

110TH CONGRESS
1ST SESSION

S. 1084

To provide housing assistance for very low-income veterans.

IN THE SENATE OF THE UNITED STATES

APRIL 10, 2007

Mr. REID (for Mr. OBAMA (for himself, Mr. SCHUMER, Mr. MENENDEZ, Mr. BROWN, and Ms. CANTWELL)) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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 2007”.

6 **SEC. 2. SPECIAL ASSISTANT FOR VETERANS AFFAIRS IN OF-**
7 **FICE OF SECRETARY OF HOUSING AND**
8 **URBAN DEVELOPMENT.**

9 Section 4 of the Department of Housing and Urban
10 Development Act (42 U.S.C. 3533) is amended by adding
11 at the end the following new subsection:

1 “(g) SPECIAL ASSISTANT FOR VETERANS AF-
2 FAIRS.—

3 “(1) ESTABLISHMENT.—There shall be in the
4 Department a Special Assistant for Veterans Af-
5 fairs, who shall be in the Office of the Secretary.

6 “(2) APPOINTMENT.—The Special Assistant for
7 Veterans Affairs shall be appointed based solely on
8 merit and shall be covered under the provisions of
9 title 5, United States Code, governing appointments
10 in the competitive service.

11 “(3) RESPONSIBILITIES.—The Special Assist-
12 ant for Veterans Affairs shall be responsible for—

13 “(A) ensuring veterans have access to
14 housing and homeless assistance under each
15 program of the Department providing either
16 such assistance;

17 “(B) coordinating all programs and activi-
18 ties of the Department relating to veterans;

19 “(C) serving as a liaison for the Depart-
20 ment with the Department of Veterans Affairs,
21 including establishing and maintaining relation-
22 ships with the Secretary of Veterans Affairs;

23 “(D) serving as a liaison for the Depart-
24 ment, and establishing and maintaining rela-
25 tionships with officials of State, local, regional,

1 and nongovernmental organizations concerned
2 with veterans;

3 “(E) providing information and advice re-
4 garding—

5 “(i) sponsoring housing projects for
6 veterans assisted under programs adminis-
7 tered by the Department; or

8 “(ii) assisting veterans in obtaining
9 housing or homeless assistance under pro-
10 grams administered by the Department;

11 “(F) administering the technical assistance
12 grants program under section 7 of the Homes
13 for Heroes Act of 2006;

14 “(G) preparing the annual report under
15 section 8 of such Act; and

16 “(H) carrying out such other duties as
17 may be assigned to the Special Assistant by the
18 Secretary or by law.”.

19 **SEC. 3. SUPPORTIVE HOUSING FOR VERY LOW-INCOME**
20 **VETERAN FAMILIES.**

21 (a) **PURPOSE.**—The purposes of this section are—

22 (1) to expand the supply of permanent housing
23 for very low-income veteran families; and

1 (2) to provide supportive services through such
2 housing to support the needs of such veteran fami-
3 lies.

4 (b) AUTHORITY.—

5 (1) IN GENERAL.—The Secretary of Housing
6 and Urban Development shall, to the extent amounts
7 are made available for assistance under this section
8 and the Secretary receives approvable applications
9 for such assistance, provide assistance to private
10 nonprofit organizations and consumer cooperatives
11 to expand the supply of supportive housing for very
12 low-income veteran families.

13 (2) NATURE OF ASSISTANCE.—The assistance
14 provided under paragraph (1)—

15 (A) shall be available for use to plan for
16 and finance the acquisition, construction, recon-
17 struction, or moderate or substantial rehabilita-
18 tion of a structure or a portion of a structure
19 to be used as supportive housing for very low-
20 income veteran families in accordance with this
21 section; and

22 (B) may also cover the cost of real prop-
23 erty acquisition, site improvement, conversion,
24 demolition, relocation, and other expenses that
25 the Secretary determines are necessary to ex-

1 pand the supply of supportive housing for very
2 low-income veteran families.

3 (3) CONSULTATION.—In meeting the require-
4 ment of paragraph (1), the Secretary shall consult
5 with—

6 (A) the Secretary of Veterans Affairs; and

7 (B) the Special Assistant for Veterans Af-
8 fairs, as such Special Assistant was established
9 under section 4(g) of the Department of Hous-
10 ing and Urban Development Act.

11 (c) FORMS OF ASSISTANCE.—Assistance under this
12 section shall be made available in the following forms:

13 (1) Assistance may be provided as a grant for
14 costs of planning a project to be used as supportive
15 housing for very low-income veteran families.

16 (2) Assistance may be provided as a capital ad-
17 vance under this paragraph for a project, such ad-
18 vance shall—

19 (A) bear no interest;

20 (B) not be required to be repaid so long as
21 the housing remains available for occupancy by
22 very low-income veteran families in accordance
23 with this section; and

1 (C) be in an amount calculated in accord-
2 ance with the development cost limitation estab-
3 lished pursuant to subsection (j).

4 (3) Assistance may be provided as project rent-
5 al assistance, under an annual contract that—

6 (A) obligates the Secretary to make
7 monthly payments to cover any part of the
8 costs attributed to units occupied (or, as ap-
9 proved by the Secretary, held for occupancy) by
10 very low-income veteran families that is not met
11 from project income;

12 (B) provides for the project not more than
13 the sum of the initial annual project rentals for
14 all units so occupied and any initial utility al-
15 lowances for such units, as approved by the
16 Secretary;

17 (C) any contract amounts not used by a
18 project in any year shall remain available to the
19 project until the expiration of the contract; and

20 (D) provides that the Secretary shall, to
21 the extent appropriations for such purpose are
22 made available, adjust the annual contract
23 amount if the sum of the project income and
24 the amount of assistance payments available

1 under this paragraph are inadequate to provide
2 for reasonable project costs.

3 (d) TENANT RENT CONTRIBUTION.—A very low-in-
4 come veteran family shall pay as rent for a dwelling unit
5 assisted under this section the highest of the following
6 amounts, rounded to the nearest dollar:

7 (1) 30 percent of the veteran family's adjusted
8 monthly income.

9 (2) 10 percent of the veteran family's monthly
10 income.

11 (3) If the veteran family is receiving payments
12 for welfare assistance from a public agency and a
13 part of such payments, adjusted in accordance with
14 the veteran family's actual housing costs, is specifi-
15 cally designated by such agency to meet the veteran
16 family's housing costs, the portion of such payments
17 which is so designated.

18 (e) TERM OF COMMITMENT.—

19 (1) USE LIMITATIONS.—All units in housing as-
20 sisted under this section shall be made available for
21 occupancy by very low-income veteran families for
22 not less than 15 years.

23 (2) CONTRACT TERMS.—

1 (A) INITIAL TERM.—The initial term of a
2 contract entered into under subsection (c)(2)
3 shall be 60 months.

4 (B) EXTENSION.—The Secretary shall, to
5 the extent approved in appropriation Acts, ex-
6 tend any expiring contract for a term of not
7 less than 12 months.

8 (C) AUTHORITY OF SECRETARY TO MAKE
9 EARLY COMMITMENTS.—In order to facilitate
10 the orderly extension of expiring contracts, the
11 Secretary may make commitments to extend ex-
12 piring contracts during the year prior to the
13 date of expiration.

14 (f) APPLICATIONS.—

15 (1) IN GENERAL.—Amounts made available
16 under this section shall be allocated by the Secretary
17 among approvable applications submitted by private
18 nonprofit organizations and consumer cooperatives.

19 (2) CONTENT OF APPLICATION.—

20 (A) IN GENERAL.—Applications for assist-
21 ance under this section shall be submitted by an
22 applicant in such form and in accordance with
23 such procedures as the Secretary shall estab-
24 lish.

1 (B) REQUIRED CONTENT.—Applications
2 for assistance under this section shall contain—

3 (i) a description of the proposed hous-
4 ing;

5 (ii) a description of the assistance the
6 applicant seeks under this section;

7 (iii) a description of—

8 (I) the supportive services to be
9 provided to the persons occupying
10 such housing;

11 (II) the manner in which such
12 services will be provided to such per-
13 sons, including, in the case of frail el-
14 derly persons (as such term is defined
15 in section 202 of the Housing Act of
16 1959 (12 U.S.C. 1701q)), evidence of
17 such residential supervision as the
18 Secretary determines is necessary to
19 facilitate the adequate provision of
20 such services; and

21 (III) the public or private sources
22 of assistance that can reasonably be
23 expected to fund or provide such serv-
24 ices;

1 (iv) a certification from the public of-
2 ficial responsible for submitting a housing
3 strategy for the jurisdiction to be served in
4 accordance with section 105 of the Cran-
5 ston-Gonzalez National Affordable Housing
6 Act (42 U.S.C. 12705) that the proposed
7 project is consistent with the approved
8 housing strategy; and

9 (v) such other information or certifi-
10 cations that the Secretary determines to be
11 necessary or appropriate to achieve the
12 purposes of this section.

13 (3) REJECTION.—The Secretary shall not reject
14 any application for assistance under this section on
15 technical grounds without giving notice of that rejec-
16 tion and the basis therefore to the applicant.

17 (g) SELECTION CRITERIA.—The Secretary shall es-
18 tablish selection criteria for assistance under this section,
19 which shall include—

20 (1) criteria based upon—

21 (A) the ability of the applicant to develop
22 and operate the proposed housing;

23 (B) the need for supportive housing for
24 very low-income veteran families in the area to
25 be served;

1 (C) the extent to which the proposed size
2 and unit mix of the housing will enable the ap-
3 plicant to manage and operate the housing effi-
4 ciently and ensure that the provision of sup-
5 portive services will be accomplished in an eco-
6 nomical fashion;

7 (D) the extent to which the proposed de-
8 sign of the housing will meet the physical needs
9 of very low-income veteran families;

10 (E) the extent to which the applicant has
11 demonstrated that the supportive services iden-
12 tified pursuant to subsection (f)(2)(B)(iii) will
13 be provided on a consistent, long-term basis;

14 (F) the extent to which the proposed de-
15 sign of the housing will accommodate the provi-
16 sion of supportive services that are expected to
17 be needed, either initially or over the useful life
18 of the housing, by the very low-income veterans
19 the housing is intended to serve; and

20 (G) such other factors as the Secretary de-
21 termines to be appropriate to ensure that funds
22 made available under this section are used ef-
23 fectively;

24 (2) a preference in such selection for applica-
25 tions proposing housing to be reserved for occupancy

1 by very low-income veteran families who are home-
2 less (as such term is defined in section 103 of the
3 McKinney-Vento Homeless Assistance Act (42
4 U.S.C. 11302)); and

5 (3) criteria appropriate to consider the need for
6 supportive housing for very low-income veteran fami-
7 lies in nonmetropolitan areas and by Indian tribes.

8 (h) PROVISION OF SUPPORTIVE SERVICES TO VET-
9 ERAN FAMILIES.—

10 (1) IN GENERAL.—The Secretary of Veterans
11 Affairs shall ensure that any housing assistance pro-
12 vided to veterans or veteran families includes a
13 range of services tailored to the needs of the very
14 low-income veteran families occupying such housing,
15 which may include services for—

16 (A) outreach;

17 (B) health (including counseling, mental
18 health, substance abuse, post-traumatic stress
19 disorder, and traumatic brain injury) diagnosis
20 and treatment;

21 (C) habilitation and rehabilitation;

22 (D) case management;

23 (E) daily living;

24 (F) personal financial planning;

25 (G) transportation;

- 1 (H) vocation;
- 2 (I) employment and training;
- 3 (J) education;
- 4 (K) assistance in obtaining veterans bene-
5 fits and public benefits, including health and
6 medical care provided by the Department of
7 Veterans Affairs;
- 8 (L) assistance in obtaining income support;
- 9 (M) assistance in obtaining health insur-
10 ance;
- 11 (N) fiduciary and representative payee;
- 12 (O) legal aid;
- 13 (P) child care;
- 14 (Q) housing counseling;
- 15 (R) service coordination; and
- 16 (S) other services necessary for maintain-
17 ing independent living.
- 18 (2) LOCAL COORDINATION OF SERVICES.—
- 19 (A) IN GENERAL.—The Secretary shall en-
20 sure that owners of housing assisted under this
21 section have the managerial capacity to—
- 22 (i) assess on an ongoing basis the
23 service needs of residents;

1 (ii) coordinate the provision of sup-
2 portive services and tailor such services to
3 the individual needs of residents; and

4 (iii) seek on a continuous basis new
5 sources of assistance to ensure the long-
6 term provision of supportive services.

7 (B) CLASSIFICATION OF COSTS.—Any cost
8 associated with this subsection shall be an eligi-
9 ble cost under subsections (c)(3) and (i).

10 (i) FINANCIAL ASSISTANCE FOR SERVICES.—

11 (1) IN GENERAL.—The Secretary of Veterans
12 Affairs shall, to the extent amounts are available for
13 assistance under this subsection, provide financial
14 assistance for the provision of supportive services,
15 and for coordinating the provision of such services,
16 to very low-income veteran families occupying as-
17 sisted housing. Such assistance shall be made
18 through payments to owners of such housing for
19 each resident of the housing based on the formula
20 established under paragraph (2).

21 (2) FORMULA.—The Secretary of Veterans Af-
22 fairs shall establish a formula to determine the rate
23 of the payments to be provided under this sub-
24 section. The formula shall determine a rate for each
25 resident of the housing assisted under this section

1 (which shall be adjusted not less than annually to
2 take into consideration changes in the cost of living).

3 (3) AUTHORIZATION OF APPROPRIATIONS.—

4 (A) IN GENERAL.—There is authorized to
5 be appropriated for the Department of Veterans
6 Affairs to carry out this subsection amounts as
7 follows:

8 (i) For fiscal year 2008, \$25,000,000.

9 (ii) For each fiscal year after fiscal
10 year 2008, such sums as may be necessary
11 for such fiscal year.

12 (B) AVAILABILITY.—Amounts authorized
13 to be appropriated by subparagraph (A) shall
14 remain available until expended.

15 (j) DEVELOPMENT COST LIMITATIONS.—

16 (1) IN GENERAL.—The Secretary shall periodi-
17 cally establish development cost limitations by mar-
18 ket area for various types and sizes of supportive
19 housing for very low-income veteran families by pub-
20 lishing a notice of the cost limitations in the Federal
21 Register.

22 (2) CONSIDERATIONS.—The cost limitations es-
23 tablished under paragraph (1) shall reflect—

24 (A) the cost of construction, reconstruc-
25 tion, or moderate or substantial rehabilitation

1 of supportive housing for very low-income vet-
2 eran families that meets applicable State and
3 local housing and building codes;

4 (B) the cost of movables necessary to the
5 basic operation of the housing, as determined
6 by the Secretary;

7 (C) the cost of special design features nec-
8 essary to make the housing accessible to very
9 low-income veteran families;

10 (D) the cost of congregate space necessary
11 to accommodate the provision of supportive
12 services to veteran families;

13 (E) if the housing is newly constructed, the
14 cost of meeting the energy efficiency standards
15 promulgated by the Secretary in accordance
16 with section 109 of the Cranston-Gonzalez Na-
17 tional Affordable Housing Act (42 U.S.C.
18 12709); and

19 (F) the cost of land, including necessary
20 site improvement.

21 (3) USE OF DATA.—In establishing development
22 cost limitations for a given market area under this
23 subsection, the Secretary shall use data that reflect
24 currently prevailing costs of construction, recon-

1 struction, or moderate or substantial rehabilitation,
2 and land acquisition in the area.

3 (4) CONGREGATE SPACE.—For purposes of
4 paragraph (1), a congregate space shall include
5 space for cafeterias or dining halls, community
6 rooms or buildings, workshops, child care, adult day
7 health facilities or other outpatient health facilities,
8 or other essential service facilities.

9 (5) COMMERCIAL FACILITIES.—Neither this
10 section nor any other provision of law may be con-
11 strued as prohibiting or preventing the location and
12 operation, in a project assisted under this section, of
13 commercial facilities for the benefit of residents of
14 the project and the community in which the project
15 is located, except that assistance made available
16 under this section may not be used to subsidize any
17 such commercial facility.

18 (6) ACQUISITION.—In the case of existing hous-
19 ing and related facilities to be acquired, the cost lim-
20 itations shall include—

21 (A) the cost of acquiring such housing;

22 (B) the cost of rehabilitation, alteration,
23 conversion, or improvement, including the mod-
24 erate or substantial rehabilitation thereof; and

1 (C) the cost of the land on which the hous-
2 ing and related facilities are located.

3 (7) ANNUAL ADJUSTMENTS.—The Secretary
4 shall adjust the cost limitation not less than annu-
5 ally to reflect changes in the general level of con-
6 struction, reconstruction, and moderate and substan-
7 tial rehabilitation costs.

8 (8) INCENTIVES FOR SAVINGS.—

9 (A) SPECIAL HOUSING ACCOUNT.—

10 (i) IN GENERAL.—The Secretary shall
11 use the development cost limitations estab-
12 lished under paragraph (1) or (6) to cal-
13 culate the amount of financing to be made
14 available to individual owners.

15 (ii) ACTUAL DEVELOPMENTAL COSTS
16 LESS THAN FINANCING.—Owners which
17 incur actual development costs that are
18 less than the amount of financing shall be
19 entitled to retain 50 percent of the savings
20 in a special housing account.

21 (iii) BONUS FOR ENERGY EFFI-
22 CIENCY.—The percentage established
23 under clause (ii) shall be increased to 75
24 percent for owners which add energy effi-
25 ciency features which—

1 (I) exceed the energy efficiency
2 standards promulgated by the Sec-
3 retary in accordance with section 109
4 of the Cranston-Gonzalez National Af-
5 fordable Housing Act (42 U.S.C.
6 12709);

7 (II) substantially reduce the life-
8 cycle cost of the housing; and

9 (III) reduce gross rent require-
10 ments.

11 (B) USES.—The special housing account
12 established under subparagraph (A) may be
13 used—

14 (i) to provide services to residents of
15 the housing or funds set aside for replace-
16 ment reserves; or

17 (ii) for such other purposes as deter-
18 mined by the Secretary.

19 (9) DESIGN FLEXIBILITY.—The Secretary shall,
20 to the extent practicable, give owners the flexibility
21 to design housing appropriate to their location and
22 proposed resident population within broadly defined
23 parameters.

24 (10) USE OF FUNDS FROM OTHER SOURCES.—
25 An owner shall be permitted voluntarily to provide

1 funds from sources other than this section for amen-
2 ities and other features of appropriate design and
3 construction suitable for supportive housing under
4 this section if the cost of such amenities is—

5 (A) not financed with the advance; and

6 (B) is not taken into account in deter-
7 mining the amount of Federal assistance or of
8 the rent contribution of tenants.

9 (k) TENANT SELECTION.—

10 (1) IN GENERAL.—An owner shall adopt writ-
11 ten tenant selection procedures that are—

12 (A) satisfactory to the Secretary and which
13 are—

14 (i) consistent with the purpose of im-
15 proving housing opportunities for very low-
16 income veteran families; and

17 (ii) reasonably related to program eli-
18 gibility and an applicant's ability to per-
19 form the obligations of the lease; and

20 (B) compliant with subtitle C of title VI of
21 the Housing and Community Development Act
22 of 1992 (42 U.S.C. 13601 et seq.) and any reg-
23 ulations issued under such subtitle.

1 (2) NOTIFICATION OF REJECTION.—Owners
2 shall promptly notify in writing any rejected appli-
3 cant of the grounds for any rejection.

4 (3) INFORMATION REGARDING HOUSING.—

5 (A) IN GENERAL.—The Secretary shall
6 provide, to the Secretary of Veterans Affairs
7 and the Secretary of Labor, information regard-
8 ing the availability of the housing assisted
9 under this section.

10 (B) SHARING OF INFORMATION WITH AD-
11 DITIONAL AGENCIES.—Within 30 days of re-
12 ceipt of the information, the Secretary of Vet-
13 erans Affairs and Secretary of Labor shall pro-
14 vide such information to agencies in the area of
15 the housing that receive assistance from the
16 Department of Veterans Affairs and the De-
17 partment of Labor for providing medical care,
18 housing, supportive services or employment and
19 training services to homeless veterans.

20 (l) MISCELLANEOUS PROVISIONS.—

21 (1) TECHNICAL ASSISTANCE.—The Secretary
22 shall make available appropriate technical assistance
23 to ensure that prospective applicants are able to par-
24 ticipate more fully in the program carried out under
25 this section.

1 (2) CIVIL RIGHTS COMPLIANCE.—Each owner
2 shall certify, to the satisfaction of the Secretary,
3 that assistance made available under this section will
4 be conducted and administered in conformity with
5 title VI of the Civil Rights Act of 1964 (42 U.S.C.
6 2000a et seq.), the Fair Housing Act (42 U.S.C.
7 3601 et seq.), and other Federal, State, and local
8 laws prohibiting discrimination and promoting equal
9 opportunity.

10 (3) OWNER DEPOSIT.—

11 (A) IN GENERAL.—The Secretary shall re-
12 quire an owner of housing, assisted under this
13 section, to deposit an amount not to exceed
14 \$15,000 in a special escrow account to ensure
15 the owner’s commitment to the housing.

16 (B) REDUCTION OF REQUIREMENT.—

17 (i) IN GENERAL.—The Secretary may
18 reduce or waive the owner deposit specified
19 under subparagraph (A) for individual ap-
20 plicants if the Secretary finds that such
21 waiver or reduction is necessary to achieve
22 the purposes of this section and the appli-
23 cant demonstrates to the satisfaction of
24 the Secretary that it has the capacity to

1 manage and maintain the housing in ac-
2 cordance with this section.

3 (ii) NONPROFITS.—The Secretary
4 may reduce or waive the requirement of
5 the owner deposit under subparagraph (A)
6 in the case of a nonprofit applicant that is
7 not affiliated with a national sponsor, as
8 determined by the Secretary.

9 (4) NOTICE OF APPEAL.—

10 (A) IN GENERAL.—The Secretary shall no-
11 tify an owner not less than 30 days prior to
12 canceling any reservation of assistance provided
13 under this section.

14 (B) APPEAL.—

15 (i) FILING DEADLINE.—During the
16 30-day period following the receipt of any
17 notice required under subparagraph (A),
18 an owner may appeal the proposed can-
19 cellation.

20 (ii) TIMING OF DECISION.—Any ap-
21 peal undertaken under clause (i), including
22 review by the Secretary, shall be completed
23 not later than 45 days after the appeal is
24 filed.

25 (5) LABOR.—

1 (A) IN GENERAL.—The Secretary shall
2 take such action as may be necessary to ensure
3 that all laborers and mechanics employed by
4 contractors and subcontractors in the construc-
5 tion of housing with 12 or more units assisted
6 under this section shall be paid wages at rates
7 not less than the rates prevailing in the locality
8 involved for the corresponding classes of labor-
9 ers and mechanics employed on construction of
10 a similar character, as determined by the Sec-
11 retary of Labor in accordance with subchapter
12 IV of chapter 31 of title 40, United States
13 Code.

14 (B) EXEMPTION.—Subparagraph (A) shall
15 not apply to any individual who—

16 (i) performs services for which the in-
17 dividual volunteered;

18 (ii) does not receive compensation for
19 such services or is paid expenses, reason-
20 able benefits, or a nominal fee for such
21 services; and

22 (iii) is not otherwise employed at any
23 time in the construction work.

24 (6) ACCESS TO RESIDUAL RECEIPTS.—

1 (A) IN GENERAL.—The Secretary shall au-
2 thorize the owner of a housing project assisted
3 under this section to use any residual receipts
4 held for the project in excess of \$500 per unit
5 (or in excess of such other amount prescribed
6 by the Secretary based on the needs of the
7 project) for activities to retrofit and renovate
8 the project as described under section 802(d)(3)
9 of the Cranston-Gonzalez National Affordable
10 Housing Act (42 U.S.C. 8011(d)(3)) or to pro-
11 vide supportive services to residents of the
12 project.

13 (B) REPORT.—Any owner that uses resid-
14 ual receipts under this paragraph shall submit
15 to the Secretary a report, not less than annu-
16 ally, describing the uses of the residual receipts.

17 (C) DETERMINATION OF AMOUNT.—In de-
18 termining the amount of project rental assist-
19 ance to be provided to a project under sub-
20 section (c)(3) of this section, the Secretary may
21 take into consideration the residual receipts
22 held for the project only if, and to the extent
23 that, excess residual receipts are not used under
24 this paragraph.

1 (7) OCCUPANCY STANDARDS AND OBLIGA-
2 TIONS.—Each owner shall operate housing assisted
3 under this section in compliance with subtitle C of
4 title VI of the Housing and Community Develop-
5 ment Act of 1992 (42 U.S.C. 13601 et seq.) and
6 any regulations issued under such subtitle.

7 (8) USE OF PROJECT RESERVES.—

8 (A) IN GENERAL.—Amounts for project re-
9 serves for a project assisted under this section
10 may be used for costs, subject to reasonable
11 limitations as the Secretary determines appro-
12 priate, for reducing the number of dwelling
13 units in the project.

14 (B) APPROVAL OF SECRETARY RE-
15 QUIRED.—Any use described in subparagraph
16 (A) of amounts for project reserves for a
17 project assisted under this section shall be sub-
18 ject to the approval of the Secretary to ensure
19 that such use is designed to retrofit units that
20 are currently obsolete or unmarketable.

21 (m) DEFINITIONS.—In this section, the following
22 definitions shall apply:

23 (1) CONSUMER COOPERATIVE.—The term “con-
24 sumer cooperative” has the same meaning given
25 such term for purposes of the supportive housing for

1 the elderly program under section 202 of the Hous-
2 ing Act of 1959 (12 U.S.C. 1701q).

3 (2) VERY LOW-INCOME VETERAN FAMILY.—The
4 term “very low-income veteran family” means a vet-
5 eran family whose income does not exceed 50 per-
6 cent of the median income for the area, as deter-
7 mined by the Secretary with adjustments for smaller
8 and larger families, except that the Secretary may
9 establish an income ceiling higher or lower than 50
10 percent of the median for the area on the basis of
11 the Secretary’s findings that such variations are nec-
12 essary because of prevailing levels of construction
13 costs or fair market rents (as determined under sec-
14 tion 8 of the United States Housing Act of 1937 (42
15 U.S.C. 1437f)), or unusually high or low family in-
16 comes.

17 (3) OWNER.—The term “owner” means a pri-
18 vate nonprofit organization or consumer cooperative
19 that receives assistance under this section to develop
20 and operate supportive housing for very low-income
21 veteran families.

22 (4) PRIVATE NONPROFIT ORGANIZATION.—The
23 term “private nonprofit organization” means—

24 (A) any incorporated private institution or
25 foundation—

1 (i) no part of the net earnings of
2 which inures to the benefit of any member,
3 founder, contributor, or individual;

4 (ii) which has a governing board that
5 is responsible for the operation of the
6 housing assisted under this section; and

7 (iii) which is approved by the Sec-
8 retary as to financial responsibility;

9 (B) a for-profit limited partnership the
10 sole general partner of which is an organization
11 meeting the requirements under clauses (i), (ii),
12 and (iii) of subparagraph (A);

13 (C) a corporation wholly owned and con-
14 trolled by an organization meeting the require-
15 ments under clauses (i), (ii), and (iii) of sub-
16 paragraph (A); and

17 (D) a tribally designated housing entity, as
18 such term is defined in section 4 of the Native
19 American Housing Assistance and Self-Deter-
20 mination Act of 1996 (25 U.S.C. 4103).

21 (5) SECRETARY.—The term “Secretary” means
22 the Secretary of Housing and Urban Development,
23 except where specifically provided otherwise.

24 (6) STATE.—The term “State” includes the
25 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-
4 COME VETERAN FAMILIES.—The term “supportive
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.

11 (8) VETERAN.—The term “veteran” has the
12 meaning given the term in section 101 of title 38,
13 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 (n) 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).

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) FUNDING.—The budget authority
11 made available under any other provisions of
12 law for rental assistance under this subsection
13 for fiscal year 2008 and each fiscal year there-
14 after is authorized to be increased in each such
15 fiscal year by such sums as may be necessary
16 to provide the number of vouchers specified in
17 subparagraph (B) for such fiscal year.”.

18 **SEC. 5. INCLUSION OF VETERANS IN HOUSING PLANNING.**

19 (a) PUBLIC HOUSING AGENCY PLANS.—Section
20 5A(d)(1) of the United States Housing Act of 1937 (42
21 U.S.C. 1437c–1(d)(1)) is amended by striking “and dis-
22 abled families” and inserting “, disabled families, and vet-
23 erans (as such term is defined in section 101 of title 38,
24 United States Code)”.

1 (b) COMPREHENSIVE HOUSING AFFORDABILITY
2 STRATEGIES.—

3 (1) IN GENERAL.—Section 105 of the Cran-
4 ston-Gonzalez National Affordable Housing Act (42
5 U.S.C. 12705) is amended—

6 (A) in subsection (b)(1), by inserting “vet-
7 erans (as such term is defined in section 101 of
8 title 38, United States Code),” after “acquired
9 immunodeficiency syndrome,”;

10 (B) in subsection (b)(20), by striking “and
11 service” and inserting “veterans service, and
12 other service”; and

13 (C) in subsection (e)(1), by inserting “vet-
14 erans (as such term is defined in section 101 of
15 title 38, United States Code),” after “homeless
16 persons,”.

17 (2) CONSOLIDATED PLANS.—The Secretary of
18 Housing and Urban Development shall revise the
19 regulations relating to submission of consolidated
20 plans (part 91 of title 24, Code of Federal Regula-
21 tions) in accordance with the amendments made by
22 paragraph (1) of this subsection to require inclusion
23 of appropriate information relating to veterans and
24 veterans service agencies in all such plans.

1 **SEC. 6. EXCLUSION OF VETERANS BENEFITS FROM AS-**
2 **SISTED HOUSING RENT CONSIDERATIONS.**

3 (a) **IN GENERAL.**—Notwithstanding any other provi-
4 sion of law, for purposes of determining the amount of
5 rent paid by a family for occupancy of a dwelling unit as-
6 sisted under a federally assisted housing program under
7 subsection (b) or in housing assisted under any other fed-
8 erally assisted housing program, the income and the ad-
9 justed income of the family shall not be considered to in-
10 clude any amounts received by any member of the family
11 from the Secretary of Veterans Affairs as—

12 (1) compensation, as such term is defined in
13 section 101(13) of title 38, United States Code;

14 (2) dependency and indemnity compensation, as
15 such term is defined in section 101(14) of such title;
16 and

17 (3) a pension, as such term is defined in section
18 101(15) of such title.

19 (b) **FEDERALLY ASSISTED HOUSING PROGRAM.**—
20 The federally assisted housing programs under this sub-
21 section are—

22 (1) the public housing program under the
23 United States Housing Act of 1937 (42 U.S.C. 1437
24 et seq.);

25 (2) the tenant-based rental assistance program
26 under section 8 of the United States Housing Act of

1 1937 (42 U.S.C. 1437f), including the program
2 under subsection (o)(19) of such section for housing
3 rental vouchers for low-income veteran families;

4 (3) the project-based rental assistance program
5 under section 8 of the United States Housing Act of
6 1937 (42 U.S.C. 1437f);

7 (4) the program for housing opportunities for
8 persons with AIDS under subtitle D of title VIII of
9 the Cranston-Gonzalez National Affordable Housing
10 Act (42 U.S.C. 12901 et seq.);

11 (5) the supportive housing for the elderly pro-
12 gram under section 202 of the Housing Act of 1959
13 (12 U.S.C. 1701q);

14 (6) the supportive housing for persons with dis-
15 abilities program under section 811 of the Cranston-
16 Gonzalez National Affordable Housing Act (42
17 U.S.C. 8013);

18 (7) the supportive housing for the homeless pro-
19 gram under subtitle C of title IV of the McKinney-
20 Vento Homeless Assistance Act (42 U.S.C. 11381 et
21 seq.);

22 (8) the program for moderate rehabilitation of
23 single room occupancy dwellings for occupancy by
24 the homeless under section 441 of the McKinney-
25 Vento Homeless Assistance Act (42 U.S.C. 11401);

1 (9) the shelter plus care for the homeless pro-
2 gram under subtitle F of title IV of the McKinney-
3 Vento Homeless Assistance Act (42 U.S.C. 11403 et
4 seq.);

5 (10) the supportive housing for very low-income
6 veteran families program under section 3 of this Act;

7 (11) the rental assistance payments program
8 under section 521(a)(2)(A) of the Housing Act of
9 1949 (42 U.S.C. 1490a(a)(2)(A));

10 (12) the rental assistance program under sec-
11 tion 236 of the National Housing Act (12 U.S.C.
12 1715z-1);

13 (13) the rural housing programs under section
14 515 and 538 of the Housing Act of 1949 (42 U.S.C.
15 1485, 1490p-2);

16 (14) the HOME investment partnerships pro-
17 gram under title II of the Cranston-Gonzalez Na-
18 tional Affordable Housing Act (42 U.S.C. 12721 et
19 seq.);

20 (15) the block grant programs for affordable
21 housing for Native Americans and Native Hawaiians
22 under titles I through IV and VIII of the Native
23 American Housing Assistance and Self-Determina-
24 tion Act of 1996 (25 U.S.C. 4111 et seq., 4221 et
25 seq.);

1 (16) the low-income housing tax credit program
2 under section 42 of the Internal Revenue Code of
3 1986; and

4 (17) any other program for housing assistance
5 administered by the Secretary of Housing and
6 Urban Development or the Secretary of Agriculture
7 under which eligibility for occupancy in the housing
8 assisted or for housing assistance is based upon in-
9 come.

10 **SEC. 7. TECHNICAL ASSISTANCE GRANTS FOR HOUSING AS-**
11 **SISTANCE FOR VETERANS.**

12 (a) IN GENERAL.—The Secretary of Housing and
13 Urban Development shall, to the extent amounts are made
14 available in appropriation Acts for grants under this sec-
15 tion, make grants to eligible entities under subsection (b)
16 to provide to nonprofit organizations technical assistance
17 appropriate to assist such organizations in—

18 (1) sponsoring housing projects for veterans as-
19 sisted under programs administered by the Depart-
20 ment of Housing and Urban Development;

21 (2) fulfilling the planning and application proc-
22 esses and requirements necessary under such pro-
23 grams administered by the Department; and

1 (1) The Committee on Banking, Housing, and
2 Urban Affairs of the Senate.

3 (2) The Committee on Veterans' Affairs of the
4 Senate.

5 (3) The Committee on Appropriations of the
6 Senate.

7 (4) The Committee on Financial Services of the
8 House of Representatives.

9 (5) The Committee on Veterans' Affairs of the
10 House of Representatives.

11 (6) The Committee on Appropriations of the
12 House of Representatives.

13 (7) The Secretary of Veterans Affairs.

14 (b) CONTENTS.—Each report required under sub-
15 section (a) shall include the following information with re-
16 spect to the year for which the report is submitted:

17 (1) The number of very low-income veteran
18 families provided assistance under the program of
19 supportive housing for very low-income veteran fami-
20 lies under section 3, the socioeconomic characteris-
21 tics of such families, the types of assistance provided
22 such families, and the number, types, and locations
23 of owners of housing assisted under such section.

24 (2) The number of homeless veterans provided
25 assistance under the program of housing choice

1 vouchers for homeless veterans under section
2 8(o)(19) of the United States Housing Act of 1937
3 (42 U.S.C. 1437f(o)(19)) (as amended by section 4),
4 the socioeconomic characteristics of such homeless
5 veterans, and the number, types, and locations of en-
6 tities contracted under such section to administer
7 the vouchers.

8 (3) A summary description of the special con-
9 siderations made for veterans under public housing
10 agency plans submitted pursuant to section 5A of
11 the United States Housing Act of 1937 (42 U.S.C.
12 1437e-1) and under comprehensive housing afford-
13 ability strategies submitted pursuant to section 105
14 of the Cranston-Gonzalez National Affordable Hous-
15 ing Act (42 U.S.C. 12705).

16 (4) A description of the technical assistance
17 provided to organizations pursuant to grants under
18 section 7.

19 (5) A description of the activities of the Special
20 Assistant for Veterans Affairs.

21 (6) A description of the efforts of the Depart-
22 ment of Housing and Urban Development to coordi-
23 nate the delivery of housing and services to veterans
24 with other Federal departments and agencies, in-
25 cluding the Department of Defense, Department of

1 Justice, Department of Labor, Department of
2 Health and Human Services, Department of Vet-
3 erans Affairs, Interagency Council on Homelessness,
4 and the Social Security Administration.

5 (7) The cost to the Department of Housing and
6 Urban Development of administering the programs
7 and activities relating to veterans.

8 (8) Any other information that the Secretary
9 considers relevant in assessing the programs and ac-
10 tivities of the Department of Housing and Urban
11 Development relating to veterans .

12 (c) ASSESSMENT OF HOUSING NEEDS OF VERY LOW-
13 INCOME VETERAN FAMILIES.—

14 (1) IN GENERAL.—For the first report sub-
15 mitted pursuant to subsection (a) and every fifth re-
16 port thereafter, the Secretary of Housing and Urban
17 Development shall—

18 (A) conduct an assessment of the housing
19 needs of very low-income veteran families (as
20 such term is defined in section 3); and

21 (B) shall include in each such report find-
22 ings regarding such assessment.

23 (2) CONTENT.—Each assessment under this
24 subsection shall include—

1 (A) conducting a survey of, and direct
2 interviews with, a representative sample of very
3 low-income veteran families (as such term is de-
4 fined in section 3) to determine past and cur-
5 rent—

6 (i) socioeconomic characteristics of
7 such veteran families;

8 (ii) barriers to such veteran families
9 obtaining safe, quality, and affordable
10 housing;

11 (iii) levels of homelessness among
12 such veteran families; and

13 (iv) levels and circumstances of, and
14 barriers to, receipt by such veteran families
15 of rental housing and homeownership as-
16 sistance; and

17 (B) such other information that the Sec-
18 retary determines, in consultation with the Sec-
19 retary of Veterans Affairs and national non-
20 governmental organizations concerned with vet-
21 erans, homelessness, and very low-income hous-
22 ing, may be useful to the assessment.

23 (3) CONDUCT.—If the Secretary contracts with
24 an entity other than the Department of Housing and
25 Urban Development to conduct the assessment

1 under this subsection, such entity shall be a non-
2 governmental organization determined by the Sec-
3 retary to have appropriate expertise in quantitative
4 and qualitative social science research.

5 (4) FUNDING.—Of any amounts made available
6 pursuant to section 501 of the Housing and Urban
7 Development Act of 1970 (42 U.S.C. 1701z–1) for
8 programs of research, studies, testing, or demonstra-
9 tion relating to the mission or programs of the De-
10 partment of Housing and Urban Development for
11 any fiscal year in which an assessment under this
12 subsection is required pursuant to paragraph (1) of
13 this subsection, \$1,000,000 shall be available until
14 expended for costs of the assessment under this sub-
15 section.

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