

114TH CONGRESS
2D SESSION

H. R. 6289

To provide priority under certain federally assisted housing programs to assisting youths who are aging out of foster care, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2016

Mr. TURNER (for himself, Mr. ROSS, Ms. MOORE, Mr. LANGEVIN, Mr. KILDEE, Mr. HILL, and Mr. MARINO) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To provide priority under certain federally assisted housing programs to assisting youths who are aging out of foster care, 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 “Fostering Stable Hous-
5 ing Opportunities Act of 2016”.

6 **SEC. 2. DEFINITION OF FAMILY.**

7 Subparagraph (A) of section 3(b)(3) of the United
8 States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(A))
9 is amended—

1 (1) in the first sentence—

2 (A) by striking “(v)” and inserting “(vi)”;

3 and

4 (B) by inserting after “tenant family,” the

5 following: “(v) a child who is in foster care and

6 has attained an age such that the provision of

7 foster care for such child will end by reason of

8 the age of the child within 6 months,”; and

9 (2) in the second sentence, by inserting “or
10 (vi)” after “clause (v)”.

11 **SEC. 3. PRIORITY FOR PUBLIC HOUSING OCCUPANCY AND**

12 **SECTION 8 ASSISTANCE.**

13 (a) PUBLIC HOUSING.—Subparagraph (A) of section

14 6(c)(4) of the United States Housing Act of 1937 (42

15 U.S.C. 1437d(c)(4)(A)) is amended—

16 (1) by striking “this subparagraph” and insert-

17 ing “this clause”; and

18 (2) by striking the subparagraph designation

19 and all that follows through “making dwelling units

20 available” and inserting the following:

21 “(A) making dwelling units in public hous-

22 ing available for occupancy, which shall provide

23 that—

24 “(i) except for projects or portions of

25 projects designated for occupancy pursuant

1 to section 7(a), preference shall be given to
2 otherwise eligible children who are in foster
3 care, have attained an age such that the
4 provision of foster care for such child will
5 end by reason of the age of the child with-
6 in 6 months, meet the requirements under
7 clauses (i) and (ii) of paragraph (1) of the
8 definition of ‘at risk of homelessness’ in
9 section 91.5 of the Secretary’s regulations
10 (24 C.F.R. 91.5), as in effect on Sep-
11 tember 1, 2016, and have agreed to comply
12 with the requirements under section 37(c);
13 and

14 “(ii) the public housing agency may
15 establish a system for making dwelling
16 units that are not occupied pursuant to the
17 preference under clause (i) available”.

18 (b) VOUCHER ASSISTANCE.—Subparagraph (A) of
19 section 8(o)(6) of the United States Housing Act of 1937
20 (42 U.S.C. 1437f(o)(6)(A)) is amended—

21 (1) by redesignating clauses (i) and (ii) as
22 clauses (ii) and (iii), respectively;

23 (2) by inserting before clause (ii), as so redesign-
24 nated by paragraph (1) of this subsection, the fol-
25 lowing new clause:

1 “(i) CHILDREN AGING-OUT OF FOS-
2 TER CARE.—In making tenant-based as-
3 sistance under this subsection available on
4 behalf of eligible families, each public hous-
5 ing agency shall give preference to other-
6 wise eligible children who are in foster
7 care, have attained an age such that the
8 provision of foster care for such child will
9 end by reason of the age of the child with-
10 in 6 months, meet the requirements under
11 clauses (i) and (ii) of paragraph (1) of the
12 definition of ‘at risk of homelessness’ in
13 section 91.5 of the Secretary’s regulations
14 (24 C.F.R. 91.5), as in effect on Sep-
15 tember 1, 2016, and have agreed to comply
16 with the requirements under section
17 37(c).”;

18 (3) in clause (ii), as so redesignated by para-
19 graph (1) of this subsection, by inserting “that is
20 not made available in accordance with the preference
21 under clause (i)” after “under this subsection”; and

22 (4) in clause (iii), as so redesignated by para-
23 graph (1) of this subsection, by striking “this sub-
24 paragraph” and inserting “clause (ii)”.

1 (c) PHA PROJECT-BASED VOUCHER ASSISTANCE.—
2 Subparagraph (J) of section 8(o)(13) of the United States
3 Housing Act of 1937 (42 U.S.C. 1437f(o)(13)(J)) is
4 amended—

5 (1) in the first sentence, by inserting before the
6 period at the end the following: “, except that the
7 agency shall give preference to otherwise eligible
8 children who are in foster care, have attained an age
9 such that the provision of foster care for such child
10 will end by reason of the age of the child within 6
11 months, meet the requirements under clauses (i) and
12 (ii) of paragraph (1) of the definition of ‘at risk of
13 homelessness’ in section 91.5 of the Secretary’s reg-
14 ulations (24 C.F.R. 91.5), as in effect on September
15 1, 2016, and have agreed to comply with the re-
16 quirements under section 37(c)”;

17 (2) in the third sentence, by striking “The
18 agency” and inserting the following: “For units that
19 are made available after preference is provided pur-
20 suant to the first sentence of this subparagraph, the
21 agency”.

22 (d) PROJECT-BASED SECTION 8 RENTAL ASSIST-
23 ANCE.—Subparagraph (A) of section 8(d)(1) of the
24 United States Housing Act of 1937 (42 U.S.C.
25 1437f(d)(1)(A)) is amended—

1 (1) by striking “except that with respect” and
2 inserting the following: “except that—

3 “(i) in the case of assisted dwelling
4 units in a project assisted with project-
5 based assistance under this section, the
6 tenant selection criteria used by the owner
7 shall give preference to otherwise eligible
8 children who are in foster care, have at-
9 tained an age such that the provision of
10 foster care for such child will end by rea-
11 son of the age of the child within 6
12 months, meet the requirements under
13 clauses (i) and (ii) of paragraph (1) of the
14 definition of ‘at risk of homelessness’ in
15 section 91.5 of the Secretary’s regulations
16 (24 C.F.R. 91.5), as in effect on Sep-
17 tember 1, 2016, and have agreed to comply
18 with the requirements under section 37(c);
19 and

20 “(ii) with respect”; and

21 (2) by inserting “after preference is provided
22 pursuant to clause (i)” after “to be assisted”.

23 (e) TERMS AND CONDITIONS ON PRIORITY.—Title I
24 of the United States Housing Act of 1937 (42 U.S.C.

1 1437 et seq.) is amended by adding at the end the fol-
2 lowing new section:

3 **“SEC. 37. TERMS AND CONDITIONS ON PREFERENCE FOR**
4 **ASSISTANCE FOR CHILDREN AGING OUT OF**
5 **FOSTER CARE.**

6 “(a) PREFERENCE.—For purposes of this section,
7 the term ‘preference for housing assistance’ means pref-
8 erence, for an otherwise eligible child in foster care, for—

9 “(1) occupancy in a public housing dwelling
10 unit, pursuant to section 6(c)(4)(A)(i);

11 “(2) tenant-based assistance under section 8(o),
12 pursuant to paragraph (6)(A)(i) of such section;

13 “(3) project-based assistance under section
14 8(o)(13), pursuant to subparagraph (J) of such sec-
15 tion; and

16 “(4) occupancy in a dwelling unit in a project
17 assisted with project-based assistance under section
18 8, pursuant to subsection (d)(1)(A)(i) of such sec-
19 tion.

20 “(b) EARLY APPLICATION FOR ASSISTANCE.—Not-
21 withstanding the period during which a preference for
22 housing assistance is provided for a person, an otherwise
23 eligible person may apply for such occupancy or assistance
24 at any time after such person attains 16 years of age.

1 “(c) REQUIREMENT FOR EMPLOYMENT, EDUCATION,
2 OR TRAINING.—

3 “(1) IN GENERAL.—Except as provided in para-
4 graph (2), each person occupying a dwelling unit
5 pursuant to a preference for housing assistance shall
6 be, not later than 12 months after such initial occu-
7 pancy and for at least 9 months of each successive
8 12-month period thereafter—

9 “(A) employed on average at least 35
10 hours of service per week;

11 “(B) engaged in vocational, technical, or
12 workforce development training or in an ap-
13 prenticeship, on a full-time basis, as classified
14 by a vocational, technical, workforce develop-
15 ment training institution or entity;

16 “(C) enrolled in a secondary school, an in-
17 stitution of higher education, or other institu-
18 tion providing post-secondary education, on a
19 full-time basis, as classified by an educational
20 institution; or

21 “(D) engaged in a combination of activities
22 described in subparagraphs (A) through (C) to
23 such an extent that, in the aggregate, such en-
24 gagement is on such a full-time basis.

1 The Secretary shall require the public housing agen-
2 cy or project owner, as applicable, to verify compli-
3 ance with the requirement under this paragraph by
4 each person occupying a dwelling unit assisted or
5 administered by such agency or owner, as applicable,
6 pursuant to a preference for housing assistance an-
7 nually in conjunction with reviews of income for pur-
8 poses of determining eligibility for assistance de-
9 scribed in subsection (a).

10 “(2) EXCEPTIONS.—The requirement under
11 paragraph (1) shall not apply to—

12 “(A) a person physically or mentally unfit
13 for employment, as determined in accordance
14 with such standards as the Secretary shall es-
15 tablish;

16 “(B) a parent or other household member
17 responsible for the care of a dependent child
18 under 6 or an incapacitated person; and

19 “(C) a person who is regularly and actively
20 participating in a drug addiction or alcoholic
21 treatment and rehabilitation program.

22 “(d) LIMITATION ON BEDROOMS.—A dwelling unit
23 that is occupied by a person, or assisted with assistance
24 made available on behalf of a person, pursuant to a pref-
25 erence for housing assistance may contain more than one

1 bedroom only if such additional bedrooms are occupied
2 only by other persons who occupy such dwelling unit, or
3 receive assistance made available, pursuant to a preference
4 for housing assistance.

5 “(e) TERMINATION OF ASSISTANCE.—The public
6 housing agency or project owner, as applicable, shall ter-
7 minate any occupancy of, or assistance on behalf of, a per-
8 son pursuant to any preference for housing assistance
9 upon the person attaining 25 years of age or upon sub-
10 stantial noncompliance with the requirement under sub-
11 section (c), except that nothing in this clause may be con-
12 strued to prohibit or affect the eligibility of any person
13 for occupancy of housing assisted under this title or rental
14 assistance under section 8, that is provided other than
15 pursuant to a preference under this subparagraph.”.

16 **SEC. 4. PRIORITY FOR RURAL RENTAL ASSISTANCE.**

17 Paragraph (2) of section 521(a) of the Housing Act
18 of 1949 (42 U.S.C. 1490a(a)(2)) is amended by adding
19 at the end the following new subparagraph:

20 “(F)(i) In making occupancy in a project assisted
21 under this paragraph, and rental assistance under this
22 paragraph, available on behalf of eligible families, the
23 project owner shall give preference to otherwise eligible
24 children who—

25 “(I) are in foster care;

1 “(II) have attained an age such that the provi-
2 sion of foster care for such child will end by reason
3 of the age of the child within 6 months;

4 “(III) meet the requirements under clauses (i)
5 and (ii) of paragraph (1) of the definition of ‘at risk
6 of homelessness’ in section 91.5 of the Secretary of
7 Housing and Urban Development’s regulations (24
8 C.F.R. 91.5), as in effect on September 1, 2016;
9 and

10 “(IV) have agreed to comply with the require-
11 ments under clause (iii).

12 “(ii) Notwithstanding the period during which a pref-
13 erence pursuant to clause (i) for occupancy in project as-
14 sisted under this paragraph or for rental assistance under
15 this paragraph is provided for a person, an otherwise eligi-
16 ble person may apply for such occupancy or assistance at
17 any time after the person attains 16 years of age.

18 “(iii)(I) Except as provided in subclause (II), each
19 person occupying a dwelling unit pursuant to a preference
20 under this subparagraph shall be, not later than 12
21 months after such initial occupancy and for at least 9
22 months of each successive 12-month period thereafter—

23 “(aa) employed on average at least 35 hours of
24 service per week;

1 “(bb) engaged in vocational, technical, or work-
2 force development training or in an apprenticeship,
3 on a full-time basis, as classified by a vocational,
4 technical, workforce development training institution
5 or entity;

6 “(cc) enrolled in a secondary school, an institu-
7 tion of higher education, or other institution pro-
8 viding post-secondary education, on a full-time basis,
9 as classified by an educational institution; or

10 “(dd) engaged in a combination of activities de-
11 scribed in items (aa) through (cc) to such an extent
12 that, in the aggregate, such engagement is on such
13 a full-time basis.

14 The Secretary shall require a project owner to verify com-
15 pliance with the requirement under this subclause by each
16 person occupying a dwelling unit pursuant to a preference
17 under this subparagraph annually in conjunction with re-
18 views of income for purposes of determining eligibility for
19 assistance described in clause (i).

20 “(II) The requirement under subclause (I) shall not
21 apply to—

22 “(aa) a person physically or mentally unfit for
23 employment, as determined in accordance with such
24 standards as the Secretary shall establish;

1 “(bb) a parent or other household member re-
2 sponsible for the care of a dependent child under 6
3 or an incapacitated person; and

4 “(cc) a person who is regularly and actively
5 participating in a drug addiction or alcoholic treat-
6 ment and rehabilitation program.

7 “(iv) A dwelling unit that is occupied by a person
8 pursuant to a preference under this subparagraph may
9 contain more than one bedroom only if such additional
10 bedrooms are occupied only by other persons who occupy
11 such dwelling unit pursuant to a preference under this
12 subparagraph.

13 “(v) The project owner shall terminate any occupancy
14 of a person pursuant to the preference under clause (i)
15 upon the person attaining 25 years of age or upon sub-
16 stantial noncompliance with the requirement under clause
17 (ii), except that nothing in this clause may be construed
18 to prohibit or affect the eligibility of any person for occu-
19 pancy in a project assisted under this paragraph or for
20 rental assistance under this paragraph, other than pursu-
21 ant to a preference under this subparagraph.”.

22 **SEC. 5. REPORTS TO CONGRESS.**

23 (a) REQUIREMENT.—The Secretary of Housing and
24 Urban Development and the Secretary of Agriculture shall
25 jointly submit reports to the Congress regarding the status

1 and outcomes of persons provided preference for housing
2 assistance pursuant to the amendments made by sections
3 2 through 4 of this Act.

4 (b) CONTENTS.—Reports under this section shall in-
5 clude such information as may be necessary to assess and
6 evaluate the long-term success of providing preference for
7 housing assistance pursuant to such amendments and to
8 identify any changes to facilitate improving such success.
9 Such reports shall include information regarding the out-
10 comes for persons provided such preference with respect
11 to the period beginning upon initial provision of such hous-
12 ing assistance on behalf of such person and ending 10
13 years after termination of such assistance and shall in-
14 clude the following information regarding such persons:

15 (1) Employment and career status.

16 (2) Housing situation.

17 (3) Educational, training, or vocational attain-
18 ment.

19 (4) Physical, mental, and emotional well-being
20 (including any instances of substance abuse).

21 (5) Instances of arrests, incarcerations, and
22 other interactions with the criminal justice system.

23 (6) Marital and familial status.

24 (7) Any other relevant information as the Sec-
25 retaries consider appropriate to facilitate successful

1 operation of the program under the amendments
2 made by this Act.

3 (c) PROTECTION OF PRIVACY.—Reports under this
4 section shall contain aggregate information regarding out-
5 comes described in subsection (b) and shall not contain
6 any personally identifiable information.

7 (d) TIMING.—The first report under this section shall
8 be submitted to the Congress not later than the expiration
9 of the 10-year period beginning on the date of the enact-
10 ment of this Act and the Secretaries referred to in sub-
11 section (a) shall submit a report not later than the expira-
12 tion of each successive 5-year period thereafter.

○