 17 *emergency shelter or street outreach, including serv-*
 18 *ices concerned with employment, health, education,*
 19 *family support services for homeless youth, alcohol or*
 20 *drug abuse prevention or treatment, or mental health*
 21 *treatment, if such essential services have not been pro-*
 22 *vided by the local government during any part of the*
 23 *immediately preceding 12-month period, or the use of*
 24 *assistance under this subtitle would complement the*
 25 *provision of those essential services.*

1 “(3) *Maintenance, operation, insurance, provi-*
 2 *sion of utilities, and provision of furnishings related*
 3 *to emergency shelter.*

4 “(4) *Provision of rental assistance to provide*
 5 *short-term or medium-term housing to homeless indi-*
 6 *viduals or families or individuals or families at risk*
 7 *of homelessness. Such rental assistance may include*
 8 *tenant-based or project-based rental assistance.*

9 “(5) *Housing relocation or stabilization services*
 10 *for homeless individuals or families or individuals or*
 11 *families at risk of homelessness, including housing*
 12 *search, mediation or outreach to property owners,*
 13 *legal services, credit repair, providing security or*
 14 *utility deposits, utility payments, rental assistance*
 15 *for a final month at a location, assistance with mov-*
 16 *ing costs, or other activities that are effective at—*

17 “(A) *stabilizing individuals and families in*
 18 *their current housing; or*

19 “(B) *quickly moving such individuals and*
 20 *families to other permanent housing.*

21 “(b) *MAXIMUM ALLOCATION FOR EMERGENCY SHEL-*
 22 *TER ACTIVITIES.—Not more than 60 percent of the funds*
 23 *provided to a grantee under this subtitle may be used for*
 24 *activities described in paragraphs (1) through (3) of sub-*
 25 *section (a), except that for the first 2 years after the date*

1 *of enactment of the Community Partnership to End Home-*
 2 *lessness Act of 2007, a grantee may use the greater of 60*
 3 *percent of the funds provided or the amount expended in*
 4 *the year of enactment of such Act for said activities.”;*

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

7 *“(f) PARTICIPATION IN HMIS.—The Secretary shall*
 8 *ensure that recipients of funds under this subtitle ensure*
 9 *the consistent participation by emergency shelters and*
 10 *homelessness prevention and rehousing programs in any*
 11 *applicable community-wide homeless management informa-*
 12 *tion system.”;*

13 *(6) by repealing section 417 (42 U.S.C. 11377);*
 14 *and*

15 *(7) by redesignating section 418 as section 417.*

16 **SEC. 7. HOMELESS ASSISTANCE PROGRAM.**

17 *Subtitle C of title IV of the McKinney-Vento Homeless*
 18 *Assistance Act (42 U.S.C. 11381 et seq.) is amended—*

19 *(1) by striking the subtitle heading and inserting*
 20 *the following:*

21 **“Subtitle C—Homeless Assistance**
 22 **Program”;**

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

1 **“SEC. 421. PURPOSES.**

2 *“The purposes of this subtitle are—*

3 *“(1) to promote community-wide commitment to*
 4 *the goal of ending homelessness;*

5 *“(2) to provide funding for efforts by nonprofit*
 6 *providers and State and local governments to quickly*
 7 *rehouse homeless individuals and families while mini-*
 8 *mizing the trauma and dislocation caused to individ-*
 9 *uals, families, and communities by homelessness;*

10 *“(3) to promote access to, and effective utiliza-*
 11 *tion of, mainstream programs identified by the Gov-*
 12 *ernment Accountability Office in the 2 reports de-*
 13 *scribed in section 102(a)(5)(B) and programs funded*
 14 *with State or local resources; and*

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

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

18 *“(a) PROJECTS.—The Secretary shall award grants,*
 19 *on a competitive basis, and using the selection criteria de-*
 20 *scribed in section 427, to carry out eligible activities under*
 21 *this subtitle for projects that meet the program requirements*
 22 *under section 426, either by directly awarding funds to*
 23 *project sponsors or by awarding funds to unified funding*
 24 *agencies.*

25 *“(b) NOTIFICATION OF FUNDING AVAILABILITY.—The*
 26 *Secretary shall release a Notification of Funding Avail-*

1 *ability for grants awarded under this subtitle for a fiscal*
 2 *year not later than 3 months after the date of enactment*
 3 *of the appropriate Act making appropriations for the De-*
 4 *partment of Housing and Urban Development for the fiscal*
 5 *year.*

6 “(c) *APPLICATIONS.*—

7 “(1) *SUBMISSION TO THE SECRETARY.*—*To be el-*
 8 *igible to receive a grant under subsection (a), a*
 9 *project sponsor or unified funding agency in a geo-*
 10 *graphic area shall submit an application to the Sec-*
 11 *retary at such time and in such manner as the Sec-*
 12 *retary may require, and containing—*

13 “(A) *such information as the Secretary de-*
 14 *termines necessary—*

15 “(i) *to determine compliance with the*
 16 *program requirements and selection criteria*
 17 *under this subtitle; and*

18 “(ii) *to establish priorities for funding*
 19 *projects in the geographic area.*

20 “(2) *ANNOUNCEMENT OF AWARDS.*—

21 “(A) *IN GENERAL.*—*Except as provided in*
 22 *subparagraph (B), the Secretary shall announce,*
 23 *within 5 months after the last date for the sub-*
 24 *mission of applications described in this sub-*
 25 *section for a fiscal year, the grants conditionally*

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

3 “(B) *TRANSITION.*—*For a period of up to 2*
 4 *years beginning after the date of enactment of*
 5 *the Community Partnership to End Homeless-*
 6 *ness Act of 2007, the Secretary shall announce,*
 7 *within 6 months after the last date for the sub-*
 8 *mission of applications described in this sub-*
 9 *section for a fiscal year, the grants conditionally*
 10 *awarded under subsection (a) for that fiscal*
 11 *year.*

12 “(d) *OBLIGATION, DISTRIBUTION, AND UTILIZATION*
 13 *OF FUNDS.*—

14 “(1) *REQUIREMENTS FOR OBLIGATION.*—

15 “(A) *IN GENERAL.*—*Not later than 9*
 16 *months after the announcement referred to in*
 17 *subsection (c)(2), each recipient of a grant an-*
 18 *nounced under such subsection shall, with respect*
 19 *to a project to be funded through such grant,*
 20 *meet, or cause the project sponsor to meet, all re-*
 21 *quirements for the obligation of funds for such*
 22 *project, including site control, matching funds,*
 23 *and environmental review requirements, except*
 24 *as provided in subparagraph (C).*

1 “(B) *ACQUISITION, REHABILITATION, OR*
2 *CONSTRUCTION.*—*Not later than 24 months after*
3 *the announcement referred to in subsection*
4 *(c)(2), each recipient of a grant announced*
5 *under such subsection seeking the obligation of*
6 *funds in connection with the acquisition of hous-*
7 *ing, rehabilitation of housing, or construction of*
8 *new housing for a grant announced under such*
9 *subsection shall meet all requirements for the ob-*
10 *ligation of those funds, including site control,*
11 *matching funds, and environmental review re-*
12 *quirements.*

13 “(C) *EXTENSIONS.*—*At the discretion of the*
14 *Secretary, and in compelling circumstances, the*
15 *Secretary may extend the date by which a recipi-*
16 *ent of a grant announced under subsection (c)(2)*
17 *shall meet or cause a project sponsor to meet the*
18 *requirements described in subparagraphs (A)*
19 *and (B) if the Secretary determines that compli-*
20 *ance with the requirements was delayed due to*
21 *factors beyond the reasonable control of the re-*
22 *cipient or project sponsor. Such factors may in-*
23 *clude difficulties in obtaining site control for a*
24 *proposed project, completing the process of ob-*
25 *taining secure financing for the project, obtain-*

1 *ing approvals from State or local governments,*
 2 *or completing the technical submission require-*
 3 *ments for the project.*

4 “(2) *OBLIGATION.*—*Not later than 45 days after*
 5 *a recipient meets or causes a project sponsor to meet*
 6 *the requirements described in paragraph (1), the Sec-*
 7 *retary shall obligate the funds for the grant involved.*

8 “(3) *DISTRIBUTION.*—*A unified funding agency*
 9 *that receives funds through a grant under this sec-*
 10 *tion—*

11 “(A) *shall distribute the funds to project*
 12 *sponsors (in advance of expenditures by the*
 13 *project sponsors); and*

14 “(B) *shall distribute the appropriate por-*
 15 *tion of the funds to a project sponsor not later*
 16 *than 45 days after receiving a request for such*
 17 *distribution from the project sponsor.*

18 “(4) *EXPENDITURE OF FUNDS.*—*The Secretary*
 19 *may establish a date by which funds made available*
 20 *through a grant announced under subsection (c)(2)*
 21 *for a homeless assistance project shall be entirely ex-*
 22 *pended by the recipient or project sponsors involved.*
 23 *The date established under this paragraph shall not*
 24 *occur before the expiration of the 24-month period be-*
 25 *ginning on the date that funds are obligated for ac-*

1 *tivities described under paragraphs (1) or (2) of sec-*
 2 *tion 423(a). The Secretary shall recapture the funds*
 3 *not expended by such date. The Secretary shall reallo-*
 4 *cate the funds for another homeless assistance and*
 5 *prevention project that meets the requirements of this*
 6 *subtitle to be carried out, if possible and appropriate,*
 7 *in the same geographic area as the area served*
 8 *through the original grant.*

9 “(e) *RENEWAL FUNDING FOR UNSUCCESSFUL APPLI-*
 10 *CANTS.—The Secretary may renew funding for a specific*
 11 *project previously funded under this subtitle that the Sec-*
 12 *retary determines meets the purposes of this subtitle, and*
 13 *was included as part of a total application that met the*
 14 *criteria of subsection (c), even if the application was not*
 15 *selected to receive grant assistance. The Secretary may*
 16 *renew the funding for a period of not more than 1 year,*
 17 *and under such conditions as the Secretary determines to*
 18 *be appropriate.*

19 “(f) *CONSIDERATIONS IN DETERMINING RENEWAL*
 20 *FUNDING.—When providing renewal funding for leasing or*
 21 *rental assistance for permanent housing, the Secretary shall*
 22 *make adjustments proportional to increases in the fair mar-*
 23 *ket rents in the geographic area.*

24 “(g) *MORE THAN 1 APPLICATION FOR A GEOGRAPHIC*
 25 *AREA.—If more than 1 collaborative applicant applies for*

1 *funds for a geographic area, the Secretary shall award*
 2 *funds to the collaborative applicant with the highest score*
 3 *based on the selection criteria set forth in section 427.*

4 “(h) *CONFIDENTIALITY.*—

5 “(1) *VICTIM SERVICE PROVIDERS.*—*In the course*
 6 *of awarding grants or implementing programs under*
 7 *this section, the Secretary shall instruct any victim*
 8 *service provider that is a recipient or subgrantee not*
 9 *to disclose for purposes of the Homeless Management*
 10 *Information System personally identifying informa-*
 11 *tion about any client. The Secretary may, after pub-*
 12 *lic notice and comment, require or ask such recipients*
 13 *and subgrantees to disclose for purposes of the Home-*
 14 *less Management Information System non-personally*
 15 *identifying data that has been de-identified,*
 16 *encrypted, or otherwise encoded. Nothing in this sec-*
 17 *tion shall be construed to supersede any provision of*
 18 *any Federal, State, or local law that provides greater*
 19 *protection than this paragraph for victims of domes-*
 20 *tic violence, dating violence, sexual assault, or stalk-*
 21 *ing.*

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

23 “(A) *PERSONALLY IDENTIFYING INFORMA-*
 24 *TION OR PERSONAL INFORMATION.*—*The terms*
 25 *‘personally identifying information’ and ‘per-*

sonal information’ means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, including—

“(i) a first and last name;

“(ii) a home or other physical address;

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

“(iv) a social security number; and

“(v) any other information, including date of birth, racial or ethnic background, or religious affiliation, that, in combination with any other non-personally identifying information would serve to identify any individual.

“(B) VICTIM SERVICE PROVIDER.—The term ‘victim service provider’ means a nonprofit, non-governmental organization including rape crisis centers, battered women’s shelters, domestic violence transitional housing programs, and other programs whose primary mission is to provide services to victims of domestic violence, dating violence, sexual assault, or stalking.

1 “(i) *COORDINATION WITH LOW INCOME HOUSING*
 2 *CREDIT.*—

3 “(1) *IN GENERAL.*—*Assistance under this subtitle*
 4 *is intended to facilitate the utilization of Low Income*
 5 *Housing Credits under section 42 of the Internal Rev-*
 6 *enue Code of 1986.*

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

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

17 **“SEC. 423. ELIGIBLE ACTIVITIES.**

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

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

1 “(2) *Acquisition or rehabilitation of a structure*
2 *to provide supportive services or to provide transi-*
3 *tional or permanent housing, other than emergency*
4 *shelter, to homeless individuals and families.*

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

11 “(4) *Provision of rental assistance to provide*
12 *transitional or permanent housing to homeless indi-*
13 *viduals and families. The rental assistance may in-*
14 *clude tenant-based or project-based rental assistance.*
15 *Project-based rental assistance and operating cost as-*
16 *istance contracts carried out by project sponsors re-*
17 *ceiving grants under this section may, at the discre-*
18 *tion of the applicant and the project sponsor, have an*
19 *initial term of 15 years, with assistance for the first*
20 *5 years paid with funds authorized for appropriation*
21 *under this Act, and assistance for the remainder of*
22 *the term treated as a renewal of an expiring contract*
23 *as provided in section 429. Project-based rental assist-*
24 *ance may include rental assistance to preserve exist-*

1 *ing permanent supportive housing for homeless indi-*
 2 *viduals and families.*

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

8 *“(6) Provision of supportive services to homeless*
 9 *individuals and families, individuals or families who*
 10 *in the prior 6 months have been homeless but are cur-*
 11 *rently residing in permanent housing, or individuals*
 12 *and families who were homeless and are now residing*
 13 *in permanent supportive housing.*

14 *“(7) Provision of rehousing services, including*
 15 *housing search, mediation or outreach to property*
 16 *owners, credit repair, providing security or utility de-*
 17 *posits, rental assistance for a final month at a loca-*
 18 *tion, assistance with moving costs, or other activities*
 19 *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,*
 25 *but are currently residing in permanent housing.*

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

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

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

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

24 “(12) *Payment of administrative costs to project*
25 *sponsors, for which each project sponsor may use not*

1 *more than 7 percent of the total funds made available*
 2 *to that project sponsor through this subtitle for such*
 3 *costs.*

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

7 “(c) *USE RESTRICTIONS.*—

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

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

20 “(3) *CONVERSION.*—*If the recipient or project*
 21 *sponsor carrying out a project that provides transi-*
 22 *tional or permanent housing submits a request to the*
 23 *collaborative applicant or unified funding agency in-*
 24 *volved to carry out instead a project for the direct*
 25 *benefit of low-income persons, and the collaborative*

1 *applicant or unified funding agency determines that*
 2 *the initial project is no longer needed to provide tran-*
 3 *sitional or permanent housing, the collaborative ap-*
 4 *plicant or unified funding agency may recommend*
 5 *that the Secretary approve the project described in the*
 6 *request and authorize the recipient or project sponsor*
 7 *to carry out that project. If the collaborative appli-*
 8 *cant or unified funding agency is the recipient or*
 9 *project sponsor, it shall submit such a request directly*
 10 *to the Secretary who shall determine if the conversion*
 11 *of the project is appropriate.*

12 “(d) *REPAYMENT OF ASSISTANCE AND PREVENTION OF*
 13 *UNDUE BENEFITS.—*

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

20 “(A) *earlier than 10 years after operation*
 21 *of the project begins, the Secretary shall require*
 22 *the recipient (or the project sponsor receiving*
 23 *funds from the recipient) to repay 100 percent of*
 24 *the assistance; or*

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

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

22 “(3) *EXCEPTION.*—*A recipient (or a project*
23 *sponsor receiving funds from the recipient) shall not*
24 *be required to make the repayments, and comply with*

1 *the terms and conditions, required under paragraph*
2 *(1) or (2) if—*

3 *“(A) the sale or disposition of the property*
4 *used for the project results in the use of the prop-*
5 *erty for the direct benefit of very low-income per-*
6 *sons;*

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

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

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

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

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

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

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

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

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

1 *cumstances, in order to encourage projects in the geo-*
 2 *graphic area to serve homeless individuals and fami-*
 3 *lies with more severe barriers to housing stability.*

4 *“(3) 2-YEAR PHASE IN.—In each of the first 2*
 5 *years after the date of enactment of this section, the*
 6 *Secretary shall designate not more than 10 collabo-*
 7 *rative applicants as high-performing communities.*

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

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

22 *“(b) APPLICATION TO BE A HIGH-PERFORMING COM-*
 23 *MUNITY.—*

24 *“(1) IN GENERAL.—A collaborative applicant*
 25 *seeking designation as a high-performing community*

1 *under subsection (a) shall submit an application to*
 2 *the Secretary at such time, and in such manner as*
 3 *the Secretary may require.*

4 *“(2) CONTENT OF APPLICATION.—In any appli-*
 5 *cation submitted under paragraph (1), a collaborative*
 6 *applicant shall include in such application—*

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

10 *“(B) information that such applicant can*
 11 *meet the requirements described under subsection*
 12 *(d).*

13 *“(3) PUBLICATION OF APPLICATION.—The Sec-*
 14 *retary shall—*

15 *“(A) publish any report or information sub-*
 16 *mitted in an application under this section in*
 17 *the geographic area represented by the collabo-*
 18 *rative applicant; and*

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

23 *“(c) USE OF FUNDS.—Funds awarded under section*
 24 *422(a) to a project sponsor who is located in a high-per-*
 25 *forming community may be used—*

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

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

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* 4
9 *requirements are met for that geographic area:*

10 “(1) *The mean length of episodes of homelessness*
11 *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 least*
15 *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 individuals*
23 *and families who become homeless again within*
24 *the next 2 years has decreased by at least $\frac{1}{5}$*
25 *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 in*
 9 *the data system used by that community for de-*
 10 *termining 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 414(a) in pre-*
 14 *vious years based on the authority granted under sub-*
 15 *section (c), that such activities were effective at reduc-*
 16 *ing the number of individuals and families who be-*
 17 *came homeless in that community.*

18 “(e) *COOPERATION AMONG ENTITIES.—A collaborative*
 19 *applicant designated as a high-performing community*
 20 *under this section shall cooperate with the Secretary in dis-*
 21 *tributing information about successful efforts within the ge-*
 22 *ographic area represented by the collaborative applicant to*
 23 *reduce homelessness.”;*

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

1 (A) by striking subsection (a) and inserting
2 the following:

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

18 (B) by striking subsection (b) and inserting
19 the following:

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

23 “(1) to ensure the operation of the project in ac-
24 cordance 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 fam-
14 ily 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 this
18 subtitle will not be made public, except with
19 written authorization of the person responsible
20 for the operation of such project;

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

1 *of educational and related services to individuals*
2 *and families experiencing homelessness;*

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 than—*

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

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

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

21 “(5) *if a collaborative applicant is a unified*
22 *funding agency under section 402(g) and receives*
23 *funds under subtitle C to carry out the payment of*
24 *administrative costs described in section 423(a)(7), to*
25 *establish such fiscal control and fund accounting pro-*

1 *cedures as may be necessary to assure the proper dis-*
 2 *bursal of, and accounting for, such funds in order to*
 3 *ensure that all financial transactions carried out with*
 4 *such funds are conducted, and records maintained, in*
 5 *accordance with generally accepted accounting prin-*
 6 *ciples;*

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

10 *“(7) to comply with such other terms and condi-*
 11 *tions as the Secretary may establish to carry out this*
 12 *subtitle in an effective and efficient manner.”;*

13 *(C) by redesignating subsection (d) as sub-*
 14 *section (c);*

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

19 *(E) by striking subsection (e);*

20 *(F) by redesignating subsections (f), (g),*
 21 *and (h), as subsections (d), (e), and (f), respec-*
 22 *tively;*

23 *(G) in subsection (e) (as redesignated in*
 24 *subparagraph (F)), in the first sentence, by*

1 striking “recipient” each place it appears and
2 inserting “recipient or project sponsor”;

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

4 (I) by redesignating subsection (j) as sub-
5 section (g);

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

7 (5) by redesignating sections 427 and 428 (42
8 U.S.C. 11387, 11388) as sections 431 and 432, respec-
9 tively; and

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

11 **“SEC. 427. SELECTION CRITERIA.**

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

15 “(b) *REQUIRED CRITERIA.*—

16 “(1) *IN GENERAL.*—The criteria established
17 under subsection (a) shall include—

18 “(A) the previous performance of the recipi-
19 ent regarding homelessness, including perform-
20 ance related to funds provided under section 412
21 (except that recipients applying from geographic
22 areas where no funds have been awarded under
23 this subtitle, or under subtitles C, D, E, or F of
24 title IV of this Act, as in effect prior to the date
25 of the enactment of the Community Partnership

1 *to End Homelessness Act of 2007, shall receive*
2 *full credit for performance under this subpara-*
3 *graph), measured by criteria that shall be an-*
4 *nounced by the Secretary, that shall take into ac-*
5 *count barriers faced by individual homeless peo-*
6 *ple, and that shall include—*

7 *“(i) the length of time individuals and*
8 *families remain homeless;*

9 *“(ii) the extent to which individuals*
10 *and families who leave homelessness experi-*
11 *ence additional spells of homelessness;*

12 *“(iii) the thoroughness of grantees in*
13 *the geographic area in reaching homeless*
14 *individuals and families;*

15 *“(iv) overall reduction in the number*
16 *of homeless individuals and families;*

17 *“(v) jobs and income growth for home-*
18 *less individuals and families;*

19 *“(vi) success at reducing the number of*
20 *individuals and families who become home-*
21 *less; and*

22 *“(vii) other accomplishments by the re-*
23 *cipient related to reducing homelessness;*

24 *“(B) the plan of the recipient, which shall*
25 *describe—*

1 “(i) how the number of individuals
2 and families who become homeless will be
3 reduced in the community;

4 “(ii) how the length of time that indi-
5 viduals and families remain homeless will
6 be reduced; and

7 “(iii) the extent to which the recipient
8 will—

9 “(I) address the needs of all rel-
10 evant subpopulations;

11 “(II) incorporate comprehensive
12 strategies for reducing homelessness,
13 including the interventions referred to
14 in section 428(d);

15 “(III) set quantifiable perform-
16 ance measures;

17 “(IV) set timelines for completion
18 of specific tasks;

19 “(V) identify specific funding
20 sources for planned activities; and

21 “(VI) identify an individual or
22 body responsible for overseeing imple-
23 mentation of specific strategies;

24 “(C) the methodology of the recipient used
25 to determine the priority for funding local

1 *projects under section 422(c)(1), including the*
2 *extent to which the priority-setting process—*

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

10 *“(ii) considers the full range of opin-*
11 *ions from individuals or entities with*
12 *knowledge of homelessness in the geographic*
13 *area or an interest in preventing or ending*
14 *homelessness in the geographic area;*

15 *“(iii) is based on objective criteria that*
16 *have been publicly announced by the recipi-*
17 *ent; and*

18 *“(iv) is open to proposals from entities*
19 *that have not previously received funds*
20 *under this subtitle;*

21 *“(D) the extent to which the amount of as-*
22 *sistance to be provided under this subtitle to the*
23 *recipient will be supplemented with resources*
24 *from other public and private sources, including*
25 *mainstream programs identified by the Govern-*

ment Accountability Office in the 2 reports described in section 102(a)(5)(B);

“(E) demonstrated coordination by the recipient with the other Federal, State, local, private, and other entities serving individuals and families experiencing homelessness and at risk of homelessness in the planning and operation of projects, to the extent practicable; and

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

“(2) *ADDITIONAL CRITERIA.*—In addition to the criteria required under paragraph (1), the criteria established under subsection (a) shall also include the need within the geographic area for homeless services, determined as follows and under the following conditions:

“(A) *NOTICE.*—The Secretary shall inform each collaborative applicant, at a time concurrent with the release of the Notice of Funding Availability for grants under section 422(b), of the pro rata estimated need amount under this subtitle for the geographic area represented by the collaborative applicant.

“(B) *AMOUNT.*—

1 “(i) *INITIAL DETERMINATION PE-*
 2 *RIOD.—For the 2-year period beginning on*
 3 *the date of the enactment of the Community*
 4 *Partnership to End Homelessness Act of*
 5 *2007, the estimated need amount under sub-*
 6 *paragraph (A) shall be determined by the*
 7 *Secretary.*

8 “(ii) *FINAL DETERMINATION PE-*
 9 *RIOD.—*

10 “(I) *IN GENERAL.—Upon expira-*
 11 *tion of the 2-year period set forth*
 12 *under clause (i), the Secretary shall de-*
 13 *velop and adopt regulations estab-*
 14 *lishing a new formula for determining*
 15 *the estimated need amount under sub-*
 16 *paragraph (A).*

17 “(II) *BEST DATA.—The new for-*
 18 *mula developed under subclause (I)*
 19 *shall use the best currently available*
 20 *data that targets such need amount to*
 21 *actual rates of homelessness and the*
 22 *risk of homelessness in the geographic*
 23 *area represented by the collaborative*
 24 *applicant.*

1 “(III) *CONSIDERATIONS.—In de-*
2 *veloping the new formula required*
3 *under subclause (I), the Secretary shall*
4 *give—*

5 “(aa) *significant consider-*
6 *ation to data providing accurate*
7 *counts of—*

8 “(AA) *the current num-*
9 *ber of homeless individuals*
10 *in the geographic area rep-*
11 *resented by the collaborative*
12 *applicant;*

13 “(BB) *shortages of af-*
14 *fordable housing in the geo-*
15 *graphic area represented by*
16 *the collaborative applicant;*
17 *and*

18 “(CC) *the severe housing*
19 *problems among extremely*
20 *low-income households in the*
21 *geographic area represented*
22 *by the collaborative appli-*
23 *cant; and*

24 “(bb) *particular attention to*
25 *variables measuring—*

1 “(AA) shortages of hous-
 2 ing affordable and available
 3 to extremely low-income rent-
 4 ers in the geographic area
 5 represented by the collabo-
 6 rative applicant;

7 “(BB) the number of ex-
 8 tremely low-income house-
 9 holds in the geographic area
 10 represented by the collabo-
 11 rative applicant who experi-
 12 ence severe cost burden, live
 13 in substandard housing, or
 14 have crowding problems; and

15 “(CC) the poverty rate
 16 in the geographic area rep-
 17 resented by the collaborative
 18 applicant.

19 “(iii) COMBINATIONS OR CONSORTIA.—
 20 For a collaborative applicant that rep-
 21 resents a combination or consortium of cit-
 22 ies or counties, the estimated need amount
 23 shall be the sum of the estimated need
 24 amounts for the cities or counties rep-
 25 resented by the collaborative applicant.

1 “(iv) *AUTHORITY OF SECRETARY.—*
 2 *Subject to the availability of appropri-*
 3 *tions, the Secretary shall increase the esti-*
 4 *mated need amount for a geographic area if*
 5 *necessary to provide 1 year of renewal fund-*
 6 *ing for all expiring contracts entered into*
 7 *under this subtitle for the geographic area.*

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

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

13 “(1) *IN GENERAL.—From the amounts made*
 14 *available to carry out this subtitle for a fiscal year,*
 15 *a portion equal to not less than 30 percent of the*
 16 *sums made available to carry out subtitle B and this*
 17 *subtitle for that fiscal year shall be used for perma-*
 18 *nent housing for homeless individuals with disabil-*
 19 *ities and homeless families that include such an indi-*
 20 *vidual who is an adult or a minor head of household*
 21 *if no adult is present in the household.*

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

1 *renew contracts for existing projects under section*
 2 *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 established*
 9 *in paragraph (1) shall be suspended for any year in*
 10 *which available funding for grants under this subtitle*
 11 *would not be sufficient to renew for 1 year existing*
 12 *grants that would otherwise be funded under this sub-*
 13 *title.*

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 2001*
 17 *at least 150,000 new units of permanent housing for*
 18 *homeless individuals and families with disabilities*
 19 *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 this*

1 subtitle for that fiscal year shall be used to provide or secure
 2 permanent housing for homeless families with children.

3 “(c) *FUNDING FOR ACQUISITION, CONSTRUCTION, AND*
 4 *REHABILITATION OF PERMANENT OR TRANSITIONAL HOUS-*
 5 *ING.*—Nothing in this subtitle shall be construed to establish
 6 a limit on the amount of funding that an applicant may
 7 request under this subtitle for acquisition, construction, or
 8 rehabilitation activities for the development of permanent
 9 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 homeless-
 15 ness generally or reducing homelessness for a specific
 16 subpopulation.

17 “(2) *RULE OF CONSTRUCTION.*—For purposes of
 18 this subsection, activities that have been proven to be
 19 effective at reducing homelessness generally or reduc-
 20 ing 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 overcome

1 *barriers to rehousing, support services concen-*
 2 *trating on improving incomes to pay rent, cou-*
 3 *pled with performance measures emphasizing*
 4 *rapid and permanent rehousing and with*
 5 *leveraging funding from mainstream family*
 6 *service systems such as Temporary Assistance for*
 7 *Needy Families and Child Welfare services; and*
 8 *“(C) any other activity determined by the*
 9 *Secretary, based on research and after notice and*
 10 *comment to the public, to have been proven effec-*
 11 *tive at reducing homelessness generally or reduc-*
 12 *ing homelessness for a specific subpopulation.*

13 *“(e) INCENTIVES FOR SUCCESSFUL IMPLEMENTATION*
 14 *OF PROVEN STRATEGIES.—If any geographic area dem-*
 15 *onstrates that it has fully implemented any of the activities*
 16 *described in subsection (d) for all homeless individuals and*
 17 *families or for all members of subpopulations for whom such*
 18 *activities are targeted, that geographic area shall receive the*
 19 *bonus or incentive provided under subsection (d), but may*
 20 *use such bonus or incentive for any eligible activity under*
 21 *either section 423 or paragraphs (4) and (5) of section*
 22 *414(a) for homeless people generally or for the relevant sub-*
 23 *population.*

1 **“SEC. 429. RENEWAL FUNDING AND TERMS OF ASSISTANCE**
2 **FOR PERMANENT HOUSING.**

3 “(a) *IN GENERAL.*—Of the total amount available in
4 the account or accounts designated for appropriations for
5 use in connection with section 8 of the United States Hous-
6 ing Act of 1937 (42 U.S.C. 1437f), the Secretary shall use
7 such sums as may be necessary for the purpose of renewing
8 expiring contracts for leasing, rental assistance, or oper-
9 ating costs for permanent housing.

10 “(b) *RENEWALS.*—The sums made available under
11 subsection (a) shall be available for the renewal of contracts
12 in the case of tenant-based assistance, successive 1-year
13 terms, and in the case of project-based assistance, successive
14 terms of up to 15 years at the discretion of the applicant
15 or project sponsor and subject to the availability of annual
16 appropriations, for rental assistance and housing operation
17 costs associated with permanent housing projects funded
18 under this subtitle, or under subtitle C or F (as in effect
19 on the day before the date of enactment of the Community
20 Partnership to End Homelessness Act of 2007). The Sec-
21 retary shall determine whether to renew a contract for such
22 a permanent housing project on the basis of certification
23 by the collaborative applicant for the geographic area
24 that—

25 “(1) there is a demonstrated need for the project;
26 and

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

4 “(c) *CONSTRUCTION.—Nothing in this section shall be*
 5 *construed as prohibiting the Secretary from renewing con-*
 6 *tracts under this subtitle in accordance with criteria set*
 7 *forth in a provision of this subtitle other than this section.*

8 **“SEC. 430. MATCHING FUNDING.**

9 “(a) *IN GENERAL.—A collaborative applicant in a ge-*
 10 *ographic area in which funds are awarded under this sub-*
 11 *title shall specify contributions from any source other than*
 12 *a grant awarded under this subtitle, that shall be made*
 13 *available in the geographic area in an amount equal to not*
 14 *less than 25 percent of the funds provided to recipients in*
 15 *the geographic area, except that grants for leasing under*
 16 *section 423(a)(3) of this Act, as such section existed prior*
 17 *to the date of the enactment of the Community Partnership*
 18 *to End Homelessness Act of 2007, that were originally made*
 19 *without a match requirement under the terms of such prior*
 20 *section, shall not be subject to any match requirement when*
 21 *such grants are renewed.*

22 “(b) *LIMITATIONS ON IN-KIND MATCH.—The cash*
 23 *value of services provided to the residents or clients of a*
 24 *project sponsor by an entity other than the project sponsor*
 25 *may count toward the contributions in subsection (a) only*

1 *when documented by a memorandum of understanding be-*
 2 *tween the project sponsor and the other entity that such*
 3 *services will be provided.*

4 “(c) *COUNTABLE ACTIVITIES.*— *The contributions re-*
 5 *quired under subsection (a) may consist of—*

6 “(1) *funding for any eligible activity described*
 7 *under section 423; and*

8 “(2) *subject to subsection (b), in-kind provision*
 9 *of services of any eligible activity described under sec-*
 10 *tion 423.”.*

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

12 *Subtitle D of title IV of the McKinney-Vento Homeless*
 13 *Assistance Act (42 U.S.C. 11408 et seq.), as redesignated*
 14 *by section 10, is amended—*

15 (1) *by striking the subtitle heading and inserting*
 16 *the following:*

17 **“Subtitle D—Rural Housing**
 18 **Stability Assistance Program”;**

19 *and*

20 (2) *in section 491—*

21 (A) *by striking the section heading and in-*
 22 *serting “RURAL HOUSING STABILITY GRANT*
 23 **PROGRAM.”;**

24 (B) *in subsection (a)—*

1 (i) by striking “rural homelessness
2 grant program” and inserting “rural hous-
3 ing stability grant program”;

4 (ii) by inserting “in lieu of grants
5 under subtitle C” after “eligible organiza-
6 tions”; and

7 (iii) by striking paragraphs (1), (2),
8 and (3), and inserting the following:

9 “(1) rehousing or improving the housing situa-
10 tions of individuals and families who are homeless or
11 in the worst housing situations in the geographic
12 area;

13 “(2) stabilizing the housing of individuals and
14 families who are in imminent danger of losing hous-
15 ing; and

16 “(3) improving the ability of the lowest-income
17 residents of the community to afford stable housing.”;

18 (C) in subsection (b)(1)—

19 (i) by redesignating subparagraphs
20 (E), (F), and (G) as subparagraphs (I), (J),
21 and (K), respectively; and

22 (ii) by striking subparagraph (D) and
23 inserting the following:

1 “(D) construction of new housing units to
2 provide transitional or permanent housing to
3 homeless individuals and families;

4 “(E) acquisition or rehabilitation of a
5 structure to provide supportive services or to
6 provide transitional or permanent housing, other
7 than emergency shelter, to homeless individuals
8 and families;

9 “(F) leasing of property, or portions of
10 property, not owned by the recipient or project
11 sponsor involved, for use in providing transi-
12 tional or permanent housing to homeless individ-
13 uals and families, or providing supportive serv-
14 ices to homeless individuals and families;

15 “(G) provision of rental assistance to pro-
16 vide transitional or permanent housing to home-
17 less individuals and families, such rental assist-
18 ance may include tenant-based or project-based
19 rental assistance;

20 “(H) payment of operating costs for housing
21 units assisted under this title;”;

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

24 (E) in subsection (c)—

1 (i) in paragraph (1)(A), by striking
2 “appropriated” and inserting “transferred”;
3 and

4 (ii) in paragraph (3), by striking “ap-
5 propriated” and inserting “transferred”;
6 (F) in subsection (d)—

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

9 (ii) in paragraph (6)—

10 (I) by striking “an agreement”
11 and all that follows through “families”
12 and inserting the following: “a descrip-
13 tion of how individuals and families
14 who are homeless or who have the low-
15 est incomes in the community will be
16 involved by the organization”; and

17 (II) by striking the period at the
18 end, and inserting a semicolon; and

19 (iii) by adding at the end the fol-
20 lowing:

21 “(7) a description of consultations that took
22 place within the community to ascertain the most im-
23 portant uses for funding under this section, including
24 the involvement of potential beneficiaries of the
25 project; and

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

4 (G) in subsection (e), by inserting “public
5 and” before “private”;

6 (H) by striking subsections (f) and (g) and
7 inserting the following:

8 “(f) *MATCHING FUNDING.*—

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

22 “(2) *LIMITATIONS ON IN-KIND MATCH.*—The cash
23 value of services provided to the beneficiaries or cli-
24 ents of an eligible organization by an entity other
25 than the organization may count toward the contribu-

1 *tions in paragraph (1) only when documented by a*
 2 *memorandum of understanding between the organiza-*
 3 *tion and the other entity that such services will be*
 4 *provided.*

5 *“(3) COUNTABLE ACTIVITIES.—The contributions*
 6 *required under paragraph (1) may consist of—*

7 *“(A) funding for any eligible activity de-*
 8 *scribed under subsection (b); and*

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

12 *“(g) SELECTION CRITERIA.—The Secretary shall es-*
 13 *tablish criteria for selecting recipients of grants under sub-*
 14 *section (a), including—*

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

18 *“(2) the degree to which the project addresses the*
 19 *most harmful housing situations present in the com-*
 20 *munity;*

21 *“(3) the degree of collaboration with others in the*
 22 *community to meet the goals described in subsection*
 23 *(a);*

24 *“(4) the performance of the organization in im-*
 25 *proving housing situations, taking account of the se-*

1 *verity of barriers of individuals and families served*
 2 *by the organization;*

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

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

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

11 *(I) in subsection (h)—*

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

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

19 *(iii) in paragraph (2), by inserting*
 20 *“and the worst housing situations” after*
 21 *“homelessness”;*

22 *(J) in subsection (k)—*

23 *(i) in paragraph (1), by striking*
 24 *“rural homelessness grant program” and*

1 *inserting “rural housing stability grant*
2 *program”;* and

3 *(ii) in paragraph (2)—*

4 *(I) in subparagraph (A), by strik-*
5 *ing “; or” and inserting a semicolon;*

6 *(II) in subparagraph (B)(ii), by*
7 *striking “rural census tract.” and in-*
8 *serting “census tract where at least 75*
9 *percent of the population is rural; or”;*

10 *and*

11 *(III) by adding at the end the fol-*
12 *lowing:*

13 *“(C) any area or community, respectively,*
14 *located in a State that has population density of*
15 *less than 30 persons per square mile (as reported*
16 *in the most recent decennial census), and of*
17 *which at least 1.25 percent of the total acreage*
18 *of such State is under Federal jurisdiction, pro-*
19 *vided that no metropolitan city (as such term is*
20 *defined in section 102 of the Housing and Com-*
21 *munity Development Act of 1974) in such State*
22 *is the sole beneficiary of the grant amounts*
23 *awarded under this section.”;*

24 *(K) 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 section 427(b)(2) to meet the needs of any geographic
 9 area in the Nation that applies for funding under
 10 this section. The Secretary shall transfer any amounts
 11 determined under this subsection from the Commu-
 12 nity Homeless Assistance Program and consolidate
 13 such transferred amounts for grants under this sec-
 14 tion, except that the Secretary shall transfer an
 15 amount not less than 5 percent of the amount avail-
 16 able under this subtitle for grants under this sec-
 17 tion.”; and

18 (L) by adding at the end the following:

19 “(m) DIVISION OF FUNDS.—

20 “(1) AGREEMENT AMONG GEOGRAPHIC AREAS.—
 21 If the Secretary receives an application or applica-
 22 tions to provide services in a geographic area under
 23 this subtitle, and also under subtitle C, the Secretary
 24 shall consult with all applicants from the geographic

1 *area to determine whether all agree to proceed under*
 2 *either this subtitle or under subtitle C.*

3 “(2) *DEFAULT IF NO AGREEMENT.—If no agree-*
 4 *ment is reached under paragraph (1), the Secretary*
 5 *shall proceed under this subtitle or under subtitle C,*
 6 *depending on which results in the largest total grant*
 7 *funding to the geographic area.*

8 “(n) *REGULATIONS.—*

9 “(1) *IN GENERAL.—Not later than 18 months*
 10 *after the date of the enactment of the Community*
 11 *Partnership to End Homelessness Act of 2007, the*
 12 *Secretary shall promulgate regulations governing the*
 13 *administration of the grant program under this sec-*
 14 *tion, as such program was modified by section 8 of*
 15 *such Act.*

16 “(2) *RULE OF CONSTRUCTION.—The requirement*
 17 *of regulations under paragraph (1) shall not be con-*
 18 *strued so as to prevent the Secretary from carrying*
 19 *out the grant program set forth under this section*
 20 *prior to the expiration of the 18-month period de-*
 21 *scribed under paragraph (1).”.*

22 **SEC. 9. RESEARCH.**

23 *There is authorized to be appropriated \$8,000,000, for*
 24 *each of fiscal years 2009, 2010, and 2011, for research into*
 25 *the efficacy of interventions for homeless families, to be ex-*

1 *pended by the Secretary of Housing and Urban Develop-*
 2 *ment over the 3 years at 3 different sites to provide services*
 3 *for homeless families and evaluate the effectiveness of such*
 4 *services.*

5 **SEC. 10. REPEALS AND CONFORMING AMENDMENTS.**

6 *(a) REPEALS.—Subtitles D, E, and F of title IV of*
 7 *the McKinney-Vento Homeless Assistance Act (42 U.S.C.*
 8 *11391 et seq., 11401 et seq., and 11403 et seq.) are repealed.*

9 *(b) CONFORMING AMENDMENT.—Subtitle G of title IV*
 10 *of the McKinney-Vento Homeless Assistance Act (42 U.S.C.*
 11 *11408 et seq.) is amended by redesignating subtitle G as*
 12 *subtitle D.*

13 **SEC. 11. SPECIAL ASSISTANT FOR VETERANS AFFAIRS IN**
 14 **OFFICE OF SECRETARY OF HOUSING AND**
 15 **URBAN DEVELOPMENT.**

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

19 *“(g) SPECIAL ASSISTANT FOR VETERANS AFFAIRS.—*

20 *“(1) ESTABLISHMENT.—There shall be in the*
 21 *Department a Special Assistant for Veterans Affairs,*
 22 *who shall be in the Office of the Secretary.*

23 *“(2) APPOINTMENT.—The Special Assistant for*
 24 *Veterans Affairs shall be appointed based solely on*
 25 *merit and shall be covered under the provisions of*

1 *title 5, United States Code, governing appointments*
2 *in the competitive service.*

3 “(3) *RESPONSIBILITIES.*—*The Special Assistant*
4 *for Veterans Affairs shall be responsible for—*

5 “(A) *ensuring veterans have access to hous-*
6 *ing and homeless assistance under each program*
7 *of the Department providing either such assist-*
8 *ance;*

9 “(B) *coordinating all programs and activi-*
10 *ties of the Department relating to veterans;*

11 “(C) *serving as a liaison for the Depart-*
12 *ment with the Department of Veterans Affairs,*
13 *including establishing and maintaining relation-*
14 *ships with the Secretary of Veterans Affairs;*

15 “(D) *serving as a liaison for the Depart-*
16 *ment, and establishing and maintaining rela-*
17 *tionships with officials of State, local, regional,*
18 *and nongovernmental organizations concerned*
19 *with veterans;*

20 “(E) *providing information and advice re-*
21 *garding—*

22 “(i) *sponsoring housing projects for*
23 *veterans assisted under programs adminis-*
24 *tered by the Department; or*

1 “(ii) assisting veterans in obtaining
2 housing or homeless assistance under pro-
3 grams administered by the Department;

4 “(F) preparing, on an annual basis, a re-
5 port to the Secretaries of Housing and Urban
6 Development and of Veterans Affairs on the
7 housing needs of veterans; and’

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

11 **SEC. 12. EFFECTIVE DATE.**

12 *This Act shall take effect 6 months after the date of*
13 *enactment of this Act.*

Calendar No. 463

110TH CONGRESS
1ST Session

S. 1518

[Report No. 110-216]

A BILL

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

NOVEMBER 1, 2007

Reported with an amendment