

114TH CONGRESS
1ST SESSION

H. R. 3424

To provide for extension of agreements between the Secretary of Housing and Urban Development and public housing agencies participating in the Moving to Work Demonstration Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2015

Ms. MAXINE WATERS of California (for herself and Ms. VELÁZQUEZ) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To provide for extension of agreements between the Secretary of Housing and Urban Development and public housing agencies participating in the Moving to Work Demonstration 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 “Moving to Work Re-
5 form Act of 2015”.

6 **SEC. 2. TERMS OF MOVING TO WORK AGREEMENTS.**

7 The Secretary of Housing and Urban Development
8 may not enter into or extend any Moving to Work agree-

1 ment for any public housing agency for participation in
2 the demonstration established under section 204 of the
3 Departments of Veterans Affairs and Housing and Urban
4 Development, and Independent Agencies Appropriations
5 Act, 1996 (Public Law 104–134; 110 Stat. 1321), unless
6 such agreement is subject to the following terms and con-
7 ditions for the entire duration of such agreement:

8 (1) EVALUATION OF MAJOR POLICY
9 CHANGES.—A public housing agency may not newly
10 establish any rent policy that raises rent burdens for
11 a significant portion of participating families, any
12 time limitation on the term of housing assistance, or
13 any policy that conditions receipt of housing assist-
14 ance from program funds on employment status, un-
15 less—

16 (A) the policy change will be subject to a
17 detailed evaluation using a rigorous research
18 methodology which includes, at least in part,
19 random assignment to treatment and control
20 groups to compare the impact on assisted fami-
21 lies (including families that cease to receive as-
22 sistance during the term of the evaluation) to
23 similar families not subject to such policy
24 change; and

1 (B) the Secretary determines that ade-
2 quate Federal or other resources are available
3 to undertake the required evaluation.

4 (2) USE OF TENANT-BASED RENTAL ASSIST-
5 ANCE FUNDS.—A public housing agency may use
6 funds appropriated for renewal of tenant-based rent-
7 al assistance only for payments to or on behalf of el-
8 igible families that assist such families with housing
9 costs, except that up to 10 percent of such funds
10 may be used for other eligible purposes, subject to
11 such requirements as the Secretary shall establish.

12 (3) DETERMINATION OF TENANT-BASED RENT-
13 AL ASSISTANCE FUNDING.—A public housing agency
14 shall receive funding for renewal of tenant-based
15 rental assistance determined using the same formula
16 applied to public housing agencies that do not par-
17 ticipate in the demonstration, except that up to 10
18 percent of such funds may be renewed by adjusting
19 the prior year's funding by an inflation factor deter-
20 mined by the Secretary.

21 (4) PROHIBITION OF REDUCTION IN NUMBER
22 OF FAMILIES ASSISTED.—A public housing agency
23 shall provide ongoing housing assistance resulting in
24 average cost burdens no higher than those of fami-
25 lies assisted under sections 8 and 9 of the United

1 States Housing Act of 1937 (42 U.S.C. 1437f,
2 1437g) to substantially the same number of eligible
3 low-income families as the agency could assist if it
4 expended the full amount of funding it receives
5 under such sections 8 and 9 pursuant to the require-
6 ments of such sections.

7 (5) HOUSING CHOICE.—If the Secretary deter-
8 mines that a disproportionately low share of families
9 assisted by a public housing agency using funds ap-
10 propriated pursuant to sections 8 and 9 of the
11 United States Housing Act of 1937 lives in neigh-
12 borhoods with low crime, high-performing schools, or
13 other indicators of high opportunity, the public hous-
14 ing agency shall develop and implement a plan to ex-
15 pand families' access to such neighborhoods.

16 (6) DETERMINATION OF PUBLIC HOUSING OP-
17 ERATING FUNDING.—A public housing agency shall
18 receive funding for operation and management of
19 public housing determined using the same formula
20 applied to public housing agencies that do not par-
21 ticipate in the demonstration, except that, for an
22 agency that currently receives such funding under
23 an alternative formula established by its Moving to
24 Work agreement, the Secretary shall phase in the re-
25 quirements of this paragraph in a manner sufficient

1 so as to avoid reducing funding by more than 10
2 percent per year.

3 (7) RETAINED PROVISIONS.—The Secretary
4 shall not waive any of the following provisions of the
5 United States Housing Act of 1937:

6 (A) Subsections (a)(2)(A) and (b)(1) of
7 section 16 (42 U.S.C. 1437n; relating to tar-
8 geting for new admissions).

9 (B) Section 2(b) (42 U.S.C. 1437(b); re-
10 lating to tenant representatives on the public
11 housing agency board of directors).

12 (C) Section 3(b)(2) (42 U.S.C.
13 1437a(b)(2); relating to definitions for the
14 terms “low-income families”, “very low-income
15 families”, and “extremely low-income fami-
16 lies”).

17 (D) Section 5A(e) (42 U.S.C. 1437e–1(e);
18 relating to the formation of and consultation
19 with a resident advisory board).

20 (E) Sections 6(f)(1) and 8(o)(8)(B) (42
21 U.S.C. 1437d(f)(1), 1437f(o)(8)(B); relating to
22 compliance of units assisted with housing qual-
23 ity standards or other codes).

1 (F) Section 6(k) (42 U.S.C. 1437d(k); re-
2 lating to grievance procedures for public hous-
3 ing tenants).

4 (G) Section 7 (42 U.S.C. 1437e; relating
5 to designation of housing for elderly and dis-
6 abled households).

7 (H) Sections 8(ee) and 6(u) (42 U.S.C.
8 1437f(ee), 1437d(n); relating to records, certifi-
9 cation and confidentiality regarding domestic vi-
10 olence).

11 (I) Paragraphs (3) and (4)(i) of section
12 6(c) and sections 982.552 and 982.553 of the
13 Secretary's regulations (42 U.S.C. 1437d(c)
14 and 24 C.F.R. 982.552, 982.553; relating to
15 rights of applicants).

16 (J) Section 6(l) (42 U.S.C. 1437d(l); relat-
17 ing to public housing lease requirements), ex-
18 cept that for units assisted both with program
19 funds and low-income housing tax credits, the
20 initial lease term may be less than 12 months
21 if required to conform lease terms with such tax
22 credit requirements.

23 (K) Subparagraphs (C) through (F) of sec-
24 tion 8(o)(7) and section 8(o)(20) (42 U.S.C.
25 1437f(o); relating to lease requirements and

1 eviction protections for families assisted with
2 tenant-based assistance).

3 (L) Section 8(o)(13)(B) (42 U.S.C.
4 1437f(o)(13)(B); relating to the 20-percent
5 portfolio cap on the use of voucher funds for
6 project-based vouchers), except as follows:

7 (i) A public housing agency that, pur-
8 suant to a Moving to Work agreement in
9 effect on the date of the enactment of this
10 Act, is using or has committed voucher
11 funds as of such date of enactment for
12 project-based vouchers in excess of the 20-
13 percent cap may continue to use such
14 funds in excess of such cap, but not in ex-
15 cess of the percentage in use or committed
16 as of such date of enactment pursuant to
17 such agreement, or as specified in clause
18 (ii), whichever is higher.

19 (ii) A public housing agency may use
20 voucher funds for project-based vouchers
21 in excess of the 20-percent cap, but not to
22 exceed 35 percent, if such use meets one of
23 the following criteria:

1 (I) The project-based vouchers
2 serve homeless or other special needs
3 families, as defined by the Secretary.

4 (II) The project-based vouchers
5 are used in a low-poverty area, as de-
6 fined by the Secretary.

7 (III) The project-based vouchers
8 are used in connection with a dem-
9 onstration of a project-based program
10 that is subject to evaluation by the
11 Secretary.

12 (M) Section 8(o)(13)(E) (42 U.S.C.
13 1437f(o)(13)(E); relating to the ability of fami-
14 lies with project-based vouchers to move, using
15 tenant-based vouchers, after 12 months of occu-
16 pancy), unless the Secretary determines that
17 waiver of such section is necessary to imple-
18 ment transitional or time-limited housing poli-
19 cies subject to evaluation described in para-
20 graph (1) of this section.

21 (N) Section 8(r)(1) (42 U.S.C.
22 1437f(r)(1); relating to the portability of vouch-
23 ers).

(O) The following requirements applicable to resident councils and jurisdiction-wide resident organizations:

(i) Establishment of resident councils and resident organizations under section 20 (42 U.S.C. 1437r).

(ii) Minimum amount of public housing agency support for such councils and organizations under section 20.

(iii) Involvement of such councils and organizations in public housing agency operations, as authorized under sections 3(c)(2), 6(c)(5)(C), and 9(e) (42 U.S.C. 1437a(c)(2), 1437d(c)(5)(C), 1437g(e)).

SEC. 3. ASSESSMENT OF DEMONSTRATION.

The Secretary of Housing and Urban Development shall conduct a comprehensive evaluation of the Moving to Work demonstration and, upon completion of the evaluation, submit to the Congress a report—

(1) describing and analyzing the risks and potential benefits of expanding the Moving to Work demonstration program to additional agencies compared to those of maintaining the demonstration program at its current size; and

1 (2) identifying reforms, and selection criteria in
2 case the demonstration program is expanded, that
3 would improve the program's effectiveness in testing
4 innovative policies while minimizing adverse effects
5 on low-income families and ensuring efficient use of
6 Federal funds to meet the most pressing housing
7 needs.

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