H. R. 287

To provide housing assistance for very low-income veterans.

IN THE HOUSE OF REPRESENTATIVES

January 12, 2011

Mr. Al Green of Texas (for himself, Mr. Michaud, Ms. Richardson, Ms. Kaptur, Mr. Grijalva, Ms. Sutton, Ms. Bordallo, Ms. Lee of California, Mr. Cleaver, Mr. Stark, Mr. Rangel, Mr. Serrano, Mr. Van Hollen, Mr. Payne, Ms. McCollum, and Mr. Honda) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide housing assistance for very low-income veterans.

- 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 "Homes for Heroes Act
- 5 of 2011".

1	SEC. 2. SPECIAL ASSISTANT FOR VETERANS AFFAIRS IN OF-
2	FICE OF SECRETARY OF HOUSING AND
3	URBAN DEVELOPMENT.
4	Section 4 of the Department of Housing and Urban
5	Development Act (42 U.S.C. 3533) is amended by adding
6	at the end the following new subsection:
7	"(g) Special Assistant for Veterans Af-
8	FAIRS.—
9	"(1) ESTABLISHMENT.—There shall be in the
10	Department a Special Assistant for Veterans Af-
11	fairs, who shall be in the Office of the Secretary.
12	"(2) Appointment.—The Special Assistant for
13	Veterans Affairs shall be appointed based solely on
14	merit and shall be covered under the provisions of
15	title 5, United States Code, governing appointments
16	in the competitive service.
17	"(3) Responsibilities.—The Special Assist-
18	ant for Veterans Affairs shall be responsible for—
19	"(A) ensuring veterans have access to
20	housing and homeless assistance under each
21	program of the Department providing either
22	such assistance;
23	"(B) coordinating all programs and activi-
24	ties of the Department relating to veterans;
25	"(C) serving as a liaison for the Depart-
26	ment with the Department of Veterans Affairs.

1	including establishing and maintaining relation-
2	ships with the Secretary of Veterans Affairs;
3	"(D) serving as a liaison for the Depart-
4	ment, and establishing and maintaining rela-
5	tionships with officials of State, local, regional
6	and nongovernmental organizations concerned
7	with veterans;
8	"(E) providing information and advice re-
9	garding—
10	"(i) sponsoring housing projects for
11	veterans assisted under programs adminis-
12	tered by the Department; or
13	"(ii) assisting veterans in obtaining
14	housing or homeless assistance under pro-
15	grams administered by the Department;
16	"(F) preparing the annual report under
17	section 8 of Homes for Heroes Act of 2011
18	and
19	"(G) carrying out such other duties as may
20	be assigned to the Special Assistant by the Sec-
21	retary or by law.".
22	SEC. 3. SUPPORTIVE HOUSING FOR VERY LOW-INCOME
23	VETERAN FAMILIES.
24	(a) Purpose.—The purposes of this section are—

1	(1) to expand the supply of permanent housing
2	for very low-income veteran families; and
3	(2) to provide supportive services through such
4	housing to support the needs of such veteran fami-
5	lies.
6	(b) Authority.—
7	(1) In General.—The Secretary of Housing
8	and Urban Development shall, to the extent amounts
9	are made available for assistance under this section
10	and the Secretary receives approvable applications
11	for such assistance, provide assistance to private
12	nonprofit organizations and consumer cooperatives
13	to expand the supply of supportive housing for very
14	low-income veteran families.
15	(2) Nature of assistance.—The assistance
16	provided under paragraph (1)—
17	(A) shall be available for use to plan for
18	and finance the acquisition, construction, recon-
19	struction, or moderate or substantial rehabilita-
20	tion of a structure or a portion of a structure
21	to be used as supportive housing for very low-
22	income veteran families in accordance with this
23	section; and
24	(B) may also cover the cost of real prop-
25	erty acquisition, site improvement, conversion,

1	demolition, relocation, and other expenses that
2	the Secretary determines are necessary to ex-
3	pand the supply of supportive housing for very
4	low-income veteran families.
5	(3) Consultation.—In meeting the require-
6	ment of paragraph (1), the Secretary shall consult
7	with—
8	(A) the Secretary of Veterans Affairs; and
9	(B) the Special Assistant for Veterans Af-
10	fairs, as such Special Assistant was established
11	under section 4(g) of the Department of Hous-
12	ing and Urban Development Act.
13	(c) Forms of Assistance.—Assistance under this
14	section shall be made available in the following forms:
15	(1) Planning grants.—Assistance may be
16	provided as a grant for costs of planning a project
17	to be used as supportive housing for very low-income
18	veteran families.
19	(2) Capital advances.—Assistance may be
20	provided as a capital advance under this paragraph
21	for a project, such advance shall—
22	(A) bear no interest;
23	(B) not be required to be repaid so long as
24	the housing remains available for occupancy by

1	very low-income veteran families in accordance
2	with this section; and
3	(C) be in an amount calculated in accord-
4	ance with the development cost limitation estab-
5	lished pursuant to subsection (i).
6	(3) Project rental assistance.—Assistance
7	may be provided as project rental assistance, under
8	an annual contract that—
9	(A) obligates the Secretary to make
10	monthly payments to cover any part of the
11	costs attributed to units occupied (or, as ap-
12	proved by the Secretary, held for occupancy) by
13	very low-income veteran families that is not met
14	from project income;
15	(B) provides for the project not more than
16	the sum of the initial annual project rentals for
17	all units so occupied and any initial utility al-
18	lowances for such units, as approved by the
19	Secretary;
20	(C) provides that any contract amounts
21	not used by a project in any year shall remain
22	available to the project until the expiration of
23	the contract;
24	(D) provides that upon the expiration of
25	each contract term, the Secretary shall adjust

- the annual contract amount to provide for reasonable project costs, and any increases, including adequate reserves, supportive services, and service coordinators, except that any contract amounts not used by a project during a contract term shall not be available for such adjustments upon renewal; and
 - (E) provides that in the event of emergency situations that are outside the control of the owner, the Secretary shall increase the annual contract amount, subject to reasonable review and limitations as the Secretary shall provide.
- (d) TENANT RENT CONTRIBUTION.—A very low-intome veteran family shall pay as rent for a dwelling unit assisted under this section the highest of the following amounts, rounded to the nearest dollar:
- 18 (1) Thirty percent of the veteran family's ad-19 justed monthly income.
- 20 (2) Ten percent of the veteran family's monthly income.
 - (3) If the veteran family is receiving payments for welfare assistance from a public agency and a part of such payments, adjusted in accordance with the veteran family's actual housing costs, is specifi-

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1	cally designated by such agency to meet the veteran
2	family's housing costs, the portion of such payments
3	which is so designated.
4	(e) TERM OF COMMITMENT.—
5	(1) Use limitations.—All units in housing as-
6	sisted under this section shall be made available for
7	occupancy by very low-income veteran families for
8	not less than 15 years.
9	(2) Contract terms for project rental
10	ASSISTANCE.—
11	(A) Initial term.—The initial term of a
12	contract entered into under subsection (c)(3)
13	shall be 60 months.
14	(B) Extension.—The Secretary shall
15	subject only to the availability of amounts pro-
16	vided in appropriation Acts, renew the contract
17	entered into under subsection (c)(3) for 10 con-
18	secutive one-year terms, the first such term be-
19	ginning upon the expiration of such 60-month
20	period.
21	(C) AUTHORITY OF SECRETARY TO MAKE
22	EARLY COMMITMENTS.—In order to facilitate
23	the orderly extension of expiring contracts, the

Secretary may make commitments to extend ex-

1	piring contracts during the year prior to the
2	date of expiration.
3	(f) Applications.—
4	(1) In general.—Amounts made available
5	under this section shall be allocated by the Secretary
6	among approvable applications submitted by private
7	nonprofit organizations and consumer cooperatives.
8	(2) Content of Application.—
9	(A) In general.—Applications for assist-
10	ance under this section shall be submitted by an
11	applicant in such form and in accordance with
12	such procedures as the Secretary shall estab-
13	lish.
14	(B) REQUIRED CONTENT.—Applications
15	for assistance under this section shall contain—
16	(i) a description of the proposed hous-
17	ing;
18	(ii) a description of the assistance the
19	applicant seeks under this section;
20	(iii) a description of—
21	(I) the supportive services to be
22	provided to the persons occupying
23	such housing;
24	(II) the manner in which such
25	services will be provided to such per-

1	sons, including, in the case of frail el-
2	derly persons (as such term is defined
3	in section 202 of the Housing Act of
4	1959 (12 U.S.C. 1701q)), evidence of
5	such residential supervision as the
6	Secretary determines is necessary to
7	facilitate the adequate provision of
8	such services; and
9	(III) the public or private sources
10	of assistance that can reasonably be
11	expected to fund or provide such serv-
12	ices;
13	(iv) a certification from the public of-
14	ficial responsible for submitting a housing
15	strategy for the jurisdiction to be served in
16	accordance with section 105 of the Cran-
17	ston-Gonzalez National Affordable Housing
18	Act (42 U.S.C. 12705) that the proposed
19	project is consistent with the approved
20	housing strategy; and
21	(v) such other information or certifi-
22	cations that the Secretary determines to be
23	necessary or appropriate to achieve the
24	purposes of this section.

1	(3) Rejection.—The Secretary shall not reject
2	any application for assistance under this section on
3	technical grounds without giving notice of that rejec-
4	tion and the basis therefore to the applicant.
5	(g) Initial Selection Criteria and Proc-
6	ESSING.—
7	(1) Selection Criteria.—The Secretary shall
8	establish selection criteria for assistance under this
9	section, which shall include—
10	(A) criteria based upon—
11	(i) the ability of the applicant to de-
12	velop and operate the proposed housing;
13	(ii) the need for supportive housing
14	for very low-income veteran families in the
15	area to be served;
16	(iii) the extent to which the proposed
17	size and unit mix of the housing will en-
18	able the applicant to manage and operate
19	the housing efficiently and ensure that the
20	provision of supportive services will be ac-
21	complished in an economical fashion;
22	(iv) the extent to which the proposed
23	design of the housing will meet the service-
24	connected disability needs of very low-in-
25	come veteran families:

1	(v) the extent to which the applicant	
2	has demonstrated that the supportive serv-	
3	ices identified pursuant to subsection	
4	(f)(2)(B)(iii) will be provided on a con-	
5	sistent, long-term basis;	
6	(vi) the extent to which the proposed	
7	design of the housing will accommodate the	
8	provision of supportive services that are ex-	
9	pected to be needed, either initially or over	
10	the useful life of the housing, by the very	
11	low-income veterans the housing is in-	
12	tended to serve;	
13	(vii) the extent to which the applicant	
14	has ensured that a service coordinator will	
15	be employed or otherwise retained for the	
16	housing, who has the managerial capacity	
17	and responsibility for carrying out the ac-	
18	tions described in clauses (i) and (ii) of	
19	subsection $(h)(2)(A)$; and	
20	(viii) such other factors as the Sec-	
21	retary determines to be appropriate to en-	
22	sure that funds made available under this	
23	section are used effectively;	
24	(B) a preference in such selection for ap-	
25	plications proposing housing to be reserved for	

1	occupancy by very low-income veteran families
2	who are homeless (as such term is defined in
3	section 103 of the McKinney-Vento Homeless
4	Assistance Act (42 U.S.C. 11302)); and
5	(C) criteria appropriate to consider the
6	need for supportive housing for very low-income
7	veteran families in nonmetropolitan areas and
8	by Indian tribes.
9	(2) Delegated processing.—
10	(A) DELEGATION TO STATE OR LOCAL
11	HOUSING AUTHORITY.—In issuing a capital ad-
12	vance under this subsection for any project for
13	which financing for the purposes described in
14	subsection (b)(2) is provided by a combination
15	of a capital advance under subsection (c)(2)
16	and sources other than this section, within 30
17	days of award of the capital advance, the Sec
18	retary shall delegate review and processing or
19	such projects to a State or local housing agency
20	that—
21	(i) is in geographic proximity to the
22	property;
23	(ii) has demonstrated experience in

and capacity for underwriting multifamily

1	housing loans that provide housing and
2	supportive services;
3	(iii) may or may not be providing low-
4	income housing tax credits in combination
5	with the capital advance under this section;
6	and
7	(iv) agrees to issue a firm commit-
8	ment within 12 months of delegation.
9	(B) Processing by secretary.—The
10	Secretary shall retain the authority to process
11	capital advances in cases in which no State or
12	local housing agency has applied to provide del-
13	egated processing pursuant to this paragraph or
14	no such agency has entered into an agreement
15	with the Secretary to serve as a delegated proc-
16	essing agency.
17	(C) Processing fees.—An agency to
18	which review and processing is delegated pursu-
19	ant to subparagraph (A) may assess a reason-
20	able fee which shall be included in the capital
21	advance amounts and may recommend project
22	rental assistance amounts in excess of those ini-
23	tially awarded by the Secretary. The Secretary
24	shall develop a schedule for reasonable fees

under this subparagraph to be paid to delegated

- processing agencies, which shall take into consideration any other fees to be paid to the agency for other funding provided to the project by the agency, including bonds, tax credits, and other gap funding.
 - (D) Authority retained by secretary.—Under such delegated system, the Secretary shall retain the authority to approve rents and development costs and to execute a capital advance within 60 days of receipt of the commitment from the State or local agency. The Secretary shall provide to such agency and the project sponsor, in writing, the reasons for any reduction in capital advance amounts or project rental assistance and such reductions shall be subject to appeal.
- 17 (h) Provision of Supportive Services to Vet-18 eran Families.—
- 19 (1) IN GENERAL.—The Secretary of Housing 20 and Urban Development shall coordinate with the 21 Secretary of Veterans Affairs to ensure that any 22 housing assistance provided to veterans or veteran 23 families includes a range of services tailored to the 24 needs of the very low-income veteran families occu-

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1	pying such housing, which may include services
2	for—
3	(A) outreach;
4	(B) health (including counseling, mental
5	health, substance abuse, post-traumatic stress
6	disorder, and traumatic brain injury) diagnosis
7	and treatment;
8	(C) habilitation and rehabilitation;
9	(D) case management;
10	(E) daily living;
11	(F) personal financial planning;
12	(G) transportation;
13	(H) vocation;
14	(I) employment and training;
15	(J) education;
16	(K) assistance in obtaining veterans bene-
17	fits and public benefits;
18	(L) assistance in obtaining income support;
19	(M) assistance in obtaining health insur-
20	ance;
21	(N) fiduciary and representative payee;
22	(O) legal aid;
23	(P) child care;
24	(Q) housing counseling;
25	(R) service coordination; and

1	(S) other services necessary for maintain-
2	ing independent living.
3	(2) Local coordination of services.—
4	(A) IN GENERAL.—The Secretary of Hous-
5	ing and Urban Development shall coordinate
6	with the Secretary of the Department of Vet-
7	erans Affairs to ensure that owners of housing
8	assisted under this section have the managerial
9	capacity to—
10	(i) assess on an ongoing basis the
11	service needs of residents;
12	(ii) coordinate the provision of sup-
13	portive services and tailor such services to
14	the individual needs of residents; and
15	(iii) seek on a continuous basis new
16	sources of assistance to ensure the long-
17	term provision of supportive services.
18	(B) Classification of costs.—Any cost
19	associated with this subsection relating to the
20	coordination of services shall be an eligible cost
21	under subsections $(c)(3)$.
22	(i) Development Cost Limitations.—
23	(1) In General.—The Secretary shall periodi-
24	cally establish reasonable development cost limita-
25	tions by market area for various types and sizes of

1	supportive housing for very low-income veteran fami-
2	lies by publishing a notice of the cost limitations in
3	the Federal Register.
4	(2) Considerations.—The cost limitations es-
5	tablished under paragraph (1) shall reflect—
6	(A) the cost of construction, reconstruc-
7	tion, or moderate or substantial rehabilitation
8	of supportive housing for very low-income vet-
9	eran families that meets applicable State and
10	local housing and building codes;
11	(B) the cost of movables necessary to the
12	basic operation of the housing, as determined
13	by the Secretary;
14	(C) the cost of special design features nec-
15	essary to make the housing accessible to very
16	low-income veteran families;
17	(D) the cost of community space necessary
18	to accommodate the provision of supportive
19	services to veteran families;
20	(E) if the housing is newly constructed, the
21	cost of meeting the energy efficiency standards
22	promulgated by the Secretary in accordance
23	with section 109 of the Cranston-Gonzalez Na-
24	tional Affordable Housing Act (42 U.S.C.
25	12709); and

- 1 (F) the cost of land, including necessary 2 site improvement.
 - (3) USE OF DATA.—In establishing development cost limitations for a given market area under this subsection, the Secretary shall use data that reflect currently prevailing costs of construction, reconstruction, or moderate or substantial rehabilitation, and land acquisition in the area.
 - (4) COMMUNITY SPACE.—For purposes of paragraph (2), a community space shall include space for cafeterias or dining halls, community rooms or buildings, workshops, child care, adult day health facilities or other outpatient health facilities, or other essential service facilities.
 - (5) Commercial facilities.—Neither this section nor any other provision of law may be construed as prohibiting or preventing the location and operation, in a project assisted under this section, of commercial facilities for the benefit of residents of the project and the community in which the project is located, except that assistance made available under this section may not be used to subsidize any such commercial facility.

1	(6) Acquisition.—In the case of existing hous-
2	ing and related facilities to be acquired, the cost lim-
3	itations shall include—
4	(A) the cost of acquiring such housing;
5	(B) the cost of rehabilitation, alteration,
6	conversion, or improvement, including the mod-
7	erate or substantial rehabilitation thereof; and
8	(C) the cost of the land on which the hous-
9	ing and related facilities are located.
10	(7) Annual adjustments.—The Secretary
11	shall adjust the cost limitation not less than annu-
12	ally to reflect changes in the general level of con-
13	struction, reconstruction, and moderate and substan-
14	tial rehabilitation costs.
15	(8) Incentives for savings.—
16	(A) Special Housing account.—
17	(i) In General.—The Secretary shall
18	use the development cost limitations estab-
19	lished under paragraph (1) or (6) to cal-
20	culate the amount of financing to be made
21	available to individual owners.
22	(ii) Actual Developmental Costs
23	LESS THAN FINANCING.—Owners which
24	incur actual development costs that are
25	less than the amount of financing shall be

1	entitled to retain 50 percent of the savings
2	in a special housing account.
3	(iii) Bonus for energy effi-
4	CIENCY.—The percentage established
5	under clause (ii) shall be increased to 75
6	percent for owners which add energy effi-
7	ciency features which—
8	(I) exceed the energy efficiency
9	standards promulgated by the Sec-
10	retary in accordance with section 109
11	of the Cranston-Gonzalez National Af-
12	fordable Housing Act (42 U.S.C.
13	12709);
14	(II) substantially reduce the life-
15	cycle cost of the housing; and
16	(III) reduce gross rent require-
17	ments.
18	(B) Uses.—The special housing account
19	established under subparagraph (A) may be
20	used—
21	(i) to provide services to residents of
22	the housing or funds set aside for replace-
23	ment reserves; or
24	(ii) for such other purposes as deter-
25	mined by the Secretary.

1	(9) Design flexibility.—The Secretary shall,
2	to the extent practicable, give owners the flexibility
3	to design housing appropriate to their location and
4	proposed resident population within broadly defined
5	parameters.
6	(10) Use of funds from other sources.—
7	An owner shall be permitted voluntarily to provide
8	funds from sources other than this section for amen-
9	ities and other features of appropriate design and
10	construction suitable for supportive housing under
11	this section if the cost of such amenities is—
12	(A) not financed with the advance; and
13	(B) is not taken into account in deter-
14	mining the amount of Federal assistance or of
15	the rent contribution of tenants.
16	(j) TENANT SELECTION.—
17	(1) In general.—An owner shall adopt writ-
18	ten tenant selection procedures that are—
19	(A) satisfactory to the Secretary and which
20	are—
21	(i) consistent with the purpose of im-
22	proving housing opportunities for very low-
23	income veteran families; and

1	(ii) reasonably related to program eli-
2	gibility and an applicant's ability to per-
3	form the obligations of the lease; and
4	(B) compliant with subtitle C of title VI of
5	the Housing and Community Development Act
6	of 1992 (42 U.S.C. 13601 et seq.) and any reg-
7	ulations issued under such subtitle.
8	(2) Notification of rejection.—Owners
9	shall promptly notify in writing any rejected appli-
10	cant of the grounds for any rejection.
11	(3) Information regarding housing.—
12	(A) IN GENERAL.—The Secretary shall
13	provide, to the Secretary of Veterans Affairs
14	and the Secretary of Labor, information regard-
15	ing the availability of the housing assisted
16	under this section.
17	(B) Sharing of information with ad-
18	DITIONAL AGENCIES.—Within 30 days of re-
19	ceipt of the information, the Secretary of Vet-
20	erans Affairs and Secretary of Labor shall pro-
21	vide such information to agencies in the area of
22	the housing that receive assistance from the
23	Department of Veterans Affairs and the De-

partment of Labor for providing medical care,

housing, supportive services or employment and
 training services to homeless veterans.

(k) Miscellaneous Provisions.—

- (1) TECHNICAL ASSISTANCE.—The Secretary shall make available appropriate technical assistance to ensure that prospective applicants are able to participate more fully in the program carried out under this section.
- (2) CIVIL RIGHTS COMPLIANCE.—Each owner shall certify, to the satisfaction of the Secretary, that assistance made available under this section will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000a et seq.), the Fair Housing Act (42 U.S.C. 3601 et seq.), and other Federal, State, and local laws prohibiting discrimination and promoting equal opportunity.

(3) Owner Deposit.—

(A) IN GENERAL.—The Secretary shall require an owner of housing, assisted under this section, to deposit an amount not to exceed \$15,000 in a special escrow account to ensure the owner's commitment to the housing. Such amount shall be used only to cover operating deficits during the first three years of oper-

1 ations and shall not be used to cover construc-2 tion shortfalls or inadequate initial project rent-3 al assistance amounts. (B) REDUCTION OF REQUIREMENT.— (i) IN GENERAL.—The Secretary may 6 reduce or waive the owner deposit specified 7 under subparagraph (A) for individual ap-8 plicants if the Secretary finds that such 9 waiver or reduction is necessary to achieve 10 the purposes of this section and the appli-11 cant demonstrates to the satisfaction of 12 the Secretary that it has the capacity to 13 manage and maintain the housing in ac-14 cordance with this section. 15 (ii)Nonprofits.—The Secretary 16 may reduce or waive the requirement of 17 the owner deposit under subparagraph (A) 18 in the case of a nonprofit applicant that is 19 not affiliated with a national sponsor, as 20 determined by the Secretary. 21 (4) Notice of Appeal.— 22 (A) IN GENERAL.—The Secretary shall no-23 tify an owner not less than 30 days prior to 24 canceling any reservation of assistance provided

under this section.

(B) Appeal.—

- (i) FILING DEADLINE.—During the 30-day period following the receipt of any notice required under subparagraph (A), an owner may appeal the proposed cancellation.
- (ii) TIMING OF DECISION.—Any appeal undertaken under clause (i), including review by the Secretary, shall be completed not later than 45 days after the appeal is filed.

(5) Labor.—

(A) IN GENERAL.—The Secretary shall take such action as may be necessary to ensure that all laborers and mechanics employed by contractors and subcontractors in the construction of housing with 12 or more units assisted under this section shall be paid wages at rates not less than the rates prevailing in the locality involved for the corresponding classes of laborers and mechanics employed on construction of a similar character, as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code.

1	(B) Exemption.—Subparagraph (A) shall
2	not apply to any individual who—
3	(i) performs services for which the in-
4	dividual volunteered;
5	(ii) does not receive compensation for
6	such services or is paid expenses, reason-
7	able benefits, or a nominal fee for such
8	services; and
9	(iii) is not otherwise employed at any
10	time in the construction work.
11	(6) Access to residual receipts.—
12	(A) IN GENERAL.—The Secretary shall au-
13	thorize the owner of a housing project assisted
14	under this section to use any residual receipts
15	held for the project in excess of \$500 per unit
16	(or in excess of such other amount prescribed
17	by the Secretary based on the needs of the
18	project) for activities to retrofit and renovate
19	the project as described under section 802(d)(3)
20	of the Cranston-Gonzalez National Affordable
21	Housing Act (42 U.S.C. 8011(d)(3)) or to pro-
22	vide supportive services to residents of the
23	project.
24	(B) Report.—Any owner that uses resid-
25	ual receipts under this paragraph shall submit

to the Secretary a report, not less than annually, describing the uses of the residual receipts.

- (C) DETERMINATION OF AMOUNT.—In determining the amount of project rental assistance to be provided to a project under subsection (c)(3) of this section, the Secretary may take into consideration the residual receipts held for the project only if, and to the extent that, excess residual receipts are not used under this paragraph.
- (7) Occupancy standards and obligations.—Each owner shall operate housing assisted under this section in compliance with subtitle C of title VI of the Housing and Community Development Act of 1992 (42 U.S.C. 13601 et seq.) and any regulations issued under such subtitle.

(8) Use of project reserves.—

- (A) In General.—Amounts for project reserves for a project assisted under this section may be used for costs, subject to reasonable limitations as the Secretary determines appropriate, for reducing the number of dwelling units in the project.
- (B) APPROVAL OF SECRETARY RE-QUIRED.—Any use described in subparagraph

1	(A) of amounts for project reserves for a
2	project assisted under this section shall be sub-
3	ject to the approval of the Secretary to ensure
4	that such use is designed to retrofit units that
5	are currently obsolete or unmarketable.
6	(9) Repayment of assistance and preven-
7	TION OF UNDUE BENEFITS.—
8	(A) Repayment.—If a recipient, or a
9	project sponsor receiving funds from the recipi-
10	ent, receives assistance under subsection (b) for
11	use pursuant to paragraph (2) of such sub-
12	section for the construction, acquisition, or re-
13	habilitation of supportive housing for very low-
14	income veteran families and the project ceases
15	to provide permanent housing, the Secretary
16	shall require the recipient, or such project spon-
17	sor, to repay the following percentage of such
18	assistance:
19	(i) In the case of a project that ceases
20	to be used for such supportive housing be-
21	fore the expiration of the 10-year period
22	beginning upon commencement of the op-
23	eration of the project, 100 percent.
24	(ii) In the case of a project that
25	ceases to be used for such supportive hous-

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ing on or after the expiration of the 10-year period beginning upon commencement of the operation of the project, but before the expiration of the 15-year period beginning upon such commencement, 20 percent of the assistance for each of the years during such 15-year period for which the project fails to provide permanent housing.

(B) Prevention of undue benefits.— Except as provided in paragraph (C), if any property is used for a project that receives assistance under subsection (b) for use pursuant to paragraph (2) of such subsection for the construction, acquisition or rehabilitation of supportive housing for very low-income veteran families, and the sale or other disposition of the property occurs before the expiration of the 15year period beginning upon commencement of the operation of the project, the recipient (or the project sponsor receiving funds from the recipient) shall comply with such terms and conditions as the Secretary may prescribe to prevent the recipient (or such project sponsor) from unduly benefitting from such sale or disposition.

1	(C) Exception.—A recipient, or a project
2	sponsor receiving funds from the recipient, shall
3	not be required to make repayments, and com-
4	ply with the terms and conditions, required
5	under subparagraph (A) or (B) if—
6	(i) the sale or disposition of the prop-
7	erty used for the project results in the use
8	of the property for the direct benefit of
9	very-low income persons;
10	(ii) all of the proceeds of the sale or
11	disposition are used to provide permanent
12	housing for very-low income veteran fami-
13	lies meeting the requirements of this sec-
14	tion;
15	(iii) project-based rental assistance or
16	operating cost assistance from any Federal
17	program or an equivalent State or local
18	program is no longer made available and
19	the project is meeting applicable perform-
20	ance standards, provided that the portion
21	of the project that had benefitted from
22	such assistance continues to meet the ten-
23	ant income and rent restrictions for low-in-
24	come units under section 42(g) of the In-
25	ternal Revenue Code of 1986; or

- 1 (iv) there are no low-income veteran 2 families in the geographic area of the prop-3 erty who meet the program criteria, in 4 which case the project may serve non-vet-5 eran individuals and families having in-6 comes described in subsection (1)(2) of this 7 section.
- 8 (10) Continued Eligibility of Very Low-In-9 COME VETERAN FAMILIES.—A veteran family resid-10 ing in supportive housing assisted under this section 11 may not be considered to lose its status as such a 12 family for purposes of eligibility for continued occu-13 pancy in such housing due to the death of any vet-14 eran member of the family, including the sole vet-15 eran member of the family.
- 16 (l) Definitions.—In this section, the following defi-17 nitions shall apply:
 - (1) Consumer cooperative.—The term "consumer cooperative" has the same meaning given such term for purposes of the supportive housing for the elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q).
 - (2) VERY LOW-INCOME VETERAN FAMILY.—The term "very low-income veteran family" means a veteran family whose income does not exceed 50 per-

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1	cent of the median income for the area, as deter-
2	mined by the Secretary with adjustments for smaller
3	and larger families, except that the Secretary may
4	establish an income ceiling higher or lower than 50
5	percent of the median for the area on the basis of
6	the Secretary's findings that such variations are nec-
7	essary because of prevailing levels of construction
8	costs or fair market rents (as determined under sec-
9	tion 8 of the United States Housing Act of 1937 (42
10	U.S.C. 1437f)), or unusually high or low family in-
11	comes.
12	(3) OWNER.—The term "owner" means a pri-
13	vate nonprofit organization or consumer cooperative
14	that receives assistance under this section to develop
15	and operate supportive housing for very low-income
16	veteran families.
17	(4) PRIVATE NONPROFIT ORGANIZATION.—The
18	term "private nonprofit organization" means—
19	(A) any incorporated private institution or
20	foundation—
21	(i) no part of the net earnings of
22	which inures to the benefit of any member.

founder, contributor, or individual;

1	(ii) which has a governing board that
2	is responsible for the operation of the
3	housing assisted under this section; and
4	(iii) which is approved by the Sec-
5	retary as to financial responsibility;
6	(B) a for-profit limited partnership the
7	sole or managing general partner of which is an
8	organization meeting the requirements under
9	clauses (i), (ii), and (iii) of subparagraph (A) or
10	a corporation meeting the requirements of sub-
11	paragraph (C);
12	(C) a corporation wholly owned and con-
13	trolled by an organization meeting the require-
14	ments under clauses (i), (ii), and (iii) of sub-
15	paragraph (A); and
16	(D) a tribally designated housing entity, as
17	such term is defined in section 4 of the Native
18	American Housing Assistance and Self-Deter-
19	mination Act of 1996 (25 U.S.C. 4103).
20	(5) Secretary.—The term "Secretary" means
21	the Secretary of Housing and Urban Development
22	except where specifically provided otherwise.
23	(6) STATE.—The term "State" includes the
24	several States, the District of Columbia, the Com-

- 1 monwealth of Puerto Rico, and the possessions of 2 the United States.
- 3 (7) Supportive Housing for Very Low-In-COME VETERAN FAMILIES.—The term "supportive 4 5 housing for very low-income veteran families" means 6 housing that is designed to accommodate the provi-7 sion of supportive services that are expected to be 8 needed, either initially or over the useful life of the 9 housing, by the veteran families that the housing is 10 intended to serve.
 - (8) Veteran.—The term "veteran" has the meaning given the term in section 101 of title 38, United States Code.
- 14 (9) VETERAN FAMILY.—The term "veteran 15 family" includes a veteran who is a single person, a 16 family (including families with children) whose head 17 of household (or whose spouse) is a veteran, and one 18 or more veterans living together with 1 or more per-19 sons.
- 20 (m) Allocation of Funds.—Of any amounts made 21 available for assistance under this section:
- 22 (1) Planning grants.—Not more than 2.5 23 percent shall be available for planning grants in ac-24 cordance with subsection (c)(1).

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1	(2) CAPITAL ADVANCES.—Such sums as may be
2	necessary shall be available for capital advances in
3	accordance with subsection (c)(2).
4	(3) Project rental assistance.—Such sums
5	as may be necessary shall be available for project
6	rental assistance in accordance with subsection
7	(e)(3).
8	(4) Technical assistance.—Not more than 1
9	percent shall be available for technical assistance in
10	accordance with subsection $(k)(1)$.
11	(n) Authorization of Appropriations for
12	Housing Assistance.—There is authorized to be appro-
13	priated for assistance under this section \$200,000,000 for
14	fiscal year 2012 and such sums as may be necessary for
15	each fiscal year thereafter.
16	SEC. 4. HOUSING CHOICE VOUCHERS FOR HOMELESS VET-
17	ERANS.
18	Section 8(o)(19) of the United States Housing Act
19	of 1937 (42 U.S.C. 1437f(o)) is amended to read as fol-
20	lows:
21	"(19) Rental vouchers for homeless vet-
22	ERANS.—
23	"(A) Additional vouchers.—In addition
24	to any amount made available for rental assist-
25	ance under this subsection the Secretary shall

1	make available the amount specified in subpara-
2	graph (B), for use only for providing rental as-
3	sistance for homeless veterans in conjunction
4	with the Secretary of Veterans Affairs.
5	"(B) Amount.—The amount specified in
6	this subparagraph is, for each fiscal year, the
7	amount necessary to provide not fewer than
8	20,000 vouchers for rental assistance under this
9	subsection.
10	"(C) Continued eligibility of home-
11	LESS VETERAN FAMILIES.—If any veteran
12	member of a household for which rental assist-
13	ance is being provided under this paragraph, in-
14	cluding the sole veteran member of the house-
15	hold, dies, such household may not be consid-
16	ered, due to such death, to lose its status as the
17	household of a homeless veteran for purposes
18	of—
19	"(i) eligibility for continued assistance
20	under this paragraph; or
21	"(ii) continued occupancy in the
22	dwelling unit in which such family is resid-
23	ing using such assistance at the time of
24	such death.

1	"(D) Funding.—The budget authority
2	made available under any other provisions of
3	law for rental assistance under this subsection
4	for fiscal year 2012 and each fiscal year there-
5	after is authorized to be increased in each such
6	fiscal year by such sums as may be necessary
7	to provide the number of vouchers specified in
8	subparagraph (B) for such fiscal year.".
9	SEC. 5. INCLUSION OF VETERANS IN HOUSING PLANNING.
10	(a) Public Housing Agency Plans.—Section
11	5A(d)(1) of the United States Housing Act of 1937 (42
12	U.S.C. 1437c-1(d)(1)) is amended by striking "and dis-
13	abled families" and inserting ", disabled families, and vet-
14	erans (as such term is defined in section 101 of title 38,
15	United States Code)".
16	(b) Comprehensive Housing Affordability
17	Strategies.—
18	(1) In General.—Section 105 of the Cran-
19	ston-Gonzalez National Affordable Housing Act (42
20	U.S.C. 12705) is amended—
21	(A) in subsection (b)(1), by inserting "vet-
22	erans (as such term is defined in section 101 of
23	title 38, United States Code)," after "acquired
24	immunodeficiency syndrome,";

1	(B) in subsection (b)(20), by striking "and
2	service" and inserting "veterans service, and
3	other service"; and
4	(C) in subsection (e)(1), by inserting "vet-
5	erans (as such term is defined in section 101 of
6	title 38, United States Code)," after "homeless
7	persons,".
8	(2) Consolidated Plans.—The Secretary of
9	Housing and Urban Development shall revise the
10	regulations relating to submission of consolidated
11	plans (part 91 of title 24, Code of Federal Regula-
12	tions) in accordance with the amendments made by
13	paragraph (1) of this subsection to require inclusion
14	of appropriate information relating to veterans and
15	veterans service agencies in all such plans.
16	SEC. 6. EXCLUSION OF VETERANS BENEFITS FROM AS-

17 SISTED HOUSING RENT CONSIDERATIONS.

18 (a) IN GENERAL.—Notwithstanding any other provi-19 sion of law, for purposes of determining the amount of rent paid by a family for occupancy of a dwelling unit as-20 sisted under a federally assisted housing program under 21 subsection (b) or in housing assisted under any other fed-22 erally assisted housing program, the income and the ad-23 24 justed income of the family shall not be considered to in-

1	clude any amounts received by any member of the family
2	from the Secretary of Veterans Affairs as—
3	(1) compensation, as such term is defined in
4	section 101(13) of title 38, United States Code; and
5	(2) dependency and indemnity compensation, as
6	such term is defined in section 101(14) of such title.
7	(b) Federally Assisted Housing Program.—
8	The federally assisted housing programs under this sub-
9	section are—
10	(1) the public housing program under the
11	United States Housing Act of 1937 (42 U.S.C. 1437
12	et seq.);
13	(2) the tenant-based rental assistance program
14	under section 8 of the United States Housing Act of
15	1937 (42 U.S.C. 1437f), including the program
16	under subsection (o)(19) of such section for housing
17	rental vouchers for low-income veteran families;
18	(3) the project-based rental assistance program
19	under section 8 of the United States Housing Act of
20	1937 (42 U.S.C. 1437f);
21	(4) the program for housing opportunities for
22	persons with AIDS under subtitle D of title VIII of
23	the Cranston-Gonzalez National Affordable Housing
24	Act (42 II S.C. 12901 et seg.):

1	(5) the supportive housing for the elderly pro-
2	gram under section 202 of the Housing Act of 1959
3	(12 U.S.C. 1701q);
4	(6) the supportive housing for persons with dis-
5	abilities program under section 811 of the Cranston-
6	Gonzalez National Affordable Housing Act (42
7	U.S.C. 8013);
8	(7) the supportive housing for the homeless pro-
9	gram under subtitle C of title IV of the McKinney-
10	Vento Homeless Assistance Act (42 U.S.C. 11381 et
11	seq.);
12	(8) the program for moderate rehabilitation of
13	single room occupancy dwellings for occupancy by
14	the homeless under section 441 of the McKinney-
15	Vento Homeless Assistance Act (42 U.S.C. 11401);
16	(9) the shelter plus care for the homeless pro-
17	gram under subtitle F of title IV of the McKinney-
18	Vento Homeless Assistance Act (42 U.S.C. 11403 et
19	seq.);
20	(10) the supportive housing for very low-income
21	veteran families program under section 3 of this Act;
22	(11) the rental assistance payments program
23	under section 521(a)(2)(A) of the Housing Act of
24	1949 (42 U.S.C. 1490a(a)(2)(A);

1 (12) the rental assistance program under sec-2 tion 236 of the National Housing Act (12 U.S.C. 3 1715z-1);4 (13) the rural housing programs under section 5 515 and 538 of the Housing Act of 1949 (42 U.S.C. 6 1485, 1490p-2); 7 (14) the HOME investment partnerships pro-8 gram under title II of the Cranston-Gonzalez Na-9 tional Affordable Housing Act (42 U.S.C. 12721 et 10 seq.); 11 (15) the block grant programs for affordable 12 housing for Native Americans and Native Hawaiians 13 under titles I through IV and VIII of the Native 14 American Housing Assistance and Self-Determina-15 tion Act of 1996 (25 U.S.C. 4111 et seq., 4221 et 16 seq.); 17 (16) any other program for housing assistance 18 administered by the Secretary of Housing and 19 Urban Development or the Secretary of Agriculture 20 under which eligibility for occupancy in the housing 21 assisted or for housing assistance is based upon in-22 come; 23 (17) low-income housing credits allocated pur-24 suant to section 42 of the Internal Revenue Code of 25 1986; and

1	(18) tax-exempt bonds issued for qualified resi-
2	dential rental projects pursuant to section 142(d) of
3	the Internal Revenue Code of 1986.
4	SEC. 7. TECHNICAL ASSISTANCE GRANTS FOR HOUSING AS-
5	SISTANCE FOR VETERANS.
6	(a) In General.—The Secretary of Housing and
7	Urban Development shall, to the extent amounts are made
8	available in appropriation Acts for grants under this sec-
9	tion, make grants to eligible entities under subsection (b)
10	to provide to nonprofit organizations technical assistance
11	appropriate to assist such organizations in—
12	(1) sponsoring housing projects for veterans as-
13	sisted under programs administered by the Depart-
14	ment of Housing and Urban Development;
15	(2) fulfilling the planning and application proc-
16	esses and requirements necessary under such pro-
17	grams administered by the Department; and
18	(3) assisting veterans in obtaining housing or
19	homeless assistance under programs administered by
20	the Department.
21	(b) Eligible Entities.—An eligible entity under
22	this subsection is a nonprofit entity or organization having
23	such expertise as the Secretary shall require in providing
24	technical assistance to providers of services for veterans

1	(c) SELECTION OF GRANT RECIPIENTS.—The Sec-
2	retary of Housing and Urban Development shall establish
3	criteria for selecting applicants for grants under this sec
4	tion to receive such grants and shall select applicants
5	based upon such criteria.
6	(d) Funding.—Of any amounts made available in
7	fiscal year 2012 or any fiscal year thereafter to the De-
8	partment of Housing and Urban Development for salaries
9	and expenses, \$1,000,000 shall be available, and shall re-
10	main available until expended, for grants under this sec-
11	tion.
12	SEC. 8. ANNUAL REPORT ON HOUSING ASSISTANCE TO VET
13	ERANS.
13 14	ERANS. (a) IN GENERAL.—Not later than December 31 each
14	(a) In General.—Not later than December 31 each
14 15	(a) In General.—Not later than December 31 each year, the Secretary of Housing and Urban Development
141516	(a) In General.—Not later than December 31 each year, the Secretary of Housing and Urban Development shall submit a report on the activities of the Department of Housing and Urban Development relating to veterans
14151617	(a) In General.—Not later than December 31 each year, the Secretary of Housing and Urban Development shall submit a report on the activities of the Department of Housing and Urban Development relating to veterans
14 15 16 17 18	(a) In General.—Not later than December 31 each year, the Secretary of Housing and Urban Development shall submit a report on the activities of the Department of Housing and Urban Development relating to veterans during such year to the following:
14 15 16 17 18 19	(a) In General.—Not later than December 31 each year, the Secretary of Housing and Urban Development shall submit a report on the activities of the Department of Housing and Urban Development relating to veterans during such year to the following: (1) The Committee on Banking, Housing, and
14 15 16 17 18 19 20	 (a) IN GENERAL.—Not later than December 31 each year, the Secretary of Housing and Urban Development shall submit a report on the activities of the Department of Housing and Urban Development relating to veterans during such year to the following: (1) The Committee on Banking, Housing, and Urban Affairs of the Senate.
14 15 16 17 18 19 20 21	 (a) In General.—Not later than December 31 each year, the Secretary of Housing and Urban Development shall submit a report on the activities of the Department of Housing and Urban Development relating to veterans during such year to the following: (1) The Committee on Banking, Housing, and Urban Affairs of the Senate. (2) The Committee on Veterans' Affairs of the

1 (4) The Committee on Financial Services of the 2 House of Representatives. (5) The Committee on Veterans' Affairs of the 3 4 House of Representatives. (6) The Committee on Appropriations of the 6 House of Representatives. 7 (7) The Secretary of Veterans Affairs. 8 (b) Contents.—Each report required under subsection (a) shall include the following information with re-10 spect to the year for which the report is submitted: 11 (1) The number of very low-income veteran 12 families provided assistance under the program of 13 supportive housing for very low-income veteran fami-14 lies under section 3, the socioeconomic characteris-15 tics of such families, the types of assistance provided 16 such families, and the number, types, and locations 17 of owners of housing assisted under such section. 18 (2) The number of homeless veterans provided 19 assistance under the program of housing choice 20 vouchers for homeless veterans under section 21 8(o)(19) of the United States Housing Act of 1937 22 (42 U.S.C. 1437f(o)(19)) (as amended by section 4), 23 the socioeconomic characteristics of such homeless

veterans, and the number, types, and locations of en-

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- tities contracted under such section to administer the youchers.
- (3) A summary description of the special con-siderations made for veterans under public housing agency plans submitted pursuant to section 5A of the United States Housing Act of 1937 (42 U.S.C. 1437c-1) and under comprehensive housing afford-ability strategies submitted pursuant to section 105 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705).
 - (4) A description of the technical assistance provided to organizations pursuant to grants under section 7.
 - (5) A description of the activities of the Special Assistant for Veterans Affairs.
 - (6) A description of the efforts of the Department of Housing and Urban Development to coordinate the delivery of housing and services to veterans with other Federal departments and agencies, including the Department of Defense, Department of Justice, Department of Labor, Department of Health and Human Services, Department of Veterans Affairs, Interagency Council on Homelessness, and the Social Security Administration.

1	(7) The cost to the Department of Housing and
2	Urban Development of administering the programs
3	and activities relating to veterans.
4	(8) Any other information that the Secretary
5	considers relevant in assessing the programs and ac-
6	tivities of the Department of Housing and Urban
7	Development relating to veterans.
8	(c) Assessment of Housing Needs of Very Low-
9	INCOME VETERAN FAMILIES.—
10	(1) In general.—For the first report sub-
11	mitted pursuant to subsection (a) and every fifth re-
12	port thereafter, the Secretary of Housing and Urban
13	Development shall—
14	(A) conduct an assessment of the housing
15	needs of very low-income veteran families (as
16	such term is defined in section 3); and
17	(B) shall include in each such report find-
18	ings regarding such assessment.
19	(2) Content.—Each assessment under this
20	subsection shall include—
21	(A) conducting a survey of, and direct
22	interviews with, a representative sample of very
23	low-income veteran families (as such term is de-
24	fined in section 3) to determine past and cur-
25	rent—

1	(i) socioeconomic characteristics of
2	such veteran families;
3	(ii) barriers to such veteran families
4	obtaining safe, quality, and affordable
5	housing;
6	(iii) levels of homelessness among
7	such veteran families; and
8	(iv) levels and circumstances of, and
9	barriers to, receipt by such veteran families
10	of rental housing and homeownership as-
11	sistance; and
12	(B) such other information that the Sec-
13	retary determines, in consultation with the Sec-
14	retary of Veterans Affairs and national non-
15	governmental organizations concerned with vet-
16	erans, homelessness, and very low-income hous-
17	ing, may be useful to the assessment.
18	(3) CONDUCT.—If the Secretary contracts with
19	an entity other than the Department of Housing and
20	Urban Development to conduct the assessment
21	under this subsection, such entity shall be a non-
22	governmental organization determined by the Sec-
23	retary to have appropriate expertise in quantitative
24	and qualitative social science research.

(4) Funding.—Of any amounts made available pursuant to section 501 of the Housing and Urban Development Act of 1970 (42 U.S.C. 1701z–1) for programs of research, studies, testing, or demonstration relating to the mission or programs of the Department of Housing and Urban Development for any fiscal year in which an assessment under this subsection is required pursuant to paragraph (1) of this subsection, \$1,000,000 shall be available until expended for costs of the assessment under this subsection.

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