

110TH CONGRESS
1ST SESSION

S. 427

To provide for additional section 8 vouchers, to reauthorize the Public and Assisted Housing Drug Elimination Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 30, 2007

Mr. FEINGOLD introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To provide for additional section 8 vouchers, to reauthorize the Public and Assisted Housing Drug Elimination Program, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Affordable Housing
5 Expansion and Public Safety Act”.

6 **SEC. 2. INCREASE IN INCREMENTAL SECTION 8 VOUCHERS.**

7 (a) IN GENERAL.—In fiscal year 2008 and subject
8 to renewal, the Secretary of Housing and Urban Develop-
9 ment shall provide an additional 100,000 incremental
10 vouchers for tenant-based rental housing assistance under

1 section 8(o) of the United States Housing Act of 1937
2 (42 U.S.C. 1437f(o)).

3 (b) AUTHORIZATION OF APPROPRIATIONS.—

4 (1) IN GENERAL.—There are authorized to be
5 appropriated \$8,650,000,000 for the provision and
6 renewal of the vouchers described in subsection (a).

7 (2) AVAILABILITY.—Any amount appropriated
8 under paragraph (1) shall remain available until ex-
9 pended.

10 (3) CARRYOVER.—To the extent that any
11 amounts appropriated for any fiscal are not ex-
12 pended by the Secretary of Housing and Urban De-
13 velopment in such fiscal year for purposes of sub-
14 section (a), any remaining amounts shall be carried
15 forward for use by the Secretary to renew the vouch-
16 ers described in subsection (a) in subsequent years.

17 (c) DISTRIBUTION OF AMOUNTS.—

18 (1) ADMINISTRATIVE COSTS.—The Secretary
19 may not use more than \$800,000,000 of the
20 amounts authorized under paragraph (1) to cover
21 the administrative costs associated with the provi-
22 sion and renewal of the vouchers described in sub-
23 section (a).

24 (2) VOUCHER COSTS.—The Secretary shall use
25 all remaining amounts authorized under paragraph

1 (1) to cover the costs of providing and renewing the
2 vouchers described in subsection (a).

3 **SEC. 3. TARGETED EXPANSION OF HOME INVESTMENT**
4 **PARTNERSHIP (HOME) PROGRAM.**

5 (a) PURPOSE.—The purposes of this section are as
6 follows:

7 (1) To authorize additional funding under sub-
8 title A of title II of the Cranston-Gonzalez National
9 Affordable Housing Act (42 U.S.C. 12741 et seq.),
10 commonly referred to as the Home Investments
11 Partnership (“HOME”) program, to provide dedi-
12 cated funding for the expansion and preservation of
13 housing for extremely low-income individuals and
14 families through eligible uses of investment as de-
15 fined in paragraphs (1) and (3) of section 212(a) of
16 the Cranston-Gonzalez National Affordable Housing
17 Act.

18 (2) Such additional funding is intended to sup-
19 plement the HOME funds already allocated to a
20 participating jurisdiction to provide additional assist-
21 ance in targeting resources to extremely low-income
22 individuals and families.

23 (3) Such additional funding is not intended to
24 be the only source of assistance for extremely low-
25 income individuals and families under the HOME

1 program, and participating jurisdictions shall con-
 2 tinue to use non-set aside HOME funds to provide
 3 assistance to such extremely low-income individuals
 4 and families.

5 (b) SET ASIDE FOR EXTREMELY LOW-INCOME INDIVIDUALS AND FAMILIES.—
 6

7 (1) ELIGIBLE USE.—Section 212(a) of the
 8 Cranston-Gonzalez National Affordable Housing Act
 9 (42 U.S.C. 12742(a)) is amended by adding at the
 10 end the following:

11 “(6) EXTREMELY LOW-INCOME INDIVIDUALS
 12 AND FAMILIES.—

13 “(A) IN GENERAL.—Each participating ju-
 14 risdiction shall—

15 “(i) use funds provided under this
 16 subtitle to provide affordable housing to in-
 17 dividuals and families whose incomes do
 18 not exceed 30 percent of median family in-
 19 come for that jurisdiction; and

20 “(ii) ensure the use of such funds
 21 does not result in the concentration of in-
 22 dividuals and families assisted under this
 23 section into high-poverty areas.

24 “(B) EXCEPTION.—If a participating juris-
 25 diction can certify to the Secretary that such

1 participating jurisdiction has met in its jurisdic-
2 tion the housing needs of extremely low-income
3 individuals and families described in subpara-
4 graph (A), such participating jurisdiction may
5 use any remaining funds provided under this
6 subtitle for purposes of subparagraph (A) to
7 provide affordable housing to individuals and
8 families whose incomes do not exceed 50 per-
9 cent of median family income for that jurisdic-
10 tion.

11 “(C) RULE OF CONSTRUCTION.—The Sec-
12 retary shall notify each participating jurisdic-
13 tion receiving funds for purposes of this para-
14 graph that use of such funds, as required under
15 subparagraph (A), does not exempt or prevent
16 that participating jurisdiction from using any
17 other funds awarded under this subtitle to pro-
18 vide affordable housing to extremely low-income
19 individuals and families.

20 “(D) RENTAL HOUSING.—Notwithstanding
21 section 215(a), housing that is for rental shall
22 qualify as affordable housing under this para-
23 graph only if such housing is occupied by ex-
24 tremely low-income individuals or families who
25 pay as a contribution toward rent (excluding

1 any Federal or State rental subsidy provided on
2 behalf of the individual or family) not more
3 than 30 percent of the monthly adjusted income
4 of such individual or family, as determined by
5 the Secretary.”.

6 (2) PRO RATA DISTRIBUTION.—Section 217 of
7 the Cranston-Gonzalez National Affordable Housing
8 Act (42 U.S.C. 12747) is amended by adding at the
9 end the following:

10 “(e) PRO RATA DISTRIBUTION FOR EXTREMELY
11 LOW-INCOME INDIVIDUALS AND FAMILIES.—Notwith-
12 standing any other provision of this Act, in any fiscal year
13 the Secretary shall allocate any funds specifically approved
14 in an appropriations Act to provide affordable housing to
15 extremely low-income individuals or families under section
16 212(a)(6), such funds shall be allocated to each partici-
17 pating jurisdiction in an amount which bears the same
18 ratio to such amount as the amount such participating
19 jurisdiction receives for such fiscal year under this sub-
20 title, not including any amounts allocated for any addi-
21 tional set-asides specified in such appropriations Act for
22 that fiscal year.”.

23 (3) CERTIFICATION.—Section 226 of the Cran-
24 ston-Gonzalez National Affordable Housing Act (42

1 U.S.C. 12756) is amended by adding at the end the
2 following:

3 “(d) CERTIFICATION.—

4 “(1) IN GENERAL.—Each participating jurisdic-
5 tion shall certify on annual basis to the Secretary
6 that any funds used to provide affordable housing to
7 extremely low-income individuals or families under
8 section 212(a)(6) were actually used to assist such
9 families.

10 “(2) CONTENT OF CERTIFICATION.—Each cer-
11 tification required under paragraph (1) shall—

12 “(A) state the number of extremely low-in-
13 come individuals and families assisted in the
14 previous 12 months;

15 “(B) separate such extremely low-income
16 individuals and families into those individuals
17 and families who were assisted by—

18 “(i) funds set aside specifically for
19 such individuals and families under section
20 212(a)(6); and

21 “(ii) any other funds awarded under
22 this subtitle; and

23 “(C) describe the type of activities, includ-
24 ing new construction, preservation, and rehabili-
25 tation of housing, provided to such extremely

1 low-income individuals and families that were
 2 supported by—

3 “(i) funds set aside specifically for
 4 such individuals and families under section
 5 212(a)(6); and

6 “(ii) any other funds awarded under
 7 this subtitle.

8 “(3) INCLUSION WITH PERFORMANCE RE-
 9 PORT.—The certification required under paragraph
 10 (1) shall be included in the jurisdiction’s annual per-
 11 formance report submitted to the Secretary under
 12 section 108(a) and made available to the public.”.

13 (c) AUTHORIZATION OF APPROPRIATIONS.—In addi-
 14 tion to any other amounts authorized to be appropriated
 15 under any other law or appropriations Act to carry out
 16 the provisions of title II of the Cranston-Gonzalez Na-
 17 tional Affordable Housing Act (42 U.S.C. 12701 et seq.),
 18 there are authorized to be appropriated to carry out the
 19 provisions of this section \$400,000,000 for each of fiscal
 20 years 2008 through 2012.

21 **SEC. 4. PUBLIC AND ASSISTED HOUSING CRIME AND DRUG**
 22 **ELIMINATION PROGRAM.**

23 (a) TITLE CHANGE.—The chapter heading of chapter
 24 2 of subtitle C of title V of the Anti-Drug Abuse Act of

1 1988 (42 U.S.C. 11901 et seq.) is amended to read as
 2 follows:

3 **“CHAPTER 2—PUBLIC AND ASSISTED**
 4 **HOUSING CRIME AND DRUG ELIMI-**
 5 **NATION PROGRAM”.**

6 (b) AUTHORIZATION OF APPROPRIATIONS.—

7 (1) AMOUNTS AUTHORIZED.—Section 5129(a)
 8 of the Anti-Drug Abuse Act of 1988 (42 U.S.C.
 9 11908(a)) is amended to read as follows:

10 “(a) IN GENERAL.—There are authorized to be ap-
 11 propriated to carry out this chapter \$200,000,000 for
 12 each of fiscal years 2008, 2009, 2010, 2011, and 2012.”.

13 (2) SET ASIDE FOR THE OFFICE OF POLICY DE-
 14 VELOPMENT AND RESEARCH.—Section 5129 of the
 15 Anti-Drug Abuse Act of 1988 (42 U.S.C. 11908) is
 16 amended by adding at the end the following:

17 “(d) SET ASIDE FOR THE OFFICE OF POLICY DE-
 18 VELOPMENT AND RESEARCH.—Of any amounts made
 19 available in any fiscal year to carry out this chapter not
 20 less than 2 percent shall be available to the Office of Pol-
 21 icy Development and Research to carry out the functions
 22 required under section 5130.”.

23 (c) ELIGIBLE ACTIVITIES.—Section 5124(a)(6) of
 24 the Anti-Drug Abuse Act of 1988 (42 U.S.C.
 25 11903(a)(6)) is amended by striking the semicolon and

1 inserting the following: “, except that the activities con-
 2 ducted under any such program and paid for, in whole
 3 or in part, with grant funds awarded under this chapter
 4 may only include—

5 “(A) providing access to treatment for
 6 drug abuse through rehabilitation or relapse
 7 prevention;

8 “(B) providing education about the dan-
 9 gers and adverse consequences of drug use or
 10 violent crime;

11 “(C) assisting drug users in discontinuing
 12 their drug use through an education program,
 13 and, if appropriate, referring such users to a
 14 drug treatment program;

15 “(D) providing after school activities for
 16 youths for the purpose of discouraging, reduc-
 17 ing, or eliminating drug use or violent crime by
 18 youths;

19 “(E) providing capital improvements for
 20 the purpose of discouraging, reducing, or elimi-
 21 nating drug use or violent crime; and

22 “(F) providing security services for the
 23 purpose of discouraging, reducing, or elimi-
 24 nating drug use or violent crime.”.

25 (d) EFFECTIVENESS.—

1 (1) APPLICATION PLAN.—Section 5125(a) of
 2 the Anti-Drug Abuse Act of 1988 (42 U.S.C.
 3 11904(a)) is amended by adding at the end the fol-
 4 lowing: “To the maximum extent feasible, each plan
 5 submitted under this section shall be developed in
 6 coordination with relevant local law enforcement
 7 agencies and other local entities involved in crime
 8 prevention and reduction. Such plan also shall in-
 9 clude an agreement to work cooperatively with the
 10 Office of Policy Development and Research in its ef-
 11 forts to carry out the functions required under sec-
 12 tion 5130.”

13 (2) HUD REPORT.—Section 5127 of the Anti-
 14 Drug Abuse Act of 1988 (42 U.S.C. 11906) is
 15 amended by adding at the end the following:

16 “(d) EFFECTIVENESS REPORT.—The Secretary shall
 17 submit a report to the Congress not later than 4 years
 18 after the date of the enactment of the Affordable Housing
 19 Expansion and Public Safety Act that includes—

20 “(1) aggregate data regarding the categories of
 21 program activities that have been funded by grants
 22 under this chapter;

23 “(2) promising strategies related to preventing
 24 and reducing violent and drug-related crime in pub-

1 lic and federally assisted low-income housing derived
2 from—

3 “(A) a review of existing research; and

4 “(B) evaluations of programs funded by
5 grants under this chapter that were conducted
6 by the Office of Policy Development and Review
7 or by the grantees themselves;

8 “(3) how the information gathered in para-
9 graph (2) has been incorporated into—

10 “(A) the guidance provided to applicants
11 under this chapter; and

12 “(B) the implementing regulations under
13 this chapter; and

14 “(4) any statutory changes that the Secretary
15 would recommend to help make grants awarded
16 under this chapter more effective.”.

17 (3) OFFICE OF POLICY DEVELOPMENT AND RE-
18 SEARCH REVIEW AND PLAN.—Chapter 2 of subtitle
19 C of title V of the Anti-Drug Abuse Act of 1988 (42
20 U.S.C. 11901 et seq.) is amended by adding at the
21 end the following:

22 **“SEC. 5130. OFFICE OF POLICY DEVELOPMENT AND RE-**
23 **SEARCH REVIEW AND PLAN.**

24 “(a) REVIEW.—

1 “(1) IN GENERAL.—The Office of Policy Devel-
 2 opment and Research established pursuant to sec-
 3 tion 501 of the Housing and Urban Development
 4 Act of 1970 (12 U.S.C. 1701z–1) shall conduct a re-
 5 view of existing research relating to preventing and
 6 reducing violent and drug-related crime to assess,
 7 using scientifically rigorous and acceptable methods,
 8 which strategies—

9 “(A) have been found to be effective in
 10 preventing and reducing violent and drug-re-
 11 lated crimes; and

12 “(B) would be likely to be effective in pre-
 13 venting and reducing violent and drug-related
 14 crimes in public and federally assisted low-in-
 15 come housing environments.

16 “(2) REPORT.—Not later than 180 days after
 17 the date of enactment of the Affordable Housing Ex-
 18 pansion and Public Safety Act, the Secretary shall
 19 issue a written report with the results of the review
 20 required under paragraph (1).

21 “(b) EVALUATION PLAN.—

22 “(1) IN GENERAL.—Upon completion of the re-
 23 view required under subsection (a)(1), the Office of
 24 Policy Development and Research, in consultation
 25 with housing authorities, social scientists, and other

1 interested parties, shall develop and implement a
 2 plan for evaluating the effectiveness of strategies
 3 funded under this chapter, including new and inno-
 4 vative strategies and existing strategies, that have
 5 not previously been subject to rigorous evaluation
 6 methodologies.

7 “(2) METHODOLOGY.—The plan described in
 8 paragraph (1) shall require such evaluations to use
 9 rigorous methodologies, particularly random assign-
 10 ment (where practicable), that are capable of pro-
 11 ducing scientifically valid knowledge regarding which
 12 program activities are effective in preventing and re-
 13 ducing violent and drug-related crime in public and
 14 other federally assisted low-income housing.”.

15 **SEC. 5. SENSE OF THE SENATE REGARDING THE CREATION**
 16 **OF A NATIONAL AFFORDABLE HOUSING**
 17 **TRUST FUND.**

18 (a) FINDINGS.—Congress finds the following:

19 (1) Only 1 in 4 eligible households receives Fed-
 20 eral rental assistance.

21 (2) The number of families facing severe hous-
 22 ing cost burdens grew by almost 2,000,000 house-
 23 holds between 2001 and 2004.

24 (3) 1 in 3 families spend more than 30 percent
 25 of their earnings on housing costs.

1 (4) More than 75 percent of renter households
2 with severe housing affordability burdens are ex-
3 tremely low-income families.

4 (5) More than half of extremely low-income
5 households pay at least half of their income on hous-
6 ing.

7 (6) At least 500,000 Americans are homeless
8 every day.

9 (7) 2,000,000 to 3,000,000 Americans are
10 homeless for various lengths of time each year.

11 (8) It is estimated that the development of an
12 average housing unit creates on average more than
13 3 jobs and the development of an average multi-
14 family unit creates on average more than 1 job.

15 (9) It is estimated that over \$80,000 is pro-
16 duced in government revenue for an average single
17 family unit built and over \$30,000 is produced in
18 government revenue for an average multifamily unit
19 built.

20 (10) The Bipartisan Millennial Housing Com-
21 mission stated that “the most serious housing prob-
22 lem in America is the mismatch between the number
23 of extremely low income renter households and the
24 number of units available to them with acceptable
25 quality and affordable rents.”.

1 (b) SENSE OF THE SENATE.—It is the sense of the
2 Senate that—

3 (1) Congress shall create a national affordable
4 housing trust fund with the purpose of supplying
5 1,500,000 additional affordable housing units over
6 the next 10 years;

7 (2) such a trust fund shall contain sufficient in-
8 come targeting to reflect the housing affordability
9 burdens faced by extremely low-income and very low-
10 income families; and

11 (3) such a trust fund shall contain enough flexi-
12 bility to allow local communities to produce, pre-
13 serve, and rehabilitate affordable housing units while
14 ensuring that such affordable housing development
15 fosters the creation of healthy and sustainable com-
16 munities.

17 **SEC. 6. OFFSETS.**

18 (a) REPEAL OF MULTIYEAR PROCUREMENT AU-
19 THORITY FOR F-22A RAPTOR FIGHTER AIRCRAFT.—Ef-
20 fective as of October 17, 2006, section 134 of the John
21 Warner National Defense Authorization Act for Fiscal
22 Year 2007 (Public Law 109–364), relating to multiyear
23 procurement authority for F-22A Raptor fighter aircraft,
24 is repealed.

1 (b) ADVANCED RESEARCH FOR FOSSIL FUELS.—
2 Notwithstanding any other provision of law, the Secretary
3 of Energy shall not carry out any program that conducts,
4 or provides assistance for, applied research for fossil fuels.

○