

112TH CONGRESS
2D SESSION

H. R. 6361

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 20, 2012

Received; read twice and referred to the Committee on Banking, Housing, and
Urban Affairs

AN ACT

To exclude from consideration as income under the United States Housing Act of 1937 payments of pension made under section 1521 of title 38, United States Code, to veterans who are in need of regular aid and attendance, 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.**

2 This Act may be cited as the “Vulnerable Veterans
3 Housing Reform Act of 2012”.

4 **SEC. 2. EXCLUSION FROM INCOME.**

5 Paragraph (4) of section 3(b) of the United States
6 Housing Act of 1937 (42 U.S.C. 1437a(b)(4)) is amend-
7 ed—

8 (1) by striking “and any amounts” and insert-
9 ing “, any amounts”;

10 (2) by striking “or any deferred” and inserting
11 “, any deferred”; and

12 (3) by inserting after “prospective monthly
13 amounts” the following: “, and any expenses related
14 to aid and attendance as detailed under section 1521
15 of title 38, United States Code”.

16 **SEC. 3. UTILITY ALLOWANCES AND DATA.**

17 Section 8(o) of the United States Housing Act of
18 1937 (42 U.S.C. 1437f(o)) is amended—

19 (1) in paragraph (2), by adding at the end the
20 following new subparagraph:

21 “(D) UTILITY ALLOWANCE.—

22 “(i) IN GENERAL.—In determining
23 the monthly assistance payment for a fam-
24 ily under subparagraphs (A) and (B), the
25 amount allowed for tenant-paid utilities
26 shall not exceed the appropriate utility al-

1 lowance for the family unit size as deter-
2 mined by the public housing agency re-
3 gardless of the size of the dwelling unit
4 leased by the family.

5 “(ii) EXCEPTION FOR CERTAIN FAMI-
6 LIES.—Notwithstanding subparagraph (A),
7 upon request by a family that includes a
8 person with disabilities, an elderly family,
9 or a family that includes any person who
10 is less than 18 years of age, the public
11 housing agency shall approve a utility al-
12 lowance that is higher than the applicable
13 amount on the utility allowance schedule,
14 except that in the case of a family that in-
15 cludes a person with disabilities, the agen-
16 cy shall approve such higher amount only
17 if a higher utility allowance is needed as a
18 reasonable accommodation to make the
19 program accessible to and usable by the
20 family member with a disability.

21 “(iii) AUTHORITY TO INCREASE AL-
22 LOWANCE.—Notwithstanding subpara-
23 graph (A), in the case of any family not
24 described in clause (ii), a public housing
25 agency may, at the request of the family,

1 approve a utility allowance that is higher
2 than the applicable amount on the utility
3 allowance schedule. In making such a de-
4 termination, the agency shall consider (I)
5 the amount of the increase in utility costs
6 for the family, and (II) the difficulty for
7 the family in relocating.”; and

8 (2) by adding at the end the following new
9 paragraph:

10 “(21) UTILITY DATA.—

11 “(A) PUBLICATION.—The Secretary shall,
12 to the extent that data can be collected cost ef-
13 fectively, regularly publish such data regarding
14 utility consumption and costs in local areas as
15 the Secretary determines will be useful for the
16 establishment of allowances for tenant-paid util-
17 ities for families assisted under this subsection.

18 “(B) USE OF DATA.—The Secretary shall
19 provide such data in a manner that—

20 “(i) avoids unnecessary administrative
21 burdens for public housing agencies and
22 owners; and

23 “(ii) protects families in various unit
24 sizes and building types, and using various

1 utilities, from high rent and utility cost
2 burdens relative to income.”.

3 **SEC. 4. PILOT PROGRAM FOR GRANTS FOR REHABILITA-**
4 **TION AND MODIFICATION OF HOMES OF DIS-**
5 **ABLED AND LOW-INCOME VETERANS.**

6 (a) GRANT.—

7 (1) IN GENERAL.—The Secretary shall establish
8 a pilot program to award grants to qualified organi-
9 zations to rehabilitate and modify the primary resi-
10 dence of eligible veterans.

11 (2) COORDINATION.—The Secretary shall work
12 in conjunction with the Secretary of Veterans Af-
13 fairs to establish and oversee the pilot program and
14 to ensure that such program meets the needs of eli-
15 gible veterans.

16 (3) MAXIMUM GRANT.—A grant award under
17 the pilot program to any one qualified organization
18 shall not exceed \$1,000,000 in any one fiscal year,
19 and such an award shall remain available until ex-
20 pended by such organization.

21 (b) APPLICATION.—

22 (1) IN GENERAL.—Each qualified organization
23 that desires a grant under the pilot program shall
24 submit an application to the Secretary at such time,
25 in such manner, and, in addition to the information

1 required under paragraph (2), accompanied by such
2 information as the Secretary may reasonably re-
3 quire.

4 (2) CONTENTS.—Each application submitted
5 under paragraph (1) shall include—

6 (A) a plan of action detailing outreach ini-
7 tiatives;

8 (B) the approximate number of veterans
9 the qualified organization intends to serve using
10 grant funds;

11 (C) a description of the type of work that
12 will be conducted, such as interior home modi-
13 fications, energy efficiency improvements, and
14 other similar categories of work; and

15 (D) a plan for working with the Depart-
16 ment of Veterans Affairs and veterans service
17 organizations to identify veterans and serve
18 their needs.

19 (3) PREFERENCES.—In awarding grants under
20 the pilot program, the Secretary shall give pref-
21 erence to a qualified organization—

22 (A) with experience in providing housing
23 rehabilitation and modification services for dis-
24 abled veterans; or

1 (B) that proposes to provide housing reha-
2 bilitation and modification services for eligible
3 veterans who live in rural areas (the Secretary,
4 through regulations, shall define the term
5 “rural areas”).

6 (c) CRITERIA.—In order to receive a grant award
7 under the pilot program, a qualified organization shall
8 meet the following criteria:

9 (1) Demonstrate expertise in providing housing
10 rehabilitation and modification services for disabled
11 or low-income individuals for the purpose of making
12 the homes of such individuals accessible, functional,
13 and safe for such individuals.

14 (2) Have established outreach initiatives that—

15 (A) would engage eligible veterans and vet-
16 erans service organizations in projects utilizing
17 grant funds under the pilot program; and

18 (B) identify eligible veterans and their
19 families and enlist veterans involved in skilled
20 trades, such as carpentry, roofing, plumbing, or
21 HVAC work.

22 (3) Have an established nationwide or State-
23 wide network of affiliates that are—

24 (A) nonprofit organizations; and

1 (B) able to provide housing rehabilitation
2 and modification services for eligible veterans.

3 (4) Have experience in successfully carrying out
4 the accountability and reporting requirements in-
5 volved in the proper administration of grant funds,
6 including funds provided by private entities or Fed-
7 eral, State, or local government entities.

8 (d) USE OF FUNDS.—A grant award under the pilot
9 program shall be used—

10 (1) to modify and rehabilitate the primary resi-
11 dence of an eligible veteran, and may include—

12 (A) installing wheelchair ramps, widening
13 exterior and interior doors, reconfiguring and
14 re-equipping bathrooms (which includes install-
15 ing new fixtures and grab bars), removing door-
16 way thresholds, installing special lighting, add-
17 ing additional electrical outlets and electrical
18 service, and installing appropriate floor cov-
19 erings to—

20 (i) accommodate the functional limita-
21 tions that result from having a disability;
22 or

23 (ii) if such residence does not have
24 modifications necessary to reduce the
25 chances that an elderly, but not disabled

1 person, will fall in their home, reduce the
2 risks of such an elderly person from fall-
3 ing;

4 (B) rehabilitating such residence that is in
5 a state of interior or exterior disrepair; and

6 (C) installing energy efficient features or
7 equipment if—

8 (i) an eligible veteran's monthly utility
9 costs for such residence is more than 5
10 percent of such veteran's monthly income;
11 and

12 (ii) an energy audit of such residence
13 indicates that the installation of energy ef-
14 ficient features or equipment will reduce
15 such costs by 10 percent or more;

16 (2) in connection with modification and reha-
17 bilitation services provided under the pilot program,
18 to provide technical, administrative, and training
19 support to an affiliate of a qualified organization re-
20 ceiving a grant under such pilot program; and

21 (3) for other purposes as the Secretary may
22 prescribe through regulations.

23 (e) OVERSIGHT.—The Secretary shall direct the over-
24 sight of the grant funds for the pilot program so that such
25 funds are used efficiently until expended to fulfill the pur-

1 pose of addressing the adaptive housing needs of eligible
2 veterans.

3 (f) MATCHING FUNDS.—

4 (1) IN GENERAL.—A qualified organization re-
5 ceiving a grant under the pilot program shall con-
6 tribute towards the housing modification and reha-
7 bilitation services provided to eligible veterans an
8 amount equal to not less than 50 percent of the
9 grant award received by such organization.

10 (2) IN-KIND CONTRIBUTIONS.—In order to
11 meet the requirement under paragraph (1), such or-
12 ganization may arrange for in-kind contributions.

13 (g) LIMITATION COST TO THE VETERANS.—A quali-
14 fied organization receiving a grant under the pilot pro-
15 gram shall modify or rehabilitate the primary residence
16 of an eligible veteran at no cost to such veteran (including
17 application fees) or at a cost such that such veteran pays
18 no more than 30 percent of his or her income in housing
19 costs during any month.

20 (h) REPORTS.—

21 (1) ANNUAL REPORT.—The Secretary shall
22 submit to Congress, on an annual basis, a report
23 that provides, with respect to the year for which
24 such report is written—

1 (A) the number of eligible veterans pro-
2 vided assistance under the pilot program;

3 (B) the socioeconomic characteristics of
4 such veterans, including their gender, age, race,
5 and ethnicity;

6 (C) the total number, types, and locations
7 of entities contracted under such program to
8 administer the grant funding;

9 (D) the amount of matching funds and in-
10 kind contributions raised with each grant;

11 (E) a description of the housing rehabilita-
12 tion and modification services provided, costs
13 saved, and actions taken under such program;

14 (F) a description of the outreach initiatives
15 implemented by the Secretary to educate the
16 general public and eligible entities about such
17 program;

18 (G) a description of the outreach initiatives
19 instituted by grant recipients to engage eligible
20 veterans and veteran service organizations in
21 projects utilizing grant funds under such pro-
22 gram;

23 (H) a description of the outreach initia-
24 tives instituted by grant recipients to identify
25 eligible veterans and their families; and

1 (I) any other information that the Sec-
2 retary considers relevant in assessing such pro-
3 gram.

4 (2) FINAL REPORT.—Not later than 6 months
5 after the completion of the pilot program, the Sec-
6 retary shall submit to Congress a report that pro-
7 vides such information that the Secretary considers
8 relevant in assessing the pilot program.

9 (i) DEFINITIONS.—In this section, the following defi-
10 nitions shall apply:

11 (1) DISABLED.—The term “disabled” means an
12 individual with a disability, as defined by section
13 12102 of title 42, United States Code.

14 (2) ELIGIBLE VETERAN.—The term “eligible
15 veteran” means a disabled or low-income veteran.

16 (3) ENERGY EFFICIENT FEATURES OR EQUIP-
17 MENT.—The term “energy efficient features or
18 equipment” means features of, or equipment in, a
19 primary residence that help reduce the amount of
20 electricity used to heat, cool, or ventilate such resi-
21 dence, including insulation, weatherstripping, air
22 sealing, heating system repairs, duct sealing, or
23 other measures.

24 (4) LOW-INCOME VETERAN.—The term “low-in-
25 come veteran” means a veteran whose income does

1 not exceed 80 percent of the median income for an
2 area, as determined by the Secretary.

3 (5) NONPROFIT ORGANIZATION.—The term
4 “nonprofit organization” means an organization that
5 is—

6 (A) described in section 501(c)(3) or
7 501(c)(19) of the Internal Revenue Code of
8 1986; and

9 (B) exempt from tax under section 501(a)
10 of such Code.

11 (6) PRIMARY RESIDENCE.—

12 (A) IN GENERAL.—The term “primary res-
13 idence” means a single family house, a duplex,
14 or a unit within a multiple-dwelling structure
15 that is an eligible veteran’s principal dwelling
16 and is owned by such veteran or a family mem-
17 ber of such veteran.

18 (B) FAMILY MEMBER DEFINED.—For pur-
19 poses of this paragraph, the term “family mem-
20 ber” includes—

21 (i) a spouse, child, grandchild, parent,
22 or sibling;

23 (ii) a spouse of such a child, grand-
24 child, parent, or sibling; or

1 (iii) any individual related by blood or
2 affinity whose close association with a vet-
3 eran is the equivalent of a family relation-
4 ship.

5 (7) QUALIFIED ORGANIZATION.—The term
6 “qualified organization” means a nonprofit organiza-
7 tion that provides nationwide or State-wide pro-
8 grams that primarily serve veterans or low-income
9 individuals.

10 (8) SECRETARY.—The term “Secretary” means
11 the Secretary of Housing and Urban Development.

12 (9) VETERAN.—The term “veteran” has the
13 same meaning as given such term in section 101 of
14 title 38, United States Code.

15 (10) VETERANS SERVICE ORGANIZATION.—The
16 term “veterans service organization” means any or-
17 ganization recognized by the Secretary of Veterans
18 Affairs for the representation of veterans under sec-
19 tion 5902 of title 38, United States Code.

20 (j) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated for carrying out this sec-

1 tion \$4,000,000 for each of fiscal years 2013 through
2 2017.

Passed the House of Representatives September 19,
2012.

Attest:

KAREN L. HAAS,

Clerk.