

105TH CONGRESS  
1ST SESSION

# H. R. 217

To amend title IV of the Stewart B. McKinney Homeless Assistance Act to consolidate the Federal programs for housing assistance for the homeless into a block grant program that ensures that States and communities are provided sufficient flexibility to use assistance amounts effectively.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 1997

Mr. LAZIO of New York introduced the following bill; which was referred to the Committee on Banking and Financial Services

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## A BILL

To amend title IV of the Stewart B. McKinney Homeless Assistance Act to consolidate the Federal programs for housing assistance for the homeless into a block grant program that ensures that States and communities are provided sufficient flexibility to use assistance amounts effectively.

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 “Homeless Housing  
5 Programs Consolidation and Flexibility Act”.

1 **SEC. 2. FINDINGS AND PURPOSE.**

2 (a) FINDINGS.—The Congress finds that—

3 (1) the United States faces a crisis of individ-  
4 uals and families who lack basic affordable housing  
5 and appropriate shelter;

6 (2) assistance from the Federal Government is  
7 an important factor in the success of efforts by  
8 State and local governments and the private sector  
9 to address the problem of homelessness in a com-  
10 prehensive manner;

11 (3) there are a multitude of Federal Govern-  
12 ment programs to assist the homeless, including pro-  
13 grams for elderly persons, persons with disabilities,  
14 Native Americans, and veterans;

15 (4) many of the Federal programs for the  
16 homeless have overlapping objectives, resulting in  
17 multiple sources of Federal funding for the same or  
18 similar purposes;

19 (5) while the results of Federal programs to as-  
20 sist the homeless generally have been positive, it is  
21 clear that there is a need for consolidation and sim-  
22 plification of such programs to better support local  
23 efforts;

24 (6) effective homelessness treatment should pro-  
25 vide a range of housing options (including transi-  
26 tional and permanent housing) and, while not all

1 homeless individuals and families attain self-suffi-  
2 ciency and independence by utilizing transitional  
3 housing and then permanent housing, in many cases  
4 such individuals and families are best able to reenter  
5 society directly through permanent supportive hous-  
6 ing;

7 (7) supportive housing activities support home-  
8 less persons in an environment that can meet their  
9 short-term or long-term needs and prepare them to  
10 reenter society as appropriate;

11 (8) homelessness should be treated as part of a  
12 symptom of many neighborhood and community  
13 problems, whose remedies require a holistic approach  
14 integrating all available resources;

15 (9) there are many private sector entities, par-  
16 ticularly nonprofit organizations, that have success-  
17 fully operated homeless programs;

18 (10) government restrictions and regulations  
19 may discourage and impede innovative approaches to  
20 homelessness, such as coordination of the various  
21 types of assistance that are required by homeless  
22 persons; and

23 (11) the Federal Government has a responsibil-  
24 ity to establish partnerships with State and local

1 governments and the private sector to address com-  
2 prehensively the problems of homelessness.

3 (b) PURPOSE.—It is the purpose of this Act—

4 (1) to consolidate the existing housing pro-  
5 grams for homeless persons under title IV of the  
6 Stewart B. McKinney Homeless Assistance Act into  
7 a single block grant program for housing assistance  
8 for the homeless;

9 (2) to allow flexibility and creativity in rethink-  
10 ing solutions to homelessness, including alternative  
11 housing strategies and a competitive and much im-  
12 proved service sector; and

13 (3) to provide Federal assistance to reduce  
14 homelessness on a basis that requires recipients of  
15 such assistance to supplement the federally provided  
16 amounts and thereby guarantee the provision of a  
17 certain level of housing and complimentary services  
18 necessary to meet the needs of the homeless popu-  
19 lation.

20 **SEC. 3. GENERAL PROVISIONS.**

21 Title I of the Stewart B. McKinney Homeless Assist-  
22 ance Act (42 U.S.C. 11301 et seq.) is amended—

23 (1) by striking section 102;

24 (2) in section 103—

1 (A) in subsection (a), by striking “the  
2 term ‘homeless’ or ‘homeless individual or  
3 homeless person’ includes” and inserting “the  
4 terms ‘homeless’, ‘homeless individual’ and  
5 ‘homeless person’ include”; and

6 (B) in subsection (c), by striking “the term  
7 ‘homeless’ or ‘homeless individual’ does not in-  
8 clude” and inserting “the terms ‘homeless’,  
9 ‘homeless individual’ and ‘homeless person’ do  
10 not include”; and

11 (3) by redesignating sections 103, 104, and 105  
12 as sections 102, 103, and 104, respectively.

13 **SEC. 4. PERMANENT HOUSING DEVELOPMENT AND FLEXI-**  
14 **BLE BLOCK GRANT HOMELESS ASSISTANCE**  
15 **PROGRAM.**

16 (a) IN GENERAL.—Title IV of the Stewart B. McKin-  
17 ney Homeless Assistance Act (42 U.S.C. 11361 et seq.)  
18 is amended to read as follows:

1 **“TITLE IV—PERMANENT HOUS-**  
2 **ING DEVELOPMENT AND**  
3 **FLEXIBLE BLOCK GRANT**  
4 **HOMELESS ASSISTANCE PRO-**  
5 **GRAM**

6 **“Subtitle A—General Provisions**

7 **“SEC. 401. PURPOSE.**

8 “The purpose of the program under this title is to  
9 provide assistance for permanent housing development for  
10 homeless persons and promote the development of various  
11 housing assistance activities for homeless persons to en-  
12 able homeless persons to live as independently as possible,  
13 including assistance in the form of permanent housing de-  
14 velopment, supportive housing, emergency shelters, sup-  
15 portive services, and activities to prevent homelessness.

16 **“SEC. 402. GRANT AUTHORITY.**

17 “(a) IN GENERAL.—The Secretary may make grants  
18 as provided under this title to eligible grantees for States,  
19 metropolitan cities, urban counties, and insular areas for  
20 carrying out eligible activities under subtitles B and C.

21 “(b) GRANT AMOUNTS.—Except as otherwise pro-  
22 vided under this title, amounts for a fiscal year allocated  
23 under section 406 shall be used as follows:

1           “(1) INSULAR AREAS.—Any amounts for the  
2           fiscal year allocated under section 406(a) for an in-  
3           sular area shall be used for a grant to the eligible  
4           grantee for the insular area for such fiscal year.

5           “(2) PERMANENT HOUSING DEVELOPMENT.—  
6           Any amounts allocated under section 406(b) for a  
7           State or for a metropolitan city or urban county  
8           shall be used for a grant under section 406(b) to the  
9           State or to the metropolitan city or urban county for  
10          such fiscal year.

11          “(3) FLEXIBLE BLOCK GRANT HOMELESS AS-  
12          SISTANCE.—Any amounts allocated under section  
13          406(c) for a State or for a metropolitan city or  
14          urban county shall be used for a grant under section  
15          406(c) to the eligible grantee for the State, or for  
16          the metropolitan city or urban county, respectively,  
17          for the fiscal year.

18          “(c) USE FOR ELIGIBLE ACTIVITIES.—Grant  
19          amounts provided under this title and any supplemental  
20          funds provided under section 407 may be used only as fol-  
21          lows:

22                 “(1) INSULAR AREA GRANTS.—In the case of a  
23                 grant under subsection (b)(1) for an insular area,  
24                 for eligible activities under subtitle C benefiting the  
25                 insular area.

1           “(2) PERMANENT HOUSING DEVELOPMENT  
2 GRANTS.—In the case of a grant under subsection  
3 (b)(2) to a State or to a metropolitan city or urban  
4 county for eligible activities under subtitle B within  
5 the State, metropolitan city, or urban county, re-  
6 spectively.

7           “(3) FLEXIBLE BLOCK GRANT HOMELESS AS-  
8 SISTANCE.—In the case of a grant under subsection  
9 (b)(3) for a State, or for a metropolitan city or  
10 urban county, for eligible activities under subtitle C  
11 benefiting the State, or the city or county, and car-  
12 ried out only within nonentitlement areas of the  
13 State or within the city or county, as applicable.

14 **“SEC. 403. ELIGIBLE GRANTEEES.**

15           “For purposes of this title, the term ‘eligible grantee’  
16 has the following meaning:

17           “(1) GRANTS FOR INSULAR AREAS.—In the  
18 case of a grant from amounts allocated under sec-  
19 tion 406(a) for an insular area, such term means—

20                   “(A) the insular area, or an agency, office,  
21 or other entity of the area; or

22                   “(B) to the extent that an entity that is a  
23 private nonprofit organization is authorized by  
24 the government of the insular area to act as the

1 grantee for the area for purposes of this title,  
2 such private nonprofit entity.

3 “(2) GRANTS FOR PERMANENT HOUSING DE-  
4 VELOPMENT AND FLEXIBLE ASSISTANCE.—In the  
5 case of a grant from amounts allocated under sec-  
6 tion 406(b) or section 406(c) for a State, or for a  
7 metropolitan city or urban county, such term  
8 means—

9 “(A) the State, or the metropolitan city or  
10 urban county, respectively, or an agency, office,  
11 or other entity of the State, or the city or coun-  
12 ty respectively; or

13 “(B) to the extent that a private nonprofit  
14 organization is authorized by the government of  
15 the State, or the city or county, to act as the  
16 grantee for the State, or the city or county, re-  
17 spectively, for purposes of this title, such pri-  
18 vate nonprofit organization.

19 **“SEC. 404. USE OF PROJECT SPONSORS.**

20 “(a) TRANSFER OF GRANT AMOUNTS BY GRANT-  
21 EES.—Eligible activities assisted with grant amounts pro-  
22 vided under this title may be carried out directly by the  
23 grantee or by other entities serving as project sponsors,  
24 which are provided such grant amounts by the grantee or  
25 a subgrantee of the grantee.

1       “(b) COMPETITIVE SELECTION CRITERIA.—To the  
2 extent that a grantee does not use grant amounts for eligi-  
3 ble activities carried out directly by the grantee, the grant-  
4 ee shall select eligible activities for assistance and project  
5 sponsors to carry out such eligible activities pursuant to  
6 a competition based on criteria established by the Sec-  
7 retary, which shall include—

8               “(1) whether the project sponsor that will carry  
9 out the activity is financially responsible;

10              “(2) the ability of the project sponsor to carry  
11 out the eligible activity;

12              “(3) the need for the type of eligible activity in  
13 the area to be served;

14              “(4) the extent to which the amount of assist-  
15 ance to be provided with grant amounts will be sup-  
16 plemented with resources from other public and pri-  
17 vate sources;

18              “(5) the cost-effectiveness of the proposed eligi-  
19 ble activity;

20              “(6) the extent to which the project sponsor  
21 carrying out the eligible activity will coordinate with  
22 Federal, State, local, private and entities serving  
23 homeless persons in the planning and operation of  
24 the activity, to the extent practicable, and pursuant

1 to section 408(j)(3) will carry out the activity in co-  
2 ordination and conjunction with federally funded ac-  
3 tivities for the homeless; and

4 “(7) such other factors as the Secretary deter-  
5 mines to be appropriate to carry out this title in an  
6 effective and efficient manner.

7 **“SEC. 405. COMPREHENSIVE HOUSING AFFORDABILITY**  
8 **STRATEGY COMPLIANCE.**

9 “A grant under this title may be provided to an eligi-  
10 ble grantee only if—

11 “(1) the applicable jurisdiction for which the  
12 grant amounts are allocated under section 406 has  
13 submitted to the Secretary a comprehensive housing  
14 affordability strategy under section 105 of the Cran-  
15 ston-Gonzalez National Affordable Housing Act that  
16 has been approved by the Secretary and is in effect  
17 for the fiscal year for which such grant amounts are  
18 to be provided; and

19 “(2) the public official of such applicable juris-  
20 diction who is responsible for submitting the com-  
21 prehensive housing affordability strategy certifies to  
22 the Secretary that the eligible activities to be as-  
23 sisted with such grant amounts are or will be con-  
24 sistent with the comprehensive housing affordability  
25 strategy for the jurisdiction and the plans in such

1 strategy for addressing housing needs for homeless  
2 families.

3 **“SEC. 406. ALLOCATION AND AVAILABILITY OF AMOUNTS.**

4 “(a) ALLOCATION FOR INSULAR AREAS.—Of the  
5 amount made available for grants under this title for a  
6 fiscal year, the Secretary shall reserve for grants for each  
7 of the insular areas amounts in accordance with an alloca-  
8 tion formula established by the Secretary.

9 “(b) ALLOCATION FOR PERMANENT HOUSING DE-  
10 VELOPMENT GRANTS UNDER SUBTITLE B.—

11 “(1) ANNUAL PORTION OF APPROPRIATED  
12 AMOUNT AVAILABLE.—Of the amount made avail-  
13 able for grants under this title for a fiscal year that  
14 remains after amounts are reserved under subsection  
15 (a), the Secretary shall allocate for use under sub-  
16 title B—

17 “(A) for the first fiscal year after the date  
18 of the enactment of this Act, 20 percent of such  
19 funds;

20 “(B) for the second fiscal year after the  
21 date of the enactment of this Act, 24 percent  
22 of such funds;

23 “(C) for the third fiscal year after the date  
24 of the enactment of this Act, 28 percent of such  
25 funds; and

1           “(D) for the fourth fiscal year after the  
2           date of the enactment of this Act and each fis-  
3           cal year thereafter, 30 percent of such funds.

4           “(2) DETERMINATION OF ALLOCATED  
5           AMOUNT.—The Secretary shall allocate amounts  
6           available for use under subtitle B for a fiscal year  
7           pursuant to a national competition based on the cri-  
8           teria specified in section 404(b) and in accordance  
9           with such other factors as the Secretary determines  
10          to be appropriate to carry out this title in an effec-  
11          tive and efficient manner.

12          “(c) ALLOCATION FOR FLEXIBLE BLOCK GRANT  
13          HOMELESS ASSISTANCE UNDER SUBTITLE C.—

14                 “(1) ANNUAL PORTION OF APPROPRIATED  
15                 AMOUNT AVAILABLE FOR SUBTITLE C ACTIVITIES.—  
16                 Of the amount made available for grants under this  
17                 title for a fiscal year that remains after amounts are  
18                 reserved under subsection (a), the Secretary shall al-  
19                 locate for use under subtitle C—

20                         “(A) for the first fiscal year after the date  
21                         of the enactment of this Act, 80 percent of such  
22                         funds, no more than 30 percent of which may  
23                         be used for supportive services;

24                         “(B) for the second fiscal year after the  
25                         date of the enactment of this Act, 76 percent

1 of such funds, no more than 25 percent of  
2 which may be used for supportive services;

3 “(C) for the third fiscal year after the date  
4 of the enactment of this Act, 72 percent of such  
5 funds, no more than 20 percent of which may  
6 be used for supportive services; and

7 “(D) for the fourth fiscal year after the  
8 date of the enactment of this Act and each fis-  
9 cal year thereafter, 70 percent of such funds,  
10 no more than 15 percent of which may be used  
11 for supportive services.

12 “(2) ALLOCATION OF AMOUNT AVAILABLE BE-  
13 TWEEN METROPOLITAN CITIES AND URBAN COUN-  
14 TIES AND STATES.—Of the amount allocated pursu-  
15 ant to paragraph (1) for use under subtitle C for a  
16 fiscal year, 70 percent shall be allocated for metro-  
17 politan cities and urban counties and 30 percent  
18 shall be allocated for States.

19 “(3) DETERMINATION OF ALLOCATED  
20 AMOUNT.—Except as provided in subsection (e), the  
21 Secretary shall allocate amounts available for use  
22 under subtitle C for a fiscal year so that—

1           “(A) for each metropolitan city and urban  
2 county, the percentage of the total amount allo-  
3 cated under this subsection for cities and coun-  
4 ties that is allocated for such city or county is  
5 equal to the percentage of the total amount  
6 available for the preceding fiscal year under  
7 section 106(b) of the Housing and Community  
8 Development Act of 1974 for grants to metro-  
9 politan cities and urban counties that was allo-  
10 cated for such city or county; and

11           “(B) for each State, the percentage of the  
12 total amount allocated under this subsection for  
13 States that is allocated for such State is equal  
14 to the percentage of the total amount available  
15 for the preceding fiscal year under section  
16 106(d) of the Housing and Community Devel-  
17 opment Act of 1974 for grants to States that  
18 was allocated for such State.

19           “(d) REALLOCATION OF AMOUNTS.—Except as pro-  
20 vided in subsection (e), the Secretary shall reallocate  
21 amounts allocated under subsection (a), (b), or (c) as fol-  
22 lows:

23           “(1) UNUSED AMOUNTS.—Not less than once  
24 during each fiscal year, the Secretary shall reallocate  
25 any amounts allocated under this section that—

1           “(A) are allocated for a State, metropoli-  
2           tan city or urban county, or insular area, but  
3           not provided to an eligible grantee for the juris-  
4           diction because of failure to apply for a grant  
5           under this title or failure to comply with the  
6           requirements of this title;

7           “(B) were provided to a grantee and (i) re-  
8           captured under this title, or (ii) not utilized by  
9           the grantee in accordance with the purposes  
10          and objectives of the approved application of  
11          the grantee within a reasonable time period,  
12          which the Secretary shall establish; or

13          “(C) are returned to the Secretary by the  
14          time of such reallocation.

15          “(2) FAILURE TO COMPLY WITH COMPREHEN-  
16          SIVE HOUSING AFFORDABILITY STRATEGY REQUIRE-  
17          MENT.—Notwithstanding paragraph (1), if, for any  
18          fiscal year, a metropolitan city or urban county fails  
19          to comply with the requirement under section 405(1)  
20          during the 90-day period beginning on the date that  
21          amounts for grants under this title for such fiscal  
22          year first become available for allocation, the  
23          amounts that would have been allocated under sub-  
24          section (c) of this section for such city or county  
25          shall be reallocated for the State in which the unit

1 is located, but only if the State has complied with  
2 the requirement under section 405(1). Any amounts  
3 that cannot be allocated for a State under the pre-  
4 ceding sentence shall be reallocated for other metro-  
5 politan cities and urban counties and States that  
6 comply with such requirement and demonstrate ex-  
7 traordinary need or large numbers of homeless per-  
8 sons, as determined by the Secretary.

9 “(e) MINIMUM ALLOCATION REQUIREMENT.—If, by  
10 December 1 of any fiscal year, the amount appropriated  
11 for grants under this title for such fiscal year is less than  
12 \$750,000,000—

13 “(1) the Secretary shall not allocate amounts  
14 for such fiscal year under subsections (b) and (c);

15 “(2) subsection (d) shall not apply to amounts  
16 for such fiscal year; and

17 “(3) notwithstanding any other provision of this  
18 title, the Secretary shall make grants under this title  
19 from such amounts to States, units of general local  
20 government, and private nonprofit organizations,  
21 pursuant to a national competition based on the cri-  
22 teria specified in section 404(b).

23 “(f) USE OF REALLOCATED FUNDS.—Any amounts  
24 allocated under subsection (b) that become available for  
25 reallocation under subsection (d) shall be reallocated only

1 among other States for use under subtitle B. Any amounts  
2 allocated under subsection (c) that become available for  
3 reallocation under subsection (d) shall be reallocated only  
4 for use under subtitle C.

5 **“SEC. 407. MATCHING FUNDS REQUIREMENT.**

6 “(a) SUPPLEMENTATION BY GRANTEE.—

7 “(1) REQUIREMENT.—Each State, metropolitan  
8 city or urban county, and insular area for which a  
9 grant under this title is made shall supplement the  
10 amount of the grant provided under this title with  
11 an amount of funds from sources other than this  
12 title, as provided under paragraph (2).

13 “(2) AMOUNT.—(A) If the grant exceeds  
14 \$100,000, the amount provided under this para-  
15 graph shall be an amount that is not less than 50  
16 percent of the amount of the grant under this title.

17 “(B) If the grant does not exceed \$100,000, the  
18 amount provided under this paragraph shall be \$0.

19 “(b) AUTHORITY FOR GRANTEES TO REQUIRE  
20 SUPPLEMENTATION.—Each grantee under this title may  
21 require any subgrantee or project sponsor to whom it pro-  
22 vides such grant amounts to supplement the amount of  
23 such grant amounts provided with an amount of funds  
24 from sources other than this title, except that the grantee  
25 may not require supplementation in an amount exceeding

1 25 percent of the amount of grant amounts provided to  
2 the subgrantee or project sponsor. Supplemental amounts  
3 provided by a subgrantee or project sponsor pursuant to  
4 this subsection shall not be considered supplemental  
5 amounts for purposes of any grantee complying with the  
6 requirement under subsection (a).

7 “(c) USE.—Any supplemental funds made available  
8 in compliance with this section shall be available only to  
9 carry out eligible activities (1) under subtitle B, if the  
10 grant amounts are available only for such activities, or (2)  
11 under subtitle C, if the grant amounts are available only  
12 for such activities.

13 “(d) SUPPLEMENTAL FUNDS.—In determining the  
14 amount of supplemental funds provided in accordance with  
15 this section, the following amounts may be included:

16 “(1) The value of any donated material or  
17 building.

18 “(2) The value of any lease on a building.

19 “(3) The proceeds from bond financing validly  
20 issued by a State or unit of general local govern-  
21 ment, agency, or instrumentality thereof, and repay-  
22 able with revenues derived from the activity assisted  
23 under this title, except that not more than 25 per-  
24 cent of the supplemental amounts required under  
25 this section may result from this paragraph.

1           “(4) The amount of any salary paid to staff to  
2 carry out a program for eligible activities under sub-  
3 title B or C.

4           “(5) The cost or value of any donated goods or  
5 services (including supportive service provided, but  
6 not including the value of any time or services con-  
7 tributed by volunteers).

8 **“SEC. 408. PROGRAM REQUIREMENTS.**

9           “(a) APPLICATIONS.—

10           “(1) FORM AND PROCEDURE.—The Secretary  
11 may make a grant under this title only pursuant to  
12 an application for a grant submitted by an eligible  
13 grantee in the form and in accordance with the pro-  
14 cedures established by the Secretary. The Secretary  
15 may not give preference or priority to any applica-  
16 tion on the basis that the application was submitted  
17 by any particular type of eligible grantee.

18           “(2) CONTENTS.—The Secretary shall require  
19 that applications contain at a minimum the following  
20 information:

21           “(A) GRANTS FOR PERMANENT HOUSING  
22 DEVELOPMENT ACTIVITIES.—In the case of an  
23 application for a grant available for use for ac-  
24 tivities under subtitle B or an application for a

1 grant available for use under subtitle (C) for  
2 permanent housing development assistance—

3 “(i) a description of the permanent  
4 housing development activities under sub-  
5 title B to be assisted;

6 “(ii) a description of the entities that  
7 will carry out such activities and the pro-  
8 grams for carrying out such activities; and

9 “(iii) assurances satisfactory to the  
10 Secretary that the facility will comply with  
11 the requirement under subsection (k).

12 “(B) FLEXIBLE BLOCK GRANT HOMELESS  
13 ASSISTANCE.—In the case of an application for  
14 a grant available for use for activities under  
15 subtitle C—

16 “(i) a description of the eligible activi-  
17 ties to be assisted, to the extent available  
18 at the time;

19 “(ii) in the case of a grant for a facil-  
20 ity assisted under paragraph (1) or (2) of  
21 section 421(a), assurances satisfactory to  
22 the Secretary that the facility will comply  
23 with the requirement under subsection (k);

24 “(iii) in the case of a grant for a sup-  
25 portive housing facility assisted under this

1 title that does not receive assistance under  
2 paragraph (1) or (2) of section 421(a), an-  
3 nual assurances during the period specified  
4 in the application that the facility will be  
5 operated for the purpose specified in the  
6 application for such period; and

7 “(iv) in the case of a grant for a sup-  
8 portive housing facility, reasonable assur-  
9 ances that the project sponsor will own or  
10 have control of a site not later than the ex-  
11 piration of the 12-month period beginning  
12 upon notification of an award of grant as-  
13 sistance, unless the application proposes  
14 providing supportive housing assisted  
15 under section 421(a)(3) or housing that  
16 will eventually be owned or controlled by  
17 the families and individuals served; except  
18 that a project sponsor may obtain owner-  
19 ship or control of a suitable site different  
20 from the site specified in the application.

21 “(C) ALL GRANTS.—In the case of an ap-  
22 plication for any grant under this title—

23 “(i) a description of the size and char-  
24 acteristics of the population that will be

1 served by the eligible activities assisted  
2 with grant amounts;

3 “(ii) a description of the public and  
4 private resources that are expected to be  
5 made available in connection with grant  
6 amounts provided;

7 “(iii) a description of the process to  
8 be used in compliance with section 404(b)  
9 to select eligible activities to be assisted  
10 and project sponsors; and

11 “(iv) a certification that the applicant  
12 will comply with the requirements of the  
13 Fair Housing Act, title VI of the Civil  
14 Rights Act of 1964, section 504 of the Re-  
15 habilitation Act of 1973, and the Age Dis-  
16 crimination Act of 1975, and will affirma-  
17 tively further fair housing.

18 “(b) REQUIRED AGREEMENTS.—The Secretary may  
19 not provide a grant under this title for any applicant un-  
20 less the applicant agrees—

21 “(1) to ensure that the eligible activities carried  
22 out with grant amounts will be carried out in ac-  
23 cordance with the provisions of this title;

1           “(2) to conduct an ongoing assessment of the  
2           supportive services required by homeless persons as-  
3           sisted by the eligible activities and the availability of  
4           such services to such persons;

5           “(3) in the case of grant amounts to be used  
6           under subtitle C for a supportive housing facility or  
7           an emergency shelter, to ensure the provision of  
8           such residential supervision as the Secretary deter-  
9           mines is necessary to facilitate the adequate provi-  
10          sion of supportive services to the residents and users  
11          of the facility or shelter;

12          “(4) to monitor and report under section 431 to  
13          the Secretary on the progress of the eligible activi-  
14          ties carried out with grant amounts;

15          “(5) to develop and implement procedures to  
16          ensure (A) the confidentiality of records pertaining  
17          to any individual provided family violence prevention  
18          or treatment services through any activities assisted  
19          with grant amounts, and (B) that the address or lo-  
20          cation of any family violence shelter facility assisted  
21          with grant amounts will not be made public, except  
22          with written authorization of the person or persons  
23          responsible for the operation of such facility;

1           “(6) to the maximum extent practicable, to in-  
2           volve homeless persons and families, through em-  
3           ployment, volunteer services, or otherwise, in carry-  
4           ing out eligible activities assisted with grant  
5           amounts; and

6           “(7) to comply with such other terms and con-  
7           ditions as the Secretary may establish to carry out  
8           this title in an effective and efficient manner.

9           “(c) OCCUPANCY CHARGE.—Any homeless person or  
10          family residing in a dwelling unit assisted under this title  
11          may be required to pay an occupancy charge in an amount  
12          determined by the grantee providing the assistance, which  
13          may not exceed an amount equal to 30 percent of the ad-  
14          justed income (as such term is defined in section 3(b) of  
15          the United States Housing Act of 1937 or any other sub-  
16          sequent provision of Federal law defining such term for  
17          purposes of eligibility for, or rental charges in, public  
18          housing) of the person or family. Occupancy charges paid  
19          may be reserved, in whole or in part, to assist residents  
20          in moving to permanent housing.

21          “(d) FLOOD PROTECTION STANDARDS.—Flood pro-  
22          tection standards applicable to housing acquired, rehabili-  
23          tated, constructed, or assisted with grant amounts pro-  
24          vided under this title shall be no more restrictive than the  
25          standards applicable under Executive Order No. 11988

1 (42 U.S.C. 4321 note; relating to floodplain management)  
2 to the other programs in effect under this title imme-  
3 diately before the enactment of the Homeless Housing  
4 Programs Consolidation and Flexibility Act.

5       “(e) PARTICIPATION OF HOMELESS INDIVIDUALS.—  
6 The Secretary shall, by regulation, require each grantee  
7 to ensure that each project sponsor assisted by the grantee  
8 provides for the participation of not less than 1 homeless  
9 person or former homeless person on the board of direc-  
10 tors or other equivalent policymaking entity of the project  
11 sponsor, to the extent that such sponsor considers and  
12 makes policies and decisions regarding any activity or fa-  
13 cility, supportive services, or assistance provided with  
14 grant amounts under this title. The Secretary shall pro-  
15 vide that a grantee may grant waivers to project sponsors  
16 unable to meet the requirement under the preceding sen-  
17 tence if the sponsor agrees to otherwise consult with home-  
18 less or formerly homeless persons in considering and mak-  
19 ing such policies and decisions.

20       “(f) LIMITATION ON USE OF FUNDS.—No grant  
21 amounts received under this title (or any funds provided  
22 under section 407 or otherwise to supplement such grants)  
23 may be used to replace other State or local funds pre-  
24 viously used, or designated for use, to assist homeless per-  
25 sons.

1           “(g) LIMITATION ON ADMINISTRATIVE EXPENSES.—  
2 Notwithstanding any other provision of this title, of any  
3 grant amounts under this title used to carry out eligible  
4 activities, the grantee or the project sponsor may use for  
5 administrative purposes—

6           “(1) an amount not exceeding 5 percent of such  
7 grant amount; or

8           “(2) if the grantee implements use of a stand-  
9 ardized homeless database management system to  
10 record and assess data on the usage of homeless  
11 housing, services, and client needs, an amount not  
12 exceeding 7.5 percent of such grant amount.

13           “(h) HOUSING QUALITY.—

14           “(1) REQUIREMENT.—Assistance may not be  
15 provided with grant amounts made available for use  
16 under this title for any permanent housing develop-  
17 ment, dwelling unit, supportive housing facility, or  
18 emergency shelter that fails to comply with the hous-  
19 ing quality standards applicable under paragraph (2)  
20 in the jurisdiction in which the housing is located,  
21 unless the deficiency is promptly corrected and the  
22 project sponsor verifies the correction.

23           “(2) APPLICABLE STANDARDS.—The housing  
24 quality standards applicable under this subsection to

1 permanent housing, a dwelling unit, supportive hous-  
2 ing facility, or emergency shelter shall be—

3 “(A) in the case of permanent housing, a  
4 unit, facility, or shelter located in a jurisdiction  
5 which has in effect laws, regulations, standards,  
6 or codes regarding habitability of such housing,  
7 units, facilities, or shelters that provide protec-  
8 tion to residents of the dwellings that is equal  
9 to or greater than the protection provided under  
10 the housing quality standards established under  
11 paragraph (3), such applicable laws, regula-  
12 tions, standards, or codes; or

13 “(B) in the case of permanent housing, a  
14 unit, facility, or shelter located in a jurisdiction  
15 which does not have in effect laws, regulations,  
16 standards, or codes described in subparagraph  
17 (A), the housing quality standards established  
18 under paragraph (3).

19 “(3) FEDERAL HOUSING QUALITY STAND-  
20 ARDS.—The Secretary shall establish housing quality  
21 standards under this paragraph that ensure that  
22 permanent housing, dwelling units, supportive hous-  
23 ing facilities, and emergency shelters assisted under

1 this title are safe, clean, and healthy. Such stand-  
2 ards shall include requirements relating to habit-  
3 ability, including maintenance, health and sanitation  
4 factors, condition, and construction of dwellings. The  
5 Secretary shall differentiate between major and  
6 minor violations of such standards and may estab-  
7 lish separate standards for permanent housing,  
8 dwelling units, supportive housing facilities, and  
9 emergency shelters.

10 “(i) TERMINATION OF ASSISTANCE.—If a person or  
11 family (not including residents of an emergency shelter)  
12 who receives assistance under this title under a program  
13 assisted with grant amounts under this title violates pro-  
14 gram requirements, the project sponsor may terminate as-  
15 sistance in accordance with a formal process established  
16 by such sponsor that recognizes the rights of individuals  
17 receiving such assistance to due process of law, which may  
18 include a hearing.

19 “(j) COORDINATION WITH HOMELESS PROGRAMS.—

20 “(1) PURPOSE.—The purpose of the consulta-  
21 tion and coordination required under this subsection  
22 is to provide various services, activities, and assist-  
23 ance for homeless persons and families in an effi-  
24 cient, effective, and targeted manner designed to  
25 meet the comprehensive needs of the homeless.

1           “(2) COORDINATION BY FEDERAL AGENCIES.—

2           The Secretary of Housing and Urban Development,  
3           the Secretary of Health and Human Services, the  
4           Secretary of Labor, the Secretary of Education, the  
5           Secretary of Veterans Affairs, and the Secretary of  
6           Agriculture shall consult and coordinate, and may  
7           establish any requirements necessary, to ensure that  
8           assistance for federally funded activities for the  
9           homeless provided by such Secretaries is made avail-  
10          able, to the greatest extent practicable, in conjunc-  
11          tion and coordination with assistance for other  
12          federally funded activities for the homeless and with  
13          assistance under this title.

14           “(3) REQUIREMENTS FOR HOUSING ASSIST-  
15          ANCE.—The Secretary shall establish such require-  
16          ments as the Secretary considers necessary to ensure  
17          that grant amounts provided under this title are  
18          used by grantees and project sponsors, to the great-  
19          est extent practicable, in coordination and in con-  
20          junction with federally funded activities for the  
21          homeless.

22           “(4) DEFINITION.—For purposes of this sub-  
23          section, the term ‘federally funded activities for the  
24          homeless’ means activities to assist homeless persons  
25          or homeless families that are funded (in whole or in

1 part) with amounts provided by the Federal Govern-  
2 ment (other than amounts provided under this title)  
3 and includes—

4 “(A) the programs for health care under  
5 sections 340 and part C of title V of the Public  
6 Health Service Act;

7 “(B) the programs for education, training  
8 and community services under title VII of the  
9 Stewart B. McKinney Homeless Assistance Act;

10 “(C) food assistance for homeless persons  
11 and families through the food programs under  
12 the Food Stamp Act of 1977 and the Emer-  
13 gency Food Assistance Act of 1983;

14 “(D) the job training, housing, and medi-  
15 cal programs for homeless veterans of the De-  
16 partment of Veterans Affairs;

17 “(E) the job corps centers for homeless  
18 families program under section 433A of the Job  
19 Training Partnership Act;

20 “(F) the program for preventive services  
21 for children of homeless families or families at  
22 risk of homelessness under title III of the Child  
23 Abuse Prevention and Treatment Act;

24 “(G) the programs under the Runaway  
25 and Homeless Youth Act; and

1           “(H) assistance for homeless persons and  
2 families under State programs funded under  
3 supplemental security income programs under  
4 part A of title IV or under title XVI of the So-  
5 cial Security Act.

6           “(5) COMPANION SERVICES BLOCK GRANTS IN  
7 CASES OF FAILURE TO COMPLY.—

8           “(A) IN GENERAL.—If, for any fiscal year,  
9 the Secretary of Housing and Urban Develop-  
10 ment determines that adequate coordination has  
11 not taken place to ensure that assistance for  
12 federally funded activities for the homeless is  
13 made available in conjunction and coordination  
14 with assistance under this title (as required  
15 under paragraph (2)), and the Interagency  
16 Council on the Homeless concurs in the deter-  
17 mination, the Secretary shall carry out a pro-  
18 gram under subparagraph (B) to make compan-  
19 ion services block grants available for such fis-  
20 cal year.

21           “(B) COMPANION SERVICE BLOCK  
22 GRANTS.—The block grant program under this  
23 subparagraph shall provide block grants, using  
24 amounts available pursuant to subparagraph

1 (C), to eligible grantees under this title to pro-  
2 vide services of the type available under the  
3 programs referred to in paragraph (4) in con-  
4 nection with housing assistance under this title.  
5 The Secretary shall consult with the Inter-  
6 agency Council on the Homeless in establishing  
7 and carrying out the block grant program  
8 under this paragraph.

9 “(C) FUNDING.—

10 “(i) IN GENERAL.—Notwithstanding  
11 any other provision of law, in any fiscal  
12 year in which block grants are to be pro-  
13 vided in accordance with subparagraph  
14 (A), there shall be available for such block  
15 grants, from the amount made available  
16 for such fiscal year for each activity re-  
17 ferred to in paragraph (4), 10 percent of  
18 the portion of such amount that is attrib-  
19 utable to assistance for the homeless, as  
20 determined by the Secretary and the Inter-  
21 agency Council for the Homeless.

22 “(ii) LIMITATION.—Notwithstanding  
23 clause (i), the aggregate amount available  
24 for companion services block grants under  
25 this paragraph for a fiscal year shall not

1           exceed the total amount made available  
2           pursuant to section 435 for housing assist-  
3           ance under this title. If, for any fiscal year,  
4           the amount determined under clause (i) ex-  
5           ceeds such amount, the Secretary shall re-  
6           duce the percentage under clause (i) for  
7           such year so that the aggregate amount  
8           made available for companion services  
9           block grants under this paragraph from  
10          the amounts for each activity referred to in  
11          paragraph (4) is equal to the total amount  
12          made available pursuant to section 435 for  
13          housing assistance under this title.

14          “(k) USE RESTRICTIONS.—

15                  “(1) ACQUISITION, REHABILITATION, AND NEW  
16          CONSTRUCTION.—

17                          “(A) IN GENERAL.—Except as provided in  
18                          subparagraph (B), each housing facility assisted  
19                          under subtitle B or subtitle C shall be operated  
20                          as housing for the purpose specified in the ap-  
21                          plication for assistance with amounts under this  
22                          title for not less than 20 years after such facil-  
23                          ity is initially placed in service pursuant to such  
24                          assistance.

1           “(B) EXCEPTION.—If, within such 20-year  
2           period, the need for maintaining the facility as  
3           housing for the purpose specified in the applica-  
4           tion for assistance ceases to exist (as deter-  
5           mined by the Secretary pursuant to a rec-  
6           ommendation by the chief executive officer of  
7           the appropriate unit of general local govern-  
8           ment or project sponsor, taking into consider-  
9           ation the comprehensive housing affordability  
10          strategy of the jurisdiction), or the project  
11          sponsor is unable to operate the facility as sup-  
12          portive housing, the facility may be used as af-  
13          fordable housing (in accordance with section  
14          215 of the Cranston-Gonzalez National Afford-  
15          able Housing Act).

16          “(2) OTHER ASSISTANCE.—Each housing facil-  
17          ity assisted under subtitle C shall be operated for  
18          the purposes specified in the application for assist-  
19          ance with amounts under this title for the duration  
20          of the period covered by the grant.

21          “(3) CONVERSION.—Notwithstanding para-  
22          graphs (1) and (2), if the Secretary determines that  
23          a housing facility is no longer needed for use as  
24          housing for the purposes specified in the application  
25          for assistance and approves the use of the facility

1 for the direct benefit of low-income persons pursuant  
2 to a request for such use by the project sponsor, the  
3 Secretary may authorize the sponsor to convert the  
4 facility to such use.

5 “(1) REPAYMENT OF ASSISTANCE AND PREVENTION  
6 OF UNDUE BENEFITS.—

7 “(1) REPAYMENT.—If a facility assisted under  
8 subtitle B or subtitle C violates the requirement  
9 under subsection (k)(1)(A) of this section during the  
10 10-year period beginning upon placement of the fa-  
11 cility in service pursuant to such assistance, the Sec-  
12 retary shall require the grantee to repay to the Sec-  
13 retary 100 percent of any grant amounts received  
14 for such facility under such paragraph. If such a fa-  
15 cility violates such requirement after such 10-year  
16 period, the Secretary shall require the grantee to  
17 repay the percentage of any grant amounts received  
18 for such facility that is equal to 100 percent minus  
19 10 percentage points for each year in excess of 10  
20 that the facility is operated as supportive housing.

21 “(2) PREVENTION OF UNDUE BENEFITS.—Ex-  
22 cept as provided in paragraph (3), upon any sale or  
23 other disposition of a facility assisted under subtitle  
24 B or C occurring before the expiration of the 20-  
25 year period beginning on the date that the facility

1 is placed in service, the project sponsor shall comply  
2 with such terms and conditions as the Secretary may  
3 prescribe to prevent the sponsor from unduly bene-  
4 fitting from such sale or disposition.

5 “(3) EXCEPTION.—Paragraphs (1) and (2)  
6 shall not apply to any sale or disposition of a facility  
7 that results in the use of the facility for the direct  
8 benefit of very low-income persons or if all of the  
9 proceeds are used to provide housing meeting the re-  
10 quirements of subtitle B or C.

11 “(4) FAILURE TO OBTAIN SITE.—If a grantee  
12 of assistance made available for use under this title  
13 obligates assistance for a housing facility other than  
14 a facility under section 421(a)(3) or housing that  
15 will eventually be owned or controlled by the families  
16 and individuals served, and the project sponsor fails  
17 to obtain ownership or control of a suitable site for  
18 a proposed supportive housing during the 12-month  
19 period beginning upon the notification of an award  
20 of grant assistance, the grantee shall recapture the  
21 assistance and make such assistance available under  
22 this subtitle.

23 “(m) LOCAL BOARDS.—

24 “(1) ESTABLISHMENT AND FUNCTION.—The  
25 chief executive of each grantee shall establish and

1 select a local board, which shall assist the jurisdic-  
2 tion in—

3 “(A) determining whether the grant should  
4 be administered by the jurisdiction, a public  
5 agency, a private nonprofit organization, the  
6 State, or the Secretary;

7 “(B) developing the application under sec-  
8 tion 408;

9 “(C) overseeing the activities carried out  
10 with assistance under this title; and

11 “(D) preparing the performance report  
12 under section 431.

13 “(2) COMPOSITION OF LOCAL BOARDS .—

14 “(A) IN GENERAL.—Members of a local  
15 board selected to meet the requirements of sub-  
16 paragraph (B) shall be nominated by persons,  
17 other than governmental officials or entities,  
18 that represent the groups listed in subpara-  
19 graph (B). Persons who will improve access to  
20 a broad range of services for homeless persons  
21 and who are sensitive to the varying needs of  
22 homeless persons, including veterans, the men-  
23 tally ill, families with children, young persons,  
24 battered spouses, victims of substance abuse,

1 and persons with AIDS, shall be given pref-  
2 erence when selecting local board members.

3 “(B) MAJORITY.—Not less than 51 per-  
4 cent of the members of a local board shall be  
5 composed of—

6 “(i) homeless persons;

7 “(ii) persons who act as advocates for  
8 homeless persons; and

9 “(iii) persons who provide assistance  
10 to homeless persons.

11 “(C) OTHER LOCAL BOARD MEMBERS.—  
12 After the requirements of subparagraph (B) are  
13 met, other members of a local board shall be  
14 chosen from—

15 “(i) members of the business commu-  
16 nity of the jurisdiction receiving the grant;

17 “(ii) members of neighborhood advo-  
18 cates in the jurisdiction receiving the  
19 grant; and

20 “(iii) government officials of the juris-  
21 diction receiving the grant.

22 “(3) WAIVER OF REQUIREMENTS FOR LOCAL  
23 BOARD.—The Secretary may waive the requirements  
24 of this subsection if the jurisdiction has an existing

1 board that substantially meets the requirements of  
2 this subsection.

3 **“SEC. 409. SUPPORTIVE SERVICES.**

4 “(a) REQUIREMENT.—To the extent allowed by this  
5 title, each project sponsor administering permanent hous-  
6 ing development assistance provided with amounts under  
7 this title or a supportive housing facility or emergency  
8 shelter assisted with such amounts shall provide support-  
9 ive services for residents of the dwelling units or facility  
10 or shelter assisted. The array of supportive services pro-  
11 vided may be designed by the grantee or the project spon-  
12 sor administering the assistance, facility, or shelter. A  
13 project sponsor administering a supportive housing facility  
14 shall provide supportive services for other homeless per-  
15 sons using the facility.

16 “(b) TARGETING POPULATIONS WITH SPECIAL  
17 NEEDS.—Supportive services provided with grant  
18 amounts under this title shall address the special needs  
19 of homeless persons (such as homeless persons with  
20 disabilities, homeless persons with acquired  
21 immunodeficiency syndrome and related diseases, home-  
22 less persons who have chronic problems with alcohol or  
23 drugs (or both), and homeless families with children) in-  
24 tended to be served.

1       “(c) SERVICES.—Supportive services may include ac-  
2   tivities such as—

3           “(1) establishing and operating a child care  
4   services program for homeless families;

5           “(2) establishing and operating an employment  
6   assistance program;

7           “(3) providing outpatient health services, food,  
8   and case management;

9           “(4) providing assistance in obtaining perma-  
10   nent housing, employment counseling, and nutri-  
11   tional counseling;

12          “(5) providing security arrangements necessary  
13   for the protection of residents of supportive housing  
14   or emergency shelters and for homeless persons  
15   using supportive housing facilities;

16          “(6) providing assistance in obtaining other  
17   Federal, State, and local assistance available for  
18   such residents and persons (including mental health  
19   benefits, employment counseling, and medical assist-  
20   ance, but not including major medical equipment);  
21   and

22          “(7) providing other appropriate services.

1       “(d) PROVISION OF SERVICES.—Supportive services  
2 provided with grant amounts under this title may be pro-  
3 vided directly by the grantee, by the project sponsor ad-  
4 ministering the permanent housing development assist-  
5 ance or the facility or shelter, or by contract with other  
6 public or private service providers. Such services provided  
7 in connection with a supportive housing facility may be  
8 provided to homeless persons who do not reside in the sup-  
9 portive housing, but only to the extent consistent with the  
10 comprehensive housing affordability strategy under sec-  
11 tion 105 of the Cranston-Gonzalez National Affordable  
12 Housing Act for the applicable jurisdiction.

13       “(e) COORDINATION WITH SECRETARY OF HEALTH  
14 AND HUMAN SERVICES.—

15               “(1) APPROVAL.—The Secretary shall require  
16 each grantee to certify to the Secretary that, if any  
17 grant amounts under this title of the grantee are to  
18 be available for any eligible activity that includes the  
19 provision of outpatient health services, the grantee  
20 shall ensure that the Secretary of Health and  
21 Human Services is consulted with respect to the pro-  
22 posed services before such use. If, within 45 days of  
23 such consultation, the Secretary of Health and  
24 Human Services determines that the proposal for de-  
25 livery of the outpatient health services does not meet

1 guidelines established under paragraph (2) for deter-  
2 mining the appropriateness of such proposed serv-  
3 ices, the grantee may not provide grant amounts for  
4 the portion of the activity involving outpatient health  
5 services unless and until the Secretary of Health and  
6 Human Services determines that such services meet  
7 such guidelines.

8 “(2) GUIDELINES.—The Secretary of Housing  
9 and Urban Development and the Secretary of  
10 Health and Human Services shall jointly establish  
11 guidelines for determining the appropriateness of  
12 proposed outpatient health services under this sec-  
13 tion. Such guidelines shall include any provisions  
14 necessary to enable grantees to promptly make de-  
15 terminations necessary to fund eligible activities.

16 **“Subtitle B—Permanent Housing**  
17 **Development Activities**

18 **“SEC. 411. USE OF AMOUNTS AND GENERAL REQUIRE-**  
19 **MENTS.**

20 “(a) USE OF AMOUNTS FOR PERMANENT HOUSING  
21 DEVELOPMENT.—

22 “(1) AUTHORIZED USE.—A State, metropolitan  
23 city, or urban county that receives a grant under  
24 section 402(b)(2) from amounts allocated for use  
25 under this subtitle may use grant amounts (and any

1 supplemental amounts provided under section 407)  
2 only to carry out activities to permanent housing de-  
3 velopment activities within such State, metropolitan  
4 city, or urban county. For purposes of this subtitle,  
5 the term ‘permanent housing development activities’  
6 means activities to construct, substantially rehabili-  
7 tate, or acquire structures to provide permanent  
8 housing.

9 “(2) USE FOR SUPPORTIVE SERVICES PROHIB-  
10 ITED.—Amounts allocated for use under this subtitle  
11 may not be used for supportive services activities.

12 “(b) USE THROUGH NONPROFIT ORGANIZATIONS.—  
13 A grantee that receives grant amounts for a fiscal year  
14 for use under this subtitle may, pursuant to section 404,  
15 provide such amounts to units of general local government  
16 and private nonprofit organizations for use in accordance  
17 with this subtitle, except that the grantee shall ensure that  
18 more than 50 percent of the amounts received by the  
19 grantee for the fiscal year are used through private non-  
20 profit organizations.

21 “(c) ADMINISTRATIVE FEE.—To the extent provided  
22 in section 408(g), grant amounts provided under this sub-  
23 title may be used by the project sponsor providing such  
24 assistance for costs of administering such assistance.

1       “(d) TARGETING POPULATIONS WITH SPECIAL  
2 NEEDS.—To the maximum extent practicable, a grantee  
3 shall provide for use of grant amounts made available  
4 under this subtitle in a manner that provides permanent  
5 housing for homeless persons who are persons with disabili-  
6 ties (including persons with physical and mental disabili-  
7 ties), homeless persons who have acquired  
8 immunodeficiency syndrome or related diseases, and  
9 homeless persons who have chronic problems with alcohol  
10 or drugs (or both).

11 **“SEC. 412. PERMANENT HOUSING DEVELOPMENT.**

12       “(a) IN GENERAL.—Housing shall be considered per-  
13 manent housing for purposes of this title if the housing—

14               “(1) provides long-term housing for homeless  
15 persons;

16               “(2) complies with any applicable State and  
17 local housing codes, licensing requirements, or other  
18 requirement in the jurisdiction in which the housing  
19 is located, including any applicable State or local re-  
20 quirements regarding the number of occupants in  
21 such a facility; and

22               “(3) complies with the requirement under sec-  
23 tion 409(a) regarding providing supportive services  
24 for homeless persons.

25       “(b) CLARIFICATION.—Permanent housing may—

1           “(1) be restricted for occupancy by homeless  
2 persons with disabilities; and

3           “(2) consist of or contain full dwelling units or  
4 dwelling units that do not contain bathrooms or  
5 kitchen facilities; and

6           “(3) be provided in the form of rental housing,  
7 cooperative housing, shared living arrangements, sin-  
8 gle family housing, or other types of housing ar-  
9 rangements.

## 10   **“Subtitle C—Flexible Block Grant** 11           **Homeless Assistance**

### 12   **“SEC. 421. ELIGIBLE ACTIVITIES.**

13           “(a) IN GENERAL.—Grant amounts allocated for use  
14 under this subtitle may be used only for carrying out the  
15 following activities:

16           “(1) ACQUISITION AND REHABILITATION OF  
17 SUPPORTIVE HOUSING.—For acquisition or rehabili-  
18 tation of an existing structure (including a small  
19 commercial property or office space) to provide sup-  
20 portive housing other than emergency shelter or to  
21 provide supportive services, the repayment of any  
22 outstanding debt owed on a loan made to purchase  
23 an existing structure for use as supportive housing  
24 shall be considered to be a cost of acquisition under

1 this paragraph if the structure was not used as sup-  
2 portive housing or to provide supportive services, be-  
3 fore assistance is provided using grant amounts.

4 “(2) NEW CONSTRUCTION OF SUPPORTIVE  
5 HOUSING.—For new construction of a structure to  
6 be used as supportive housing.

7 “(3) LEASING OF SUPPORTIVE HOUSING.—For  
8 leasing of an existing structure or structures, or por-  
9 tions thereof, to provide supportive housing or sup-  
10 portive services during the period covered by the ap-  
11 plication.

12 “(4) OPERATING COSTS FOR SUPPORTIVE  
13 HOUSING.—For covering operating costs of support-  
14 ive housing (which shall include capital costs for uti-  
15 lizing any interactive computer or telephone services  
16 and other electronic information networks and sys-  
17 tems appropriate for assisting homeless families); ex-  
18 cept that grant amounts provided under this subtitle  
19 may not be used to cover more than 75 percent of  
20 the annual operating costs of such housing.

21 “(5) HOMELESSNESS PREVENTION.—For activi-  
22 ties designed to help persons and families avoid be-  
23 coming homeless, which shall include assistance for  
24 making mortgage payments, rental payments, and  
25 utility payments and any activities other than those

1 found by the Secretary to be inconsistent with the  
2 purposes of this Act; except that assistance under  
3 this paragraph may be provided only to very low-in-  
4 come persons and families who have received eviction  
5 (or mortgage delinquency or foreclosure) notices or  
6 notices of termination of utility services and who—

7 “(A) are unable to make the required pay-  
8 ments due to a sudden reduction in income;

9 “(B) need such assistance to avoid the  
10 eviction or termination of services; and

11 “(C) have a reasonable prospect of being  
12 able to resume payments within a reasonable  
13 period of time.

14 “(6) PERMANENT HOUSING DEVELOPMENT AC-  
15 TIVITIES.—For providing permanent housing devel-  
16 opment activities as described in subtitle B.

17 “(7) EMERGENCY SHELTER.—For—

18 “(A) renovation, major rehabilitation, or  
19 conversion of a building or buildings to be used  
20 as emergency shelters;

21 “(B) covering costs of supportive services  
22 in connection with an emergency shelter, if such  
23 services do not supplant any services provided  
24 by the local government during any part of the

1           12-month period ending on the date of the com-  
2           mencement of the operation of the emergency  
3           shelter; and

4           “(C) covering costs relating to mainte-  
5           nance, operation, insurance, utilities, and fur-  
6           nishings for emergency shelters.

7           “(8) SUPPORTIVE SERVICES.—To the extent  
8           provided in section 406, for covering costs of sup-  
9           portive services provided to homeless persons in con-  
10          nection with a permanent or supportive housing fa-  
11          cility or otherwise.

12          “(9) TECHNICAL ASSISTANCE.—For technical  
13          assistance in carrying out the purposes of this title,  
14          except that the Secretary may provide such technical  
15          assistance directly to any grantee.

16          “(b) USE FOR HOUSING ACTIVITIES.—Of the aggre-  
17          gate of any grant amounts provided to a grantee for a  
18          fiscal year for use under this subtitle and the supplemental  
19          amounts provided for such fiscal year by the grantee in  
20          accordance with section 407, the grantee shall ensure that  
21          an amount that is not less than such grant amounts (less  
22          any amount used pursuant to section 408(g)) is used for  
23          eligible activities described in paragraphs (1) through (6)  
24          of subsection (a).

1       “(c) USE FOR EMERGENCY SHELTERS.—Of the ag-  
2 gregate of any grant amounts provided to a grantee for  
3 a fiscal year for use under this subtitle, the grantee shall  
4 ensure that not more than 10 percent may be used to  
5 carry out eligible activities under subsection (a)(7). The  
6 Secretary may waive applicability of the limitation under  
7 the preceding sentence for a grantee for a limited period  
8 of time in cases of emergency, disaster, or other temporary  
9 extraordinary circumstances (as the Secretary may pro-  
10 vide).

11 **“SEC. 422. USE OF AMOUNTS THROUGH PRIVATE NON-**  
12 **PROFIT PROVIDERS.**

13       “In each fiscal year, each grantee of amounts for use  
14 under this subtitle shall ensure that more than 50 percent  
15 of the amounts received by the grantee for such fiscal year  
16 are used for carrying out eligible activities under section  
17 421 through project sponsors that are private nonprofit  
18 organizations.

19 **“SEC. 423. SUPPORTIVE HOUSING.**

20       “(a) IN GENERAL.—Housing shall be considered sup-  
21 portive housing for purposes of this subtitle if—

22               “(1) the housing complies with the requirement  
23               under section 409(a) regarding providing supportive  
24               services for homeless persons;

1           “(2) the housing complies with any applicable  
2           State and local housing codes and licensing require-  
3           ments in the jurisdiction in which the housing is lo-  
4           cated; and

5           “(3) the housing—

6                   “(A) is transitional housing; or

7                   “(B) is permanent supportive housing as  
8           described in section 412.

9           “(b) TRANSITIONAL HOUSING.—For purposes of this  
10          section, the term ‘transitional housing’ means housing, the  
11          purpose of which is to facilitate the movement of homeless  
12          persons and families to permanent housing within 24  
13          months or such longer period as the Secretary determines  
14          necessary. Assistance may be denied for housing based on  
15          a violation of this subsection only if a substantial number  
16          of homeless persons or families have remained in the hous-  
17          ing longer than such period.

18          “(c) SINGLE ROOM OCCUPANCY DWELLINGS.—A fa-  
19          cility may provide supportive housing or supportive serv-  
20          ices in dwelling units that do not contain bathrooms or  
21          kitchen facilities and are appropriate for use as supportive  
22          housing or in facilities containing some or all such dwell-  
23          ing units.

1 **“SEC. 424. EMERGENCY SHELTER.**

2       “(a) IN GENERAL.—A facility shall be considered  
3 emergency shelter for purposes of this subtitle if the facil-  
4 ity is designed to provide overnight sleeping accommoda-  
5 tions for homeless persons and complies with the require-  
6 ments under this section. An emergency shelter may in-  
7 clude appropriate eating and cooking accommodations.

8       “(b) REQUIREMENTS.—Grant amounts under this  
9 subtitle may be used for eligible activities under section  
10 421(a)(7) relating to emergency shelter only if—

11               “(1) the Secretary determines that—

12                       “(A) use of such amounts is necessary to  
13 meet the emergency shelter needs of the juris-  
14 diction in which the facility is located; and

15                       “(B) the use of such amounts for such ac-  
16 tivities will not violate the prohibition under  
17 section 408(f); and

18               “(2) the project sponsor agrees that it will—

19                       “(A) in the case of assistance involving  
20 major rehabilitation or conversion of a building,  
21 maintain the building as a shelter for homeless  
22 persons and families for not less than a 10-year  
23 period unless, within such 10-year period, the  
24 need for maintaining the building as a full-time  
25 shelter ceases to exist and the building is used

1 for the remainder of such period to carry out  
2 other eligible activities under this subtitle;

3 “(B) in the case of assistance involving re-  
4 habilitation (other than major rehabilitation or  
5 conversion of a building), maintain the building  
6 as a shelter for homeless persons and families  
7 for not less than a 3-year period;

8 “(C) in the case of assistance involving  
9 only activities described in subparagraphs (B)  
10 and (C) of section 421(a)(7), provide services or  
11 shelter to homeless persons and families at the  
12 original site or structure or other sites or struc-  
13 tures serving the same general population for  
14 the period during which such assistance is pro-  
15 vided;

16 “(D) comply with the standards of housing  
17 quality applicable under section 408(h); and

18 “(E) assist homeless persons in obtain-  
19 ing—

20 “(i) appropriate supportive services,  
21 including permanent housing, medical and  
22 mental health treatment (including infor-  
23 mation and counseling regarding the bene-  
24 fits and availability of child immunization),  
25 counseling, supervision, and other services

1           essential for achieving independent living;  
2           and  
3           “(ii) other Federal, State, local, and  
4           private assistance available for homeless  
5           persons.

## 6           **“Subtitle D—Reporting,** 7           **Definitions, and Funding**

### 8   **“SEC. 431. PERFORMANCE REPORTS BY GRANTEES.**

9           “(a) REQUIREMENT.—For each fiscal year, each  
10          grantee under this title shall review and report, in a form  
11          acceptable to the Secretary, on the progress it has made  
12          during such fiscal year in carrying out the activities de-  
13          scribed in the application resulting in such grant and the  
14          relationship of such activities to the comprehensive hous-  
15          ing affordability strategy under section 105 of the Cran-  
16          ston-Gonzalez National Affordable Housing Act for the  
17          applicable jurisdiction.

18          “(b) CONTENT.—Each report under this section for  
19          a fiscal year shall—

20                 “(1) describe the use of grant amounts provided  
21                 to the grantee for such fiscal year;

22                 “(2) describe the number of homeless persons  
23                 and families provided shelter, housing, or assistance  
24                 using such grant amounts;

1           “(3) assess the relationship of such use to the  
2           goals identified pursuant to section 105(b)(2) of the  
3           Cranston-Gonzalez National Affordable Housing Act  
4           in the comprehensive housing affordability strategy  
5           for the applicable jurisdiction;

6           “(4) indicate the grantee’s programmatic ac-  
7           complishments; and

8           “(5) describe how the grantee would change its  
9           programs as a result of its experiences.

10          “(c) SUBMISSION.—The Secretary shall establish  
11          dates for submission of reports under this section and re-  
12          view such reports and make such recommendations as the  
13          Secretary considers appropriate to carry out the purposes  
14          of this title.

15          “(d) PUBLIC AVAILABILITY.—

16                 “(1) IN GENERAL.—A grantee preparing a re-  
17                 port under this section shall make the report pub-  
18                 licly available to the citizens in the jurisdiction of  
19                 the grantee in sufficient time to permit such citizens  
20                 to comment on such report prior to its submission  
21                 to the Secretary, and in such manner and at such  
22                 times as the grantee may determine. The report  
23                 shall include a summary of any such comments re-  
24                 ceived by the grantee regarding its program.

1           “(2) ELECTRONIC ACCESS.—A grantee may  
2           comply with the requirement under paragraph (1) by  
3           making the report available through interactive com-  
4           puter or telephone services or other electronic infor-  
5           mation networks and systems appropriate for mak-  
6           ing such information widely publicly available. The  
7           Secretary shall make each final report submitted  
8           under this section publicly available through such a  
9           computer, telephone, or information service, net-  
10          work, or system.

11 **“SEC. 432. ANNUAL REPORT BY SECRETARY.**

12          “The Secretary shall include in the annual report  
13          under section 8 of the Department of Housing and Urban  
14          Development Act information summarizing the activities  
15          carried out under this title and setting forth the findings,  
16          conclusions, and recommendations of the Secretary as a  
17          result of the activities. Such information shall be made  
18          publicly available through a computer, telephone, or infor-  
19          mation service, network, or system described in section  
20          431(d).

21 **“SEC. 433. DEFINITIONS.**

22          “For purposes of this title, the following definitions  
23          shall apply:

1           “(1) APPLICANT.—The term ‘applicant’ means  
2           an eligible grantee that submits an application under  
3           section 408(a) for a grant under this title.

4           “(2) ELIGIBLE GRANTEE.—The term ‘eligible  
5           grantee’ is defined in section 403.

6           “(3) FACILITY.—The term ‘facility’ means a  
7           structure or structures (or a portion of such struc-  
8           ture or structures) that are assisted through eligible  
9           activities under subtitle C with grant amounts under  
10          this title (or for which the Secretary provides tech-  
11          nical assistance under section 421(a)(9)).

12          “(4) GRANTEE.—The term ‘grantee’ means an  
13          applicant that receives a grant under this title.

14          “(5) INSULAR AREA.—The term ‘insular area’  
15          means each of the Virgin Islands, Guam, American  
16          Samoa, the Northern Mariana Islands, and any  
17          other territory or possession of the United States.

18          “(6) METROPOLITAN CITY, URBAN COUNTY,  
19          AND UNIT OF GENERAL LOCAL GOVERNMENT.—The  
20          terms ‘metropolitan city’, ‘urban county’, and ‘unit  
21          of general local government’ have the meanings  
22          given the terms in section 102 of the Housing and  
23          Community Development Act of 1974.

1           “(7) NONENTITLEMENT AREA.—The term ‘non-  
2           entitlement area’ means an area that is not a metro-  
3           politan city or part of an urban county and does not  
4           include Indian tribes or insular areas.

5           “(8) OPERATING COSTS.—The term ‘operating  
6           costs’ means expenses incurred by a grantee operat-  
7           ing supportive housing assisted with grant amounts  
8           under this title, with respect to—

9                   “(A) the administration, maintenance, re-  
10                  pair, and security of such housing;

11                  “(B) utilities, fuel, furnishings, and equip-  
12                  ment for such housing; and

13                  “(C) the conducting of the assessment  
14                  under section 408(b)(2).

15           “(9) OUTPATIENT HEALTH SERVICES.—The  
16           term ‘outpatient health services’ means outpatient  
17           health care, outpatient mental health services, out-  
18           patient substance abuse services, and case manage-  
19           ment.

20           “(10) PERSON WITH DISABILITIES.—The term  
21           ‘person with disabilities’ means a person who—

22                   “(A) has a disability as defined in section  
23                  223 of the Social Security Act;

24                   “(B) is determined to have, pursuant to  
25                  regulations issued by the Secretary, a physical,

1           mental, or emotional impairment which (i) is  
2           expected to be of long-continued and indefinite  
3           duration, (ii) substantially impedes an individ-  
4           ual’s ability to live independently, and (iii) of  
5           such a nature that such ability could be im-  
6           proved by more suitable housing conditions; or

7                   “(C) has a developmental disability as de-  
8           fined in section 102 of the Developmental Dis-  
9           abilities Assistance and Bill of Rights Act.

10          Such term shall not exclude persons who have the  
11          disease of acquired immunodeficiency syndrome or  
12          any conditions arising from the etiologic agent for  
13          acquired immunodeficiency syndrome.

14               “(11) PRIVATE NONPROFIT ORGANIZATION.—  
15          The term ‘private nonprofit organization’ means any  
16          private organization that—

17                   “(A) is organized under State or local  
18          laws;

19                   “(B) has no part of its net earnings inur-  
20          ing to the benefit of any member, founder, con-  
21          tributor, or individual;

22                   “(C) complies with standards of financial  
23          accountability acceptable to the Secretary; and

24                   “(D) has among its purposes significant  
25          activities related to the provision of—

1                   “(i) decent housing that is affordable  
2                   to low-income and moderate-income fami-  
3                   lies; or

4                   “(ii) shelter, housing, or services for  
5                   homeless persons or families.

6                   “(12) PROJECT SPONSOR.—The term ‘project  
7                   sponsor’ means an entity that uses grant amounts  
8                   under this title to carry out a permanent housing  
9                   development program under subtitle B or eligible ac-  
10                  tivities under subtitle C. The term includes a grant-  
11                  ee carrying out such a program or activities.

12                  “(13) SECRETARY.—The term ‘Secretary’  
13                  means the Secretary of Housing and Urban Develop-  
14                  ment.

15                  “(14) STATE.—The term ‘State’ means each of  
16                  the several States and the Commonwealth of Puerto  
17                  Rico.

18                  “(15) SUPPORTIVE HOUSING.—The term ‘sup-  
19                  portive housing’ means a facility that meets the re-  
20                  quirements of section 423.

21                  “(16) SUPPORTIVE SERVICES.—The term ‘sup-  
22                  portive services’ means services under section 409.

23                  “(17) VERY LOW-INCOME PERSON.—The term  
24                  ‘very low-income person’ has the same meaning  
25                  given the term under section 3(b) of the United

1 States Housing Act of 1937 (or any other subse-  
2 quent provision of Federal law defining such term  
3 for purposes of eligibility for, or rental charges in,  
4 public housing).

5 **“SEC. 434. REGULATIONS.**

6 “(a) ISSUANCE.—Not later than the expiration of the  
7 30-day period beginning upon the date of the enactment  
8 of the Homeless Housing Programs Consolidation and  
9 Flexibility Act, the Secretary shall issue interim regula-  
10 tions to carry out this title. The Secretary shall issue final  
11 regulations to carry out this title after notice and oppor-  
12 tunity for public comment regarding the interim regula-  
13 tions in accordance with the procedure under section 553  
14 of title 5, United States Code, applicable to substantive  
15 rules (notwithstanding subsections (a)(2), (b)(B), and  
16 (d)(3) of such section), but not later than the expiration  
17 of the 90-day period beginning upon the date of the enact-  
18 ment of the Homeless Housing Programs Consolidation  
19 and Flexibility Act.

20 “(b) RULE OF CONSTRUCTION.—Any failure by the  
21 Secretary to issue any regulations under this section shall  
22 not affect the effectiveness of any provision of this title  
23 pursuant to section 4(b) of the Homeless Housing Pro-  
24 grams Consolidation and Flexibility Act.

1 **“SEC. 435. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated for grants  
3 under this title \$1,000,000,000 for each of fiscal years  
4 1998, 1999, 2000, 2001, and 2002.”.

5 (b) **APPLICABILITY.**—The provisions of the amend-  
6 ment made by subsection (a) shall apply with respect to  
7 fiscal year 1998 and thereafter.

8 **SEC. 5. INTERAGENCY COUNCIL ON THE HOMELESS.**

9 (a) **FUNCTIONS.**—Section 203 of the Stewart B.  
10 McKinney Homeless Assistance Act (42 U.S.C. 11313) is  
11 amended to read as follows:

12 **“SEC. 203. FUNCTIONS.**

13 “The Council shall—

14 “(1) monitor the coordination of assistance for  
15 federally funded activities for the homeless to ensure  
16 that such assistance is provided in coordination and  
17 conjunction with assistance under title IV for hous-  
18 ing for the homeless, in accordance with section  
19 408(j)(2);

20 “(2) if the Secretary of Housing and Urban  
21 Development makes a determination under section  
22 408(j)(5)(A) that sufficient coordination under such  
23 section has not taken place, make an independent  
24 determination under such section regarding whether  
25 sufficient coordination has taken place;

1           “(3) advise and assist the Secretary of Housing  
2           and Urban Development in establishing require-  
3           ments for a companion services block grant program  
4           under section 408(j)(5);

5           “(4) for any fiscal year in which a companion  
6           services block grant program is to be carried out  
7           pursuant to section 408(j)(5), advise and assist the  
8           Secretary of Housing and Urban Development in  
9           carrying out the program; and

10           “(5) carry out any other duties prescribed by  
11           law.”.

12           (b) **AUTHORIZATION OF APPROPRIATIONS.**—Section  
13           208 of the Stewart B. McKinney Homeless Assistance Act  
14           (42 U.S.C. 11318) is amended to read as follows:

15           **“SEC. 208. AUTHORIZATION OF APPROPRIATIONS.**

16           “‘There are authorized to be appropriated to carry out  
17           this title such sums as may be necessary for each of fiscal  
18           years 1998, 1999, 2000, 2001, and 2002.’”.

19           (c) **TERMINATION.**—Section 209 of the Stewart B.  
20           McKinney Homeless Assistance Act (42 U.S.C. 11319) is  
21           amended by striking “October 1, 1994” and inserting  
22           “October 1, 2002”.

23           (d) **REPEAL.**—Section 210 of the Stewart B. McKin-  
24           ney Homeless Assistance Act (42 U.S.C. 11320) is hereby  
25           repealed.

1 **SEC. 6. REPEALS AND CONFORMING AMENDMENTS.**

2 (a) REPEALS.—The following provisions of law are  
3 hereby repealed:

4 (1) INNOVATIVE HOMELESS INITIATIVES DEM-  
5 ONSTRATION.—Section 2 of the HUD Demonstra-  
6 tion Act of 1993 (42 U.S.C. 11301 note).

7 (2) FHA SINGLE FAMILY PROPERTY DISPOSI-  
8 TION FOR HOMELESS USE.—Section 1407 of the  
9 Housing and Community Development Act of 1992  
10 (Public Law 102–550; 106 Stat. 4034).

11 (3) HOUSING FOR RURAL HOMELESS AND MI-  
12 GRANT FARMWORKERS.—Subsection (k) of section  
13 516 of the Housing Act of 1949 (42 U.S.C.  
14 1486(k)).

15 (b) TERMINATION OF SRO ASSISTANCE PROGRAM.—  
16 Section 8(e)(2) of the United States Housing Act of 1937  
17 shall not be in effect on or after the date of the enactment  
18 of this Act as provided in subsections (a)(4) and (b)(2)  
19 of section 289 of the Cranston-Gonzalez National Afford-  
20 able Housing Act (42 U.S.C. 12839).

21 (c) CONFORMING AMENDMENTS TO YOUTHBUILD  
22 PROGRAM.—Title IV of the Cranston-Gonzalez National  
23 Affordable Housing Act is amended—

24 (1) in section 455(b) (42 U.S.C. 12899d(b)) by  
25 inserting “subtitle C of” before “title IV”; and

1           (2) in section 457(4) (42 U.S.C. 12899f(4)), by  
2           striking “section 103” and inserting “section 102”.

3           (d) CLERICAL AMENDMENT.—The table of contents  
4 in section 101(b) of the Stewart B. McKinney Homeless  
5 Assistance Act is amended by striking the items relating  
6 to titles I, II, III, and IV (including the items relating  
7 to the subtitles, parts, and sections of such titles) and in-  
8 serting the following new items:

“TITLE I—GENERAL PROVISIONS

- “Sec. 101. Short title and table of contents.
- “Sec. 102. General definition of homeless individual.
- “Sec. 103. Funding availability and limitations.
- “Sec. 104. Annual program summary by Comptroller General.

“TITLE II—INTERAGENCY COUNCIL ON THE HOMELESS

- “Sec. 201. Establishment.
- “Sec. 202. Membership.
- “Sec. 203. Functions.
- “Sec. 204. Director and staff.
- “Sec. 205. Powers.
- “Sec. 206. Transfer of functions.
- “Sec. 207. Definitions.
- “Sec. 208. Authorization of appropriations.
- “Sec. 209. Termination.

“TITLE III—FEDERAL EMERGENCY MANAGEMENT FOOD AND  
SHELTER PROGRAM

“Subtitle A—Administrative Provisions

- “Sec. 301. Emergency Food and Shelter Program National Board.
- “Sec. 302. Local boards.
- “Sec. 303. Role of Federal Emergency Management Agency.
- “Sec. 304. Records and audit of National Board and recipients of assistance.
- “Sec. 305. Annual report.

“Subtitle B—Emergency Food and Shelter Grants

- “Sec. 311. Grants by the Director.
- “Sec. 312. Retention of interest earned.
- “Sec. 313. Purposes of grants.
- “Sec. 314. Limitation on certain costs.
- “Sec. 315. Disbursement of funds.
- “Sec. 316. Program guidelines.

“Subtitle C—General Provisions

- “Sec. 321. Definitions.
- “Sec. 322. Authorization of appropriations.

“TITLE IV—PERMANENT HOUSING DEVELOPMENT AND  
FLEXIBLE BLOCK GRANT HOMELESS ASSISTANCE PROGRAM

“Subtitle A—General Provisions

- “Sec. 401. Purpose.
- “Sec. 402. Grant authority.
- “Sec. 403. Eligible grantees.
- “Sec. 404. Use of project sponsors.
- “Sec. 405. Comprehensive housing affordability strategy compliance.
- “Sec. 406. Allocation and availability of amounts.
- “Sec. 407. Matching funds requirement.
- “Sec. 408. Program requirements.
- “Sec. 409. Supportive services.

“Subtitle B—Permanent Housing Development Activities

- “Sec. 411. Use of amounts and general requirements.
- “Sec. 412. Permanent housing development.

“Subtitle C—Flexible Block Grant Homeless Assistance

- “Sec. 421. Eligible activities.
- “Sec. 422. Use of amounts through private nonprofit providers.
- “Sec. 423. Supportive housing.
- “Sec. 424. Emergency shelter.

“Subtitle D—Reporting, Definitions, and Funding

- “Sec. 431. Performance reports by grantees.
- “Sec. 432. Annual report by Secretary.
- “Sec. 433. Definitions.
- “Sec. 434. Regulations.
- “Sec. 435. Authorization of appropriations.”.

**1 SEC. 7. SAVINGS PROVISION.**

2       Nothing in this Act may be construed to affect the  
3 validity of any right, duty, or obligation of the United  
4 States or other person arising under or pursuant to any  
5 commitment or agreement entered into before the date of  
6 the enactment of this Act under any provision of law re-  
7 pealed or amended by this Act.

1 **SEC. 8. TREATMENT OF PREVIOUSLY OBLIGATED**  
2 **AMOUNTS.**

3 Notwithstanding the amendment or repeal of any  
4 provision of law by this Act, any amounts appropriated  
5 to carry out the provisions so amended or repealed that  
6 are obligated before the date of the enactment of this Act  
7 shall be used in the manner provided, and subject to any  
8 requirements and agreements entered into, under such  
9 provisions as such provisions were in effect immediately  
10 before such date of enactment.

○