

109TH CONGRESS
1ST SESSION

S. 1801

To amend the McKinney-Vento Homeless Assistance Act to reauthorize the Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2005

Mr. REED (for himself, Mr. ALLARD, Ms. COLLINS, Mr. SARBANES, Mr. BOND, Mrs. MURRAY, Mr. CHAFEE, Ms. MIKULSKI, Mr. DODD, Mr. AKAKA, Mr. SCHUMER, Mr. CORZINE, Mrs. CLINTON, and Ms. LANDRIEU) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To amend the McKinney-Vento Homeless Assistance Act to reauthorize the Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Community Partner-
5 ship to End Homelessness Act of 2005”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 Section 102 of the McKinney-Vento Homeless Assist-
8 ance Act (42 U.S.C. 11301) is amended to read as follows:

1 **“SEC. 102. FINDINGS AND PURPOSE.**

2 “(a) FINDINGS.—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 several Federal Government pro-
12 grams to assist persons experiencing homelessness,
13 including programs for individuals with disabilities,
14 veterans, children, and youth;

15 “(4) homeless assistance programs must be
16 evaluated on the basis of their effectiveness in reduc-
17 ing homelessness, transitioning individuals and fami-
18 lies to permanent housing and stability, and opti-
19 mizing their self-sufficiency;

20 “(5) States and units of general local govern-
21 ment receiving Federal block grant and other Fed-
22 eral grant funds must be evaluated on the basis of
23 their effectiveness in—

24 “(A) implementing plans to appropriately
25 discharge individuals to and from mainstream
26 service systems; and

1 “(B) reducing barriers to participation in
2 mainstream programs, as identified in—

3 “(i) a report by the Government Ac-
4 countability Office entitled ‘Homelessness:
5 Coordination and Evaluation of Programs
6 Are Essential’, issued February 26, 1999;
7 or

8 “(ii) a report by the Government Ac-
9 countability Office entitled ‘Homelessness:
10 Barriers to Using Mainstream Programs’,
11 issued July 6, 2000;

12 “(6) an effective plan for reducing homelessness
13 should provide a comprehensive housing system (in-
14 cluding permanent housing and, as needed, transi-
15 tional housing) that recognizes that, while some indi-
16 viduals and families experiencing homelessness at-
17 tain economic viability and independence utilizing
18 transitional housing and then permanent housing,
19 others can reenter society directly and optimize self-
20 sufficiency through acquiring permanent housing;

21 “(7) supportive housing activities include the
22 provision of permanent housing or transitional hous-
23 ing, and appropriate supportive services, in an envi-
24 ronment that can meet the short-term or long-term

1 needs of persons experiencing homelessness as they
2 reintegrate into mainstream society;

3 “(8) homeless housing and supportive services
4 programs within a community are most effective
5 when they are developed and operated as part of an
6 inclusive, collaborative, locally driven homeless plan-
7 ning process that involves as decision makers per-
8 sons experiencing homelessness, advocates for per-
9 sons experiencing homelessness, service organiza-
10 tions, government officials, business persons, neigh-
11 borhood advocates, and other community members;

12 “(9) homelessness should be treated as a symp-
13 tom of many neighborhood, community, and system
14 problems, whose remedies require a comprehensive
15 approach integrating all available resources;

16 “(10) there are many private sector entities,
17 particularly nonprofit organizations, that have suc-
18 cessfully operated outcome-effective homeless pro-
19 grams;

20 “(11) Federal homeless assistance should sup-
21 plement other public and private funding provided
22 by communities for housing and supportive services
23 for low-income households;

24 “(12) the Federal Government has a responsi-
25 bility to establish partnerships with State and local

1 governments and private sector entities to address
2 comprehensively the problems of homelessness; and

3 “(13) the results of Federal programs targeted
4 for persons experiencing homelessness have been
5 positive.

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

7 “(1) to create a unified and performance-based
8 process for allocating and administering funds under
9 title IV;

10 “(2) to encourage comprehensive, collaborative
11 local planning of housing and services programs for
12 persons experiencing homelessness;

13 “(3) to focus the resources and efforts of the
14 public and private sectors on ending and preventing
15 homelessness;

16 “(4) to provide funds for programs to assist in-
17 dividuals and families in the transition from home-
18 lessness, and to prevent homelessness for those vul-
19 nerable to homelessness;

20 “(5) to consolidate the separate homeless assist-
21 ance programs carried out under title IV (consisting
22 of the supportive housing program and related inno-
23 vative programs, the safe havens program, the sec-
24 tion 8 assistance program for single-room occupancy
25 dwellings, the shelter plus care program, and the

1 rural homeless housing assistance program) into a
2 single program with specific eligible activities;

3 “(6) to allow flexibility and creativity in re-
4 thinking solutions to homelessness, including alter-
5 native housing strategies, outcome-effective service
6 delivery, and the involvement of persons experiencing
7 homelessness in decision making regarding opportu-
8 nities for their long-term stability, growth, well-
9 being, and optimum self-sufficiency; and

10 “(7) to ensure that multiple Federal agencies
11 are involved in the provision of housing, health care,
12 human services, employment, and education assist-
13 ance, as appropriate for the missions of the agencies,
14 to persons experiencing homelessness, through the
15 funding provided for implementation of programs
16 carried out under this Act and other programs tar-
17 geted for persons experiencing homelessness, and
18 mainstream funding, and to promote coordination
19 among those Federal agencies, including providing
20 funding for a United States Interagency Council on
21 Homelessness to advance such coordination.”.

22 **SEC. 3. UNITED STATES INTERAGENCY COUNCIL ON HOME-**
23 **LESSNESS.**

24 Title II of the McKinney-Vento Homeless Assistance
25 Act (42 U.S.C. 11311 et seq.) is amended—

1 (1) in section 201 (42 U.S.C. 11311), by strik-
2 ing the period at the end and inserting the following:
3 “whose mission shall be to develop and coordinate
4 the implementation of a national strategy to prevent
5 and end homelessness while maximizing the effec-
6 tiveness of the Federal Government in contributing
7 to an end to homelessness in the United States.”;

8 (2) in section 202 (42 U.S.C. 11312)—

9 (A) in subsection (a)—

10 (i) by striking “(16)” and inserting
11 “(19)”; and

12 (ii) by inserting after paragraph (15)
13 the following:

14 “(16) The Commissioner of Social Security, or
15 the designee of the Commissioner.

16 “(17) The Attorney General of the United
17 States, or the designee of the Attorney General.

18 “(18) The Director of the Office of Manage-
19 ment and Budget, or the designee of the Director.”;

20 (B) in subsection (c), by striking “annu-
21 ally” and inserting “2 times each year”; and

22 (C) by adding at the end the following:

23 “(e) ADMINISTRATION.—The Assistant to the Presi-
24 dent for Domestic Policy within the Executive Office of
25 the President shall oversee the functioning of the United

1 States Interagency Council on Homelessness to ensure
2 Federal interagency collaboration and program coordina-
3 tion to focus on preventing and ending homelessness, to
4 increase access to mainstream programs (as identified in
5 a report by the Government Accountability Office entitled
6 ‘Homelessness: Barriers to Using Mainstream Programs’,
7 issued July 6, 2000) by persons experiencing homeless-
8 ness, to eliminate the barriers to participation in those
9 programs, to implement a Federal plan to prevent and end
10 homelessness, and to identify Federal resources that can
11 be expended to prevent and end homelessness.”;

12 (3) in section 203(a) (42 U.S.C. 11313(a))—

13 (A) by redesignating paragraphs (1), (2),
14 (3), (4), (5), (6), and (7) as paragraphs (2),
15 (3), (4), (5), (8), (9), and (10), respectively;

16 (B) by inserting before paragraph (2), as
17 redesignated by subparagraph (A), the fol-
18 lowing:

19 “(1) not later than 1 year after the date of en-
20 actment of the Community Partnership to End
21 Homelessness Act of 2005, develop and submit to
22 the President and to Congress a National Strategic
23 Plan to End Homelessness;”;

24 (C) in paragraph (5), as redesignated by
25 subparagraph (A), by striking “at least 2, but

1 in no case more than 5” and inserting “not less
2 than 5, but in no case more than 10”; and

3 (D) by inserting after paragraph (5), as
4 redesignated by subparagraph (A), the fol-
5 lowing:

6 “(6) encourage the creation of State Inter-
7 agency Councils on Homelessness and the formula-
8 tion of multi-year plans to end homelessness at
9 State, city, and county levels;

10 “(7) develop mechanisms to ensure access by
11 persons experiencing homelessness to all Federal,
12 State, and local programs for which the persons are
13 eligible, and to verify collaboration among entities
14 within a community that receive Federal funding
15 under programs targeted for persons experiencing
16 homelessness, and other programs for which persons
17 experiencing homelessness are eligible, including
18 mainstream programs identified by the Government
19 Accountability Office in the 2 reports described in
20 section 102(a)(5)(B);” and

21 (4) by striking section 208 (42 U.S.C. 11318)
22 and inserting the following:

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

24 “Of any amounts made available for any fiscal year
25 to carry out subtitles B and C of title IV, \$3,000,000 shall

1 be allocated to the Assistant to the President for Domestic
 2 Policy within the Executive Office of the President to
 3 carry out this title.”.

4 **SEC. 4. HOUSING ASSISTANCE GENERAL PROVISIONS.**

5 Subtitle A of title IV of the McKinney-Vento Home-
 6 less Assistance Act (42 U.S.C. 11361 et seq.) is amend-
 7 ed—

8 (1) by striking the subtitle heading and insert-
 9 ing the following:

10 **“Subtitle A—General Provisions”;**

11 (2)(A) by redesignating section 401 (42 U.S.C.
 12 11361) as section 403; and

13 (B) by redesignating section 402 (42 U.S.C.
 14 11362) as section 406;

15 (3) by inserting before section 403 (as redesign-
 16 dated in paragraph (2)) the following:

17 **“SEC. 401. DEFINITIONS.**

18 “In this title:

19 “(1) CHRONICALLY HOMELESS.—

20 “(A) IN GENERAL.—The term ‘chronically
 21 homeless’, used with respect to an individual or
 22 family, means an individual or family who—

23 “(i) is homeless;

24 “(ii) has been homeless continuously
 25 for at least 1 year or has been homeless on

1 at least 4 separate occasions in the last 3
2 years; and

3 “(iii) in the case of a family, has an
4 adult head of household with a disabling
5 condition.

6 “(B) DISABLING CONDITION.—As used in
7 this paragraph, the term ‘disabling condition’
8 means a condition that is a diagnosable sub-
9 stance use disorder, serious mental illness, de-
10 velopmental disability (as defined in section 102
11 of the Developmental Disabilities Assistance
12 and Bill of Rights Act of 2000 (42 U.S.C.
13 15002)), or chronic physical illness or disability,
14 including the co-occurrence of 2 or more of
15 those conditions.

16 “(2) COLLABORATIVE APPLICANT.—

17 “(A) IN GENERAL.—The term ‘collabo-
18 rative applicant’ means an entity that—

19 “(i) is a representative community
20 homeless assistance planning body estab-
21 lished or designed in accordance with sec-
22 tion 402;

23 “(ii) serves as the applicant for
24 project sponsors who jointly submit a sin-
25 gle application for a grant under subtitle C

1 in accordance with a collaborative process;
2 and

3 “(iii) if the entity is a legal entity and
4 is awarded such grant, receives such grant
5 directly from the Secretary.

6 “(B) STATE AND LOCAL GOVERNMENTS.—
7 Notwithstanding the requirements of subpara-
8 graph (A), the term ‘collaborative applicant’ in-
9 cludes a State or local government, or a consor-
10 tium of State or local governments, engaged in
11 activities to end homelessness.

12 “(3) COLLABORATIVE APPLICATION.—The term
13 ‘collaborative application’ means an application for a
14 grant under subtitle C that—

15 “(A) satisfies section 422 (including con-
16 taining the information described in subsections
17 (a) and (c) of section 426); and

18 “(B) is submitted to the Secretary by a
19 collaborative applicant.

20 “(4) CONSOLIDATED PLAN.—The term ‘Con-
21 solidated Plan’ means a comprehensive housing af-
22 fordability strategy and community development
23 plan required in part 91 of title 24, Code of Federal
24 Regulations.

1 “(5) ELIGIBLE ENTITY.—The term ‘eligible en-
 2 tity’ means, with respect to a subtitle, a public enti-
 3 ty, a private entity, or an entity that is a combina-
 4 tion of public and private entities, that is eligible to
 5 receive directly grant amounts under that subtitle.

6 “(6) GEOGRAPHIC AREA.—The term ‘geo-
 7 graphic area’ means a State, metropolitan city,
 8 urban county, town, village, or other nonentitlement
 9 area, or a combination or consortia of such, in the
 10 United States, as described in section 106 of the
 11 Housing and Community Development Act of 1974
 12 (42 U.S.C. 5306).

13 “(7) HOMELESS INDIVIDUAL WITH A DIS-
 14 ABILITY.—

15 “(A) IN GENERAL.—The term ‘homeless
 16 individual with a disability’ means an individual
 17 who is homeless, as defined in section 103, and
 18 has a disability that—

19 “(i)(I) is expected to be long-con-
 20 tinuing or of indefinite duration;

21 “(II) substantially impedes the indi-
 22 vidual’s ability to live independently;

23 “(III) could be improved by the provi-
 24 sion of more suitable housing conditions;
 25 and

1 “(IV) is a physical, mental, or emo-
2 tional impairment, including an impair-
3 ment caused by alcohol or drug abuse;

4 “(ii) is a developmental disability, as
5 defined in section 102 of the Develop-
6 mental Disabilities Assistance and Bill of
7 Rights Act of 2000 (42 U.S.C. 15002); or

8 “(iii) is the disease of acquired im-
9 munodeficiency syndrome or any condition
10 arising from the etiologic agency for ac-
11 quired immunodeficiency syndrome.

12 “(B) RULE.—Nothing in clause (iii) of
13 subparagraph (A) shall be construed to limit
14 eligibility under clause (i) or (ii) of subpara-
15 graph (A).

16 “(8) LEGAL ENTITY.—The term ‘legal entity’
17 means—

18 “(A) an entity described in section
19 501(c)(3) of the Internal Revenue Code of 1986
20 and exempt from tax under section 501(a) of
21 that Code;

22 “(B) an instrumentality of State or local
23 government; or

1 “(C) a consortium of instrumentalities of
2 State or local governments that has constituted
3 itself as an entity.

4 “(9) METROPOLITAN CITY; URBAN COUNTY;
5 NONENTITLEMENT AREA.—The terms ‘metropolitan
6 city’, ‘urban county’, and ‘nonentitlement area’ have
7 the meanings given such terms in section 102(a) of
8 the Housing and Community Development Act of
9 1974 (42 U.S.C. 5302(a)).

10 “(10) NEW.—The term ‘new’, used with respect
11 to housing, means housing for which no assistance
12 has been provided under this title.

13 “(11) OPERATING COSTS.—The term ‘operating
14 costs’ means expenses incurred by a project sponsor
15 operating—

16 “(A) transitional housing or permanent
17 housing under this title with respect to—

18 “(i) the administration, maintenance,
19 repair, and security of such housing;

20 “(ii) utilities, fuel, furnishings, and
21 equipment for such housing; or

22 “(iii) conducting an assessment under
23 section 426(c)(2); and

24 “(B) supportive housing, for homeless indi-
25 viduals with disabilities or homeless families

1 that include such an individual, under this title
2 with respect to—

3 “(i) the matters described in clauses
4 (i), (ii), and (iii) of subparagraph (A); and
5 “(ii) coordination of services as need-
6 ed to ensure long-term housing stability.

7 “(12) OUTPATIENT HEALTH SERVICES.—The
8 term ‘outpatient health services’ means outpatient
9 health care services, mental health services, and out-
10 patient substance abuse treatment services.

11 “(13) PERMANENT HOUSING.—The term ‘per-
12 manent housing’ means community-based housing
13 without a designated length of stay, and includes
14 permanent supportive housing for homeless individ-
15 uals with disabilities and homeless families that in-
16 clude such an individual who is an adult.

17 “(14) PERMANENT HOUSING DEVELOPMENT
18 ACTIVITIES.—The term ‘permanent housing develop-
19 ment activities’ means activities—

20 “(A) to construct, lease, rehabilitate, or ac-
21 quire structures to provide permanent housing;

22 “(B) involving tenant-based and project-
23 based flexible rental assistance for permanent
24 housing;

1 “(C) described in paragraphs (1) through
2 (4) of section 423(a) as they relate to perma-
3 nent housing; or

4 “(D) involving the capitalization of a dedi-
5 cated project account from which payments are
6 allocated for rental assistance and operating
7 costs of permanent housing.

8 “(15) PRIVATE NONPROFIT ORGANIZATION.—
9 The term ‘private nonprofit organization’ means an
10 organization—

11 “(A) no part of the net earnings of which
12 inures to the benefit of any member, founder,
13 contributor, or individual;

14 “(B) that has a voluntary board;

15 “(C) that has an accounting system, or has
16 designated a fiscal agent in accordance with re-
17 quirements established by the Secretary; and

18 “(D) that practices nondiscrimination in
19 the provision of assistance.

20 “(16) PROJECT.—The term ‘project’, used with
21 respect to activities carried out under subtitle C,
22 means eligible activities described in section 423(a),
23 undertaken pursuant to a specific endeavor, such as
24 serving a particular population or providing a par-
25 ticular resource.

1 “(17) PROJECT-BASED.—The term ‘project-
2 based’, used with respect to rental assistance, means
3 assistance provided pursuant to a contract that—

4 “(A) is between—

5 “(i) a project sponsor; and

6 “(ii) an owner of a structure that ex-
7 ists as of the date the contract is entered
8 into; and

9 “(B) provides that rental assistance pay-
10 ments shall be made to the owner and that the
11 units in the structure shall be occupied by eligi-
12 ble persons for not less than the term of the
13 contract.

14 “(18) PROJECT SPONSOR.—The term ‘project
15 sponsor’, used with respect to proposed eligible ac-
16 tivities, means the organization directly responsible
17 for the proposed eligible activities.

18 “(19) RECIPIENT.—Except as used in subtitle
19 B, the term ‘recipient’ means an eligible entity
20 who—

21 “(A) submits an application for a grant
22 under section 422 that is approved by the Sec-
23 retary;

1 “(B) receives the grant directly from the
2 Secretary to support approved projects de-
3 scribed in the application; and

4 “(C)(i) serves as a project sponsor for the
5 projects; or

6 “(ii) awards the funds to project sponsors
7 to carry out the projects.

8 “(20) SECRETARY.—The term ‘Secretary’
9 means the Secretary of Housing and Urban Develop-
10 ment.

11 “(21) SERIOUSLY MENTALLY ILL.—The term
12 ‘seriously mentally ill’ means having a severe and
13 persistent mental illness or emotional impairment
14 that seriously limits a person’s ability to live inde-
15 pendently.

16 “(22) STATE.—Except as used in subtitle B,
17 the term ‘State’ means each of the several States,
18 the District of Columbia, the Commonwealth of
19 Puerto Rico, the United States Virgin Islands,
20 Guam, American Samoa, and the Commonwealth of
21 the Northern Mariana Islands.

22 “(23) SUPPORTIVE HOUSING.—The term ‘sup-
23 portive housing’ means housing that—

24 “(A) helps individuals experiencing home-
25 lessness and families experiencing homelessness

1 to transition from homelessness to living in
2 safe, decent, and affordable housing as inde-
3 pendently as possible; and

4 “(B) provides supportive services and
5 housing assistance on either a temporary or
6 permanent basis, as determined by the identi-
7 fied abilities and needs of the program partici-
8 pants.

9 “(24) SUPPORTIVE SERVICES.—The term ‘sup-
10 portive services’—

11 “(A) through the end of the final deter-
12 mination year (as described in section
13 423(a)(6)(C)(iii)), means the services described
14 in section 423(a)(6)(A), for both new projects
15 and projects receiving renewal funding; and

16 “(B) after that final determination year,
17 means the services described in section
18 423(a)(6)(B), as permitted under section
19 423(a)(6)(C), for both new projects and
20 projects receiving renewal funding.

21 “(25) TENANT-BASED.—The term ‘tenant-
22 based’, used with respect to rental assistance, means
23 assistance that allows an eligible person to select a
24 housing unit in which such person will live using
25 rental assistance provided under subtitle C, except

1 that if necessary to assure that the provision of sup-
2 portive services to a person participating in a pro-
3 gram is feasible, a recipient or project sponsor may
4 require that the person live—

5 “(A) in a particular structure or unit for
6 not more than the first year of the participa-
7 tion; and

8 “(B) within a particular geographic area
9 for the full period of the participation, or the
10 period remaining after the period referred to in
11 subparagraph (A).

12 “(26) TRANSITIONAL HOUSING.—The term
13 ‘transitional housing’ means housing, the purpose of
14 which is to facilitate the movement of individuals
15 and families experiencing homelessness to permanent
16 housing within 24 months or such longer period as
17 the Secretary determines necessary.

18 **“SEC. 402. COLLABORATIVE APPLICANTS.**

19 “(a) ESTABLISHMENT AND DESIGNATION.—A col-
20 laborative applicant shall be established for a geographic
21 area by the relevant parties in that geographic area, or
22 designated for a geographic area by the Secretary in ac-
23 cordance with subsection (d), to lead a collaborative plan-
24 ning process to design and evaluate programs, policies,
25 and practices to prevent and end homelessness.

1 “(b) MEMBERSHIP OF ESTABLISHED COLLABO-
2 RATIVE APPLICANT.—A collaborative applicant estab-
3 lished under subsection (a) shall be composed of persons
4 from a particular geographic area who are—

5 “(1) persons who are experiencing or have expe-
6 rienced homelessness (with not fewer than 2 persons
7 being individuals who are experiencing or have expe-
8 rienced homelessness);

9 “(2) persons who act as advocates for the di-
10 verse subpopulations of persons experiencing home-
11 lessness;

12 “(3) persons or representatives of organizations
13 who provide assistance to the variety of individuals
14 and families experiencing homelessness; and

15 “(4) relatives of individuals experiencing home-
16 lessness;

17 “(5) government agency officials, particularly
18 those officials responsible for administering funding
19 under programs targeted for persons experiencing
20 homelessness, and other programs for which persons
21 experiencing homelessness are eligible, including
22 mainstream programs identified by the Government
23 Accountability Office in the 2 reports described in
24 section 102(a)(5)(B);

1 “(6) 1 or more local educational agency liaisons
2 designated under section 722(g)(1)(J)(ii), or their
3 designees;

4 “(7) members of the business community;

5 “(8) members of neighborhood advocacy organi-
6 zations; and

7 “(9) members of philanthropic organizations
8 that contribute to preventing and ending homeless-
9 ness in the geographic area of the collaborative ap-
10 plicant.

11 “(c) ROTATION OF MEMBERSHIP OF ESTABLISHED
12 OR DESIGNATED COLLABORATIVE APPLICANT.—The par-
13 ties establishing or designating a collaborative applicant
14 under subsection (a) shall ensure, to the extent prac-
15 ticable, that the collaborative applicant rotates its mem-
16 bership to ensure that representatives of all agencies, busi-
17 nesses, and organizations who are described in paragraphs
18 (1) through (9) of subsection (b) and invested in devel-
19 oping and implementing strategies to prevent and end
20 homelessness are able to participate as decisionmaking
21 members of the collaborative applicant.

22 “(d) EXISTING PLANNING BODIES.—The Secretary
23 may designate an entity to be a collaborative applicant if
24 such entity—

1 “(1) prior to the date of enactment of the Com-
2 munity Partnership to End Homelessness Act of
3 2005, engaged in coordinated, comprehensive local
4 homeless housing and services planning and applied
5 for Federal funding to provide homeless assistance;
6 and

7 “(2) ensures that its membership includes per-
8 sons described in paragraphs (1) through (9) of sub-
9 section (b).

10 “(e) TAX EXEMPT ORGANIZATIONS.—An entity may
11 be established or designated to serve as a collaborative ap-
12 plicant under this section without being a legal entity. If
13 a collaborative applicant is a legal entity, the collaborative
14 applicant may only receive funds directly from the Sec-
15 retary under this title, and may only apply for funds to
16 conduct the activities described in section 423(a)(7).

17 “(f) REMEDIAL ACTION.—If the Secretary finds that
18 a collaborative applicant for a geographic area does not
19 meet the requirements of this section, the Secretary may
20 take remedial action to ensure fair distribution of grant
21 amounts under subtitle C to eligible entities within that
22 area. Such measures may include designating another
23 body as a collaborative applicant, or permitting other eligi-
24 ble entities to apply directly for grants.

1 “(g) CONSTRUCTION.—Nothing in this section shall
2 be construed to displace conflict of interest or government
3 fair practices laws, or their equivalent, that govern appli-
4 cants for grant amounts under subtitles B and C.

5 “(h) DUTIES.—A collaborative applicant shall—

6 “(1)(A) design a collaborative process, estab-
7 lished jointly and complied with by its members, for
8 evaluating, reviewing, prioritizing, awarding, and
9 monitoring projects and applications submitted by
10 project sponsors under subtitle C, and for evaluating
11 the outcomes of projects for which funds are award-
12 ed under subtitle B, in such a manner as to ensure
13 that the entities involved further the goal of pre-
14 venting and ending homelessness, and optimizing
15 self-sufficiency among individuals and families expe-
16 riencing homelessness, in the geographic area in-
17 volved;

18 “(B)(i)(I) review relevant policies and practices
19 (in place and planned) of public and private entities
20 in the geographic area served by the collaborative
21 applicant to determine if the policies and practices
22 further or impede the goal described in subpara-
23 graph (A);

24 “(II) in conducting the review, give priority to
25 the review of—

1 “(aa) the discharge planning and service
2 termination policies and practices of publicly
3 funded facilities or institutions (such as health
4 care or treatment facilities or institutions, fos-
5 ter care or youth facilities, or juvenile or adult
6 correctional institutions), and entities carrying
7 out publicly funded programs and systems of
8 care (such as health care or treatment pro-
9 grams, the programs of block grants to States
10 for temporary assistance for needy families es-
11 tablished under part A of title IV of the Social
12 Security Act (42 U.S.C. 601 et seq.), child wel-
13 fare or youth programs, or juvenile or adult
14 correctional programs), to ensure that such a
15 discharge or termination does not result in im-
16 mediate homelessness for the persons involved;

17 “(bb) the access and utilization policies
18 and practices of the entities carrying out main-
19 stream programs identified by the Government
20 Accountability Office in the 2 reports described
21 in section 102(a)(5)(B), to ensure that persons
22 experiencing homelessness are able to access
23 and utilize the programs;

24 “(cc) local policies and practices relating to
25 zoning and enforcement of local statutes, to en-

1 sure that the policies and practices allow rea-
2 sonable inclusion and distribution in the geo-
3 graphic area of special needs populations and
4 families with children and the facilities that
5 serve the populations and families;

6 “(dd) policies and practices relating to the
7 school selection and enrollment of homeless chil-
8 dren and youths (as defined in section 725) to
9 ensure that the homeless children and youths,
10 and their parents, are able to exercise their
11 educational rights under subtitle B of title VII;
12 and

13 “(ee) local policies and practices relating to
14 the placement of families with homeless chil-
15 dren and youths (as so defined) in emergency
16 or transitional shelters, to ensure that the chil-
17 dren and youths are placed as close as possible
18 to their school of origin in order to facilitate
19 continuity of, and prevent disruption of, edu-
20 cational services; and

21 “(III) in conducting the review, determine the
22 modifications and corrective actions that need to be
23 taken, and by whom, to ensure that the relevant
24 policies and practices do not stimulate, or prolong,
25 homelessness in the geographic area;

1 “(ii) inform the appropriate entities of the de-
2 terminations described in clause (i); and

3 “(iii) at least once every 3 years, prepare for in-
4 clusion in any application reviewed by the collabora-
5 tive applicant, and submitted to the Secretary
6 under section 422, the determinations described in
7 clause (i), in the form of an exhibit entitled ‘Assess-
8 ment of Relevant Policies and Practices, and Needed
9 Corrective Actions to End and Prevent Homeless-
10 ness’; and

11 “(C) if the collaborative applicant designs and
12 carries out the projects, design and carry out the
13 projects in such a manner as to further the goal de-
14 scribed in subparagraph (A);

15 “(2)(A) require, consistent with the Govern-
16 ment Performance and Results Act of 1993 and
17 amendments made by that Act, that recipients and
18 project sponsors who are funded by grants received
19 under subtitle C implement and maintain an out-
20 come-based evaluation of their projects that meas-
21 ures effective and timely delivery of housing or serv-
22 ices and whether provision of such housing or serv-
23 ices results in preventing or ending homelessness for
24 the persons that such recipients and project spon-
25 sors serve; and

1 “(B) request that States and local governments
2 who distribute funds under subtitle B submit infor-
3 mation and comments on the administration of ac-
4 tivities under subtitle B, to enable the collaborative
5 applicant to plan and design a full continuum of
6 care for persons experiencing homelessness;

7 “(3) require, consistent with the Government
8 Performance and Results Act of 1993 and amend-
9 ments made by that Act, outcome-based evaluation
10 of the homeless assistance planning process of the
11 collaborative applicant to measure the performance
12 of the collaborative applicant in preventing or ending
13 the homelessness of persons in the geographic area
14 of the collaborative applicant;

15 “(4) participate in the Consolidated Plan for
16 the geographic area served by the collaborative ap-
17 plicant; and

18 “(5)(A) require each project sponsor who is
19 funded by a grant received under subtitle C to estab-
20 lish such fiscal control and fund accounting proce-
21 dures as may be necessary to assure the proper dis-
22 bursal of, and accounting for, Federal funds award-
23 ed to the project sponsor under subtitle C in order
24 to ensure that all financial transactions carried out
25 under subtitle C are conducted, and records main-

1 tained, in accordance with generally accepted ac-
2 counting principles; and

3 “(B) arrange for an annual survey, audit, or
4 evaluation of the financial records of each project
5 carried out by a project sponsor funded by a grant
6 received under subtitle C.

7 “(i) CONFLICT OF INTEREST.—No member of a col-
8 laborative applicant may participate in decisions of the col-
9 laborative applicant concerning the award of a grant, or
10 provision of other financial benefits, to such member or
11 the organization that such member represents.

12 “(j) HOMELESS MANAGEMENT INFORMATION SYS-
13 TEM.—

14 “(1) IN GENERAL.—In accordance with stand-
15 ards established by the Secretary, each collaborative
16 applicant shall ensure consistent participation by
17 project sponsors in a community-wide homeless man-
18 agement information system. The collaborative appli-
19 cant shall ensure the participation for purposes of
20 collecting unduplicated counts of individuals and
21 families experiencing homelessness, analyzing pat-
22 terns of use of assistance provided under subtitles B
23 and C for the geographic area involved, imple-
24 menting an effective information and referral sys-
25 tem, and providing information for the needs anal-

1 yses and funding priorities of collaborative appli-
2 cants.

3 “(2) FUNDS.—A collaborative applicant may
4 apply for funds under this title to establish, con-
5 tinue, carry out, or ensure consistent participation
6 by project sponsors in a homeless management infor-
7 mation system, if the applicant is a legal entity.”;

8 (4) by inserting after section 403 (as redesignig-
9 nated in paragraph (2)) the following:

10 **“SEC. 404. TECHNICAL ASSISTANCE.**

11 “(a) TECHNICAL ASSISTANCE FOR PROJECT SPON-
12 SORS.—The Secretary shall make effective technical as-
13 sistance available to private nonprofit organizations and
14 other nongovernmental entities, States, metropolitan cit-
15 ies, urban counties, and counties that are not urban coun-
16 ties that are potential project sponsors, in order to imple-
17 ment effective planning processes for preventing and end-
18 ing homelessness, to optimize self-sufficiency among indi-
19 viduals experiencing homelessness and to improve their ca-
20 pacity to become project sponsors.

21 “(b) TECHNICAL ASSISTANCE FOR COLLABORATIVE
22 APPLICANTS.—The Secretary shall make effective tech-
23 nical assistance available to collaborative applicants to im-
24 prove their ability to carry out the provisions of this title,
25 and to design and execute outcome-effective strategies for

1 preventing and ending homelessness in their geographic
2 areas consistent with the provisions of this title.

3 “(c) RESERVATION.—The Secretary may reserve not
4 more than 1 percent of the funds made available for any
5 fiscal year for carrying out subtitles B and C, to make
6 available technical assistance under subsections (a) and
7 (b).

8 **“SEC. 405. PERFORMANCE REPORTS AND MONITORING.**

9 “(a) IN GENERAL.—A collaborative applicant shall
10 submit to the Secretary an annual performance report re-
11 garding the activities carried out with grant amounts re-
12 ceived under subtitles B and C in the geographic area
13 served by the collaborative applicant, at such time and in
14 such manner as the Secretary determines to be reasonable.

15 “(b) CONTENT.—The performance report described
16 in subsection (a) shall—

17 “(1) describe the number of persons provided
18 homelessness prevention assistance (including the
19 number of such persons who were discharged or
20 whose services were terminated as described in sec-
21 tion 422(c)(1)(B)(ii)(I)(bb)), and the number of in-
22 dividuals and families experiencing homelessness
23 who were provided shelter, housing, or supportive
24 services, with the grant amounts awarded in the fis-
25 cal year prior to the fiscal year in which the report

1 was submitted, including measurements of the num-
2 ber of persons experiencing homelessness who—

3 “(A) entered permanent housing, and the
4 length of time such persons resided in that
5 housing, if known;

6 “(B) entered transitional housing, and the
7 length of time such persons resided in that
8 housing, if known;

9 “(C) obtained or retained jobs;

10 “(D) increased their income, including in-
11 creasing income through the receipt of govern-
12 ment benefits;

13 “(E) received mental health or substance
14 abuse treatment in an institutional setting and
15 now receive that assistance in a less restrictive,
16 community-based setting;

17 “(F) received additional education, voca-
18 tional or job training, or employment assistance
19 services;

20 “(G) received additional physical, mental,
21 or emotional health care;

22 “(H) were children under the age of 18
23 during the year at issue, including the number
24 of—

1 “(i) children who were not younger
2 than 2 and not older than 4, or were in-
3 fants or toddlers with disabilities (as de-
4 fined in section 632 of the Individuals with
5 Disabilities Education Act (20 U.S.C.
6 1432));

7 “(ii) children described in clause (i)
8 who were enrolled in preschool or were re-
9 ceiving services under part C of such Act
10 (20 U.S.C. 1431 et seq.);

11 “(iii) children who were not younger
12 than 5 and not older than 17;

13 “(iv) children described in clause (iii)
14 who are enrolled in elementary school or
15 secondary school (as such terms are de-
16 fined in section 9101 of the Elementary
17 and Secondary Education Act of 1965 (20
18 U.S.C. 7801)); and

19 “(v) children under the age of 18 who
20 received child care, health care, mental
21 health care, or supplemental educational
22 services; and

23 “(I) were reunited with their families;

24 “(2) estimate the number of persons experi-
25 encing homelessness, including children under the

1 age of 18, in the geographic area served by the col-
2 laborative applicant who are eligible for, but did not
3 receive, services, housing, or other assistance
4 through the programs funded under subtitles B and
5 C in the prior fiscal year;

6 “(3) indicate the accomplishments achieved
7 within the geographic area that involved the use of
8 the grant amounts awarded in the prior fiscal year,
9 regarding efforts to coordinate services and pro-
10 grams within the geographic area;

11 “(4) indicate the accomplishments achieved
12 within the geographic area to—

13 “(A) increase access by persons experi-
14 encing homelessness to programs that are not
15 targeted for persons experiencing homelessness
16 (but for which persons experiencing homeles-
17 ness are eligible), including mainstream pro-
18 grams identified by the Government Account-
19 ability Office in the 2 reports described in sec-
20 tion 102(a)(5)(B); and

21 “(B) prevent the homelessness of persons
22 discharged from publicly funded institutions or
23 systems of care (such as health care facilities,
24 child welfare or other youth facilities or systems
25 of care, institutions or systems of care relating

1 to the program of block grants to States for
2 temporary assistance for needy families estab-
3 lished under part A of title IV of the Social Se-
4 curity Act (42 U.S.C. 601 et seq.), and juvenile
5 or adult correctional programs and institu-
6 tions);

7 “(5) describe how the collaborative applicant
8 and other involved public and private entities within
9 the geographic area will incorporate their experi-
10 ences in the prior fiscal year into the programs and
11 process that the collaborative applicant and entities
12 will implement during the next fiscal year, including
13 describing specific strategies to improve their per-
14 formance outcomes;

15 “(6) assess the consistency and coordination be-
16 tween the programs funded under subtitles B and C
17 in the prior fiscal year and the Consolidated Plan;

18 “(7) include updates to the exhibits described in
19 section 402(h)(1)(B)(iii) that were included in appli-
20 cations—

21 “(A) submitted under section 422 by col-
22 laborative applicants; and

23 “(B) approved by the Secretary;

1 “(8) for each project sponsor funded by the col-
2 laborative applicant through a grant under subtitle
3 C—

4 “(A) include a performance evaluation
5 (which may include information from the re-
6 ports described in subsection (a) and section
7 422(c)(1)(B)(vii)) of each project carried out by
8 the project sponsor, based on the outcome-
9 based evaluation measures described in section
10 402(h)(2)(A), the measurements described in
11 section 423(a)(7), and the evaluation plan for
12 the project described in section 426(b)(8) and
13 resulting from the monitoring described in sec-
14 tions 402(h)(1)(A) and 426(c)(3); and

15 “(B) include a report, resulting from a
16 survey, audit or evaluation conducted under
17 section 402(h)(5)(B), detailing whether the
18 project sponsor has carried out the record-
19 keeping and reporting requirements of section
20 402(h)(5); and

21 “(9) provide such other information as the Sec-
22 retary finds relevant to assessing performance, in-
23 cluding performance on success measures that are
24 risk-adjusted to factors related to the circumstances
25 of the population served.

1 “(c) WAIVER.—The Secretary may grant a waiver to
2 any collaborative applicant that is unable to provide infor-
3 mation required by subsection (b). Such collaborative ap-
4 plicant shall submit a plan to provide such information
5 within a reasonable period of time.

6 “(d) MONITORING BY THE SECRETARY.—

7 “(1) COLLABORATIVE APPLICANTS.—Each
8 year, the Secretary shall—

9 “(A) ensure that each collaborative appli-
10 cant has complied with the requirements of sub-
11 section (b)(8) and section 402(h)(5);

12 “(B) require each collaborative applicant
13 receiving funds under subtitle C to establish
14 such fiscal control and fund accounting proce-
15 dures as may be necessary to assure the proper
16 disbursement of, and accounting for, Federal funds
17 awarded to the collaborative applicant under
18 subtitle C in order to ensure that all financial
19 transactions carried out under subtitle C are
20 conducted, and records maintained, in accord-
21 ance with generally accepted accounting prin-
22 ciples; and

23 “(C) for a selected sample of collaborative
24 applicants receiving funds under subtitle C—

1 “(i) ensure that each selected collabo-
2 rative applicant has satisfactorily carried
3 out the recordkeeping and reporting re-
4 quirements of subsections (a) and (b), sec-
5 tion 426(c)(3), and, if applicable, section
6 426(c)(6); and

7 “(ii) survey, audit, or evaluate the fi-
8 nancial records of each selected collabo-
9 rative applicant receiving funds under sub-
10 title C to carry out section 423(a)(7)(A),
11 using Federal auditors.

12 “(2) PROJECT SPONSORS.—Each year, the Sec-
13 retary shall select a sample of project sponsors and
14 shall conduct a performance evaluation of each
15 project of each selected project sponsor funded
16 under subtitle C, using the outcome-based evaluation
17 measures developed by the appropriate collaborative
18 applicant in accordance with section 402(h)(2)(A)
19 and including the measurements described in section
20 423(a)(7).

21 “(e) ACTION BY SECRETARY.—Based on the informa-
22 tion available to the Secretary, including information ob-
23 tained pursuant to subsections (b) and (d), the Secretary
24 may adjust, reduce, or withdraw amounts made available
25 (or that would otherwise be made available) to collabo-

1 rative applicants, or take other action as appropriate (in-
2 cluding designating another body as a collaborative appli-
3 cant, or permitting other collaborative entities to apply di-
4 rectly for grants under subtitle C), except that amounts
5 already properly expended on eligible activities under this
6 title may not be recaptured by the Secretary.”; and

7 (5) by inserting after section 406 (as redesignig-
8 nated in paragraph (2)) the following:

9 **“SEC. 407. AUTHORIZATION OF APPROPRIATIONS.**

10 “There are authorized to be appropriated to carry out
11 title II and this title \$1,600,000,000 for fiscal year 2006
12 and such sums as may be necessary for fiscal years 2007,
13 2008, 2009, and 2010.”.

14 **SEC. 5. EMERGENCY SHELTER GRANTS PROGRAM.**

15 Subtitle B of title IV of the McKinney-Vento Home-
16 less Assistance Act (42 U.S.C. 11371 et seq.) is amend-
17 ed—

18 (1) by striking section 412 (42 U.S.C. 11372)
19 and inserting the following:

20 **“SEC. 412. GRANT ASSISTANCE.**

21 “The Secretary shall make grants to States and local
22 governments (and to private nonprofit organizations pro-
23 viding assistance to persons experiencing homelessness, in
24 the case of grants made with reallocated amounts) for the
25 purpose of carrying out activities described in section 414.

1 **“SEC. 412A. AMOUNT AND ALLOCATION OF ASSISTANCE.**

2 “(a) IN GENERAL.—Of the amount made available
3 to carry out this subtitle and subtitle C for a fiscal year,
4 the Secretary shall allocate nationally not more than 15
5 percent of such amount for activities described in section
6 414.

7 “(b) ALLOCATION.—An entity that receives a grant
8 under section 412, and serves an area that includes 1 or
9 more geographic areas (or portions of such areas) served
10 by collaborative applicants that submit applications under
11 subtitle C, shall allocate the funds made available through
12 the grant to carry out activities described in section 414,
13 in consultation with the collaborative applicants.”;

14 (2) in section 413(b) (42 U.S.C. 11373(b)), by
15 striking “amounts appropriated” and all that follows
16 through “for any” and inserting “amounts appro-
17 priated under section 407 and made available to
18 carry out this subtitle for any”;

19 (3) by striking section 414 (42 U.S.C. 11374)
20 and inserting the following:

21 **“SEC. 414. ELIGIBLE ACTIVITIES.**

22 “(a) IN GENERAL.—Assistance provided under sec-
23 tion 412 may be used for the following activities:

24 “(1) The renovation, major rehabilitation, or
25 conversion of buildings to be used as emergency
26 shelters.

1 “(2) The provision of essential services, includ-
2 ing services concerned with employment, health, or
3 education, family support services for homeless
4 youth, alcohol or drug abuse prevention or treat-
5 ment, or mental health treatment, if such essential
6 services have not been provided by the local govern-
7 ment during any part of the immediately preceding
8 12-month period, or the use of assistance under this
9 subtitle would complement the provision of those es-
10 sential services.

11 “(3) Maintenance, operation insurance, provi-
12 sion of utilities, and provision of furnishings.

13 “(4) Efforts to prevent homelessness, such as
14 the provision of financial assistance to families who
15 have received eviction notices or notices of termi-
16 nation of utility services, if—

17 “(A) the inability of such a family to make
18 the required payments is due to a sudden re-
19 duction in income;

20 “(B) the assistance is necessary to avoid
21 the eviction or termination of services;

22 “(C) there is a reasonable prospect that
23 the family will be able to resume the payments
24 within a reasonable period of time; and

1 “(D) funds appropriated for the assistance
2 will not supplant funding for homelessness pre-
3 vention activities from other sources (other
4 funds made available under this Act).

5 “(b) LIMITATION.—Not more than 30 percent of the
6 aggregate amount of all assistance to a State or local gov-
7 ernment under this subtitle may be used for activities
8 under subsection (a)(4).”; and

9 (4) by repealing sections 417 and 418 (42
10 U.S.C. 11377, 11378).

11 **SEC. 6. HOMELESS ASSISTANCE PROGRAM.**

12 Subtitle C of title IV of the McKinney-Vento Home-
13 less Assistance Act (42 U.S.C. 11381 et seq.) is amend-
14 ed—

15 (1) by striking the subtitle heading and insert-
16 ing the following:

17 **“Subtitle C—Homeless Assistance**
18 **Program”;**

19 (2) by striking sections 421 through 423 (42
20 U.S.C. 11381 et seq.) and inserting the following:

21 **“SEC. 421. PURPOSES.**

22 “The purposes of this subtitle are—

23 “(1) to promote the implementation of activities
24 that can prevent vulnerable individuals and families
25 from becoming homeless;

1 “(2) to promote the development of transitional
2 and permanent housing, including low-demand hous-
3 ing;

4 “(3) to promote access to and effective utiliza-
5 tion of mainstream programs identified by the Gov-
6 ernment Accountability Office in the 2 reports de-
7 scribed in section 102(a)(5)(B) and programs fund-
8 ed with State or local resources; and

9 “(4) to optimize self-sufficiency among individ-
10 uals experiencing homelessness.

11 **“SEC. 422. COMMUNITY HOMELESS ASSISTANCE PROGRAM.**

12 “(a) PROJECTS.—The Secretary shall award grants
13 to collaborative applicants to carry out homeless assist-
14 ance and prevention projects, either directly or by award-
15 ing funds to project sponsors to carry out the projects.

16 “(b) NOTIFICATION OF FUNDING AVAILABILITY.—
17 The Secretary shall release a Notification of Funding
18 Availability for grants awarded under this subtitle for a
19 fiscal year not later than 3 months after the date of enact-
20 ment of the appropriate Act making appropriations for the
21 Department of Housing and Urban Development for the
22 fiscal year.

23 “(c) APPLICATIONS.—

24 “(1) SUBMISSION TO THE SECRETARY.—To re-
25 ceive a grant under subsection (a), a collaborative

1 applicant shall submit an application to the Sec-
2 retary at such time and in such manner as the Sec-
3 retary may require, and containing—

4 “(A) the information described in sub-
5 sections (a) and (c) of section 426; and

6 “(B) other information that shall—

7 “(i) describe the establishment (or
8 designation) and function of the collabo-
9 rative applicant, including—

10 “(I) the nomination and selection
11 process, including the names and af-
12 filiations of all members of the col-
13 laborative applicant; or

14 “(II) all meetings held by the col-
15 laborative applicant in preparing the
16 application, including identification of
17 those meetings that were public; and

18 “(III) all meetings between rep-
19 resentatives of the collaborative appli-
20 cant, and persons responsible for ad-
21 ministering the Consolidated Plan;

22 “(ii) outline the range of housing and
23 service programs available to persons expe-
24 riencing homelessness or imminently at
25 risk of experiencing homelessness and de-

1 scribe the unmet needs that remain in the
2 geographic area for which the collaborative
3 applicant seeks funding regarding—

4 “(I) prevention activities, includ-
5 ing providing assistance in—

6 “(aa) making mortgage,
7 rent, or utility payments; or

8 “(bb) accessing permanent
9 housing and transitional housing
10 for individuals (and families that
11 include the individuals) who are
12 being discharged from a publicly
13 funded facility, program, or sys-
14 tem of care, or whose services
15 (from such a facility, program, or
16 system of care) are being termi-
17 nated;

18 “(II) outreach activities to assess
19 the needs and conditions of persons
20 experiencing homelessness, including
21 significant subpopulations of such per-
22 sons, including individuals with dis-
23 abilities, veterans, victims of domestic
24 violence, homeless children and youths
25 (as defined in section 725), and

1 chronically homeless individuals and
2 families;

3 “(III) emergency shelters, includ-
4 ing the supportive and referral serv-
5 ices the shelters provide;

6 “(IV) transitional housing with
7 appropriate supportive services to help
8 persons experiencing homelessness
9 who are not yet able or prepared to
10 make the transition to permanent
11 housing and independent living;

12 “(V) permanent housing to help
13 meet the long-term needs of individ-
14 uals and families experiencing home-
15 lessness; and

16 “(VI) needed supportive services,
17 including services for children;

18 “(iii) prioritize the projects for which
19 the collaborative applicant seeks funding
20 according to the unmet needs in the fiscal
21 year for which the applicant submits the
22 application as described in clause (ii);

23 “(iv) identify funds from private and
24 public sources, other than funds received
25 under subtitles B and C, that the State,

1 units of general local government, recipi-
2 ents, project sponsors, and others will use
3 for homelessness prevention, outreach,
4 emergency shelter, supportive services,
5 transitional housing, and permanent hous-
6 ing, that will be integrated with the assist-
7 ance provided under subtitles B and C;

8 “(v) identify funds provided by the
9 State and units of general local govern-
10 ment under programs targeted for persons
11 experiencing homelessness, and other pro-
12 grams for which persons experiencing
13 homelessness are eligible, including main-
14 stream programs identified by the Govern-
15 ment Accountability Office in the 2 reports
16 described in section 102(a)(5)(B);

17 “(vi) explain—

18 “(I) how the collaborative appli-
19 cant will meet the housing and service
20 needs of individuals and families experi-
21 encing homelessness in the appli-
22 cant’s community; and

23 “(II) how the collaborative appli-
24 cant will integrate the activities de-
25 scribed in the application with the

1 strategy of the State, units of general
2 local government, and private entities
3 in the geographic area over the next 5
4 years to prevent and end homeless-
5 ness, including, as part of that strat-
6 egy, a work plan for the applicable fis-
7 cal years;

8 “(vii) report on the outcome-based
9 performance of the homeless programs
10 within the geographic area served by the
11 collaborative applicant that were funded
12 under this title in the fiscal year prior to
13 the fiscal year in which the application is
14 submitted;

15 “(viii) include any relevant required
16 agreements under subtitle C;

17 “(ix) contain a certification of consist-
18 ency with the Consolidated Plan pursuant
19 to section 403;

20 “(x) include an exhibit described in
21 section 402(h)(1)(B)(iii) and prepared by
22 the collaborative applicant in accordance
23 with that section; and

24 “(xi) contain a certification that
25 project sponsors for all projects for which

1 the collaborative applicant seeks funding
2 through the grant will establish policies
3 and practices that are consistent with, and
4 do not restrict the exercise of rights pro-
5 vided by, subtitle B of title VII, and other
6 laws relating to the provision of edu-
7 cational and related services to individuals
8 experiencing homelessness.

9 “(2) CONSIDERATION.—In outlining the pro-
10 grams and describing the needs referred to in para-
11 graph (1)(A)(ii), the collaborative applicant shall
12 take into account the findings and recommendations
13 of the most recently completed annual assessments,
14 conducted pursuant to section 2034 of title 38,
15 United States Code, of the Department of Veterans
16 Affairs medical centers or regional benefits offices
17 whose service areas include the geographic area de-
18 scribed in paragraph (1)(A)(ii).

19 “(3) ANNOUNCEMENT OF AWARDS.—The Sec-
20 retary shall announce, within 4 months after the last
21 date for the submission of applications described in
22 this subsection for a fiscal year, the grants condi-
23 tionally awarded under subsection (a) for that fiscal
24 year.

1 “(4) OBLIGATION, DISTRIBUTION, AND UTILIZA-
2 TION OF FUNDS.—

3 “(A) REQUIREMENTS FOR OBLIGATION.—

4 “(i) IN GENERAL.—Not later than 9
5 months after the announcement referred to
6 in paragraph (3), each recipient of a grant
7 announced under paragraph (3) shall, with
8 respect to a project to be funded through
9 such grant, meet, or cause the project
10 sponsor to meet, all requirements for the
11 obligation of funds for such project, includ-
12 ing site control, matching funds, and envi-
13 ronmental review requirements, except as
14 provided in clause (ii).

15 “(ii) ACQUISITION, REHABILITATION,
16 OR CONSTRUCTION.—Not later than 15
17 months after the announcement referred to
18 in paragraph (3), each recipient or project
19 sponsor seeking the obligation of funds for
20 acquisition of housing, rehabilitation of
21 housing, or construction of new housing
22 for a grant announced under paragraph
23 (3) shall meet all requirements for the obli-
24 gation of those funds, including site con-

1 trol, matching funds, and environmental
2 review requirements.

3 “(iii) EXTENSIONS.—At the discretion
4 of the Secretary, and in compelling cir-
5 cumstances, the Secretary may extend the
6 date by which a recipient shall meet or
7 cause a project sponsor to meet the re-
8 quirements described in clause (i) if the
9 Secretary determines that compliance with
10 the requirements was delayed due to fac-
11 tors beyond the reasonable control of the
12 recipient or project sponsor. Such factors
13 may include difficulties in obtaining site
14 control for a proposed project, completing
15 the process of obtaining secure financing
16 for the project, or completing the technical
17 submission requirements for the project.

18 “(B) OBLIGATION.—Not later than 45
19 days after a recipient meets or causes a project
20 sponsor to meet the requirements described in
21 subparagraph (A), the Secretary shall obligate
22 the funds for the grant involved.

23 “(C) DISTRIBUTION.—A recipient that re-
24 ceives funds through such a grant—

1 “(i) shall distribute the funds to
2 project sponsors (in advance of expendi-
3 tures by the project sponsors); and

4 “(ii) shall distribute the appropriate
5 portion of the funds to a project sponsor
6 not later than 45 days after receiving a re-
7 quest for such distribution from the project
8 sponsor.

9 “(D) EXPENDITURE OF FUNDS.—The Sec-
10 retary may establish a date by which funds
11 made available through a grant announced
12 under paragraph (3) for a homeless assistance
13 and prevention project shall be entirely ex-
14 pended by the recipient or project sponsors in-
15 volved. The Secretary shall recapture the funds
16 not expended by such date. The Secretary shall
17 reallocate the funds for another homeless assist-
18 ance and prevention project that meets the re-
19 quirements of this subtitle to be carried out, if
20 possible and appropriate, in the same geo-
21 graphic area as the area served through the
22 original grant.

23 “(d) NOTIFICATION OF PRO RATA ESTIMATED NEED
24 AMOUNTS.—

1 “(1) NOTICE.—The Secretary shall inform each
2 collaborative applicant, at a time concurrent with the
3 release of the Notice of Funding Availability for the
4 grants, of the pro rata estimated need amount under
5 this subtitle for the geographic area represented by
6 the collaborative applicant.

7 “(2) AMOUNT.—

8 “(A) BASIS.—Such estimated need amount
9 shall be based on a percentage of the total
10 funds available, or estimated to be available, to
11 carry out this subtitle for any fiscal year that
12 is equal to the percentage of the total amount
13 available for section 106 of the Housing and
14 Community Development Act of 1974 (42
15 U.S.C. 5306) for the prior fiscal year that—

16 “(i) was allocated to all metropolitan
17 cities and urban counties within the geo-
18 graphic area represented by the collabo-
19 rative applicant; or

20 “(ii) would have been distributed to
21 all counties within such geographic area
22 that are not urban counties, if the 30 per-
23 cent portion of the allocation to the State
24 involved (as described in subsection (d)(1)
25 of that section 106) for that year had been

1 distributed among the counties that are
2 not urban counties in the State in accord-
3 ance with the formula specified in that
4 subsection (with references in that sub-
5 section to nonentitlement areas considered
6 to be references to those counties).

7 “(B) RULE.—In computing the estimated
8 need amount, the Secretary shall adjust the es-
9 timated need amount determined pursuant to
10 subparagraph (A) to ensure that—

11 “(i) 75 percent of the total funds
12 available, or estimated to be available, to
13 carry out this subtitle for any fiscal year
14 are allocated to the metropolitan cities and
15 urban counties that received a direct allo-
16 cation of funds under section 413 for the
17 prior fiscal year; and

18 “(ii) 25 percent of the total funds
19 available, or estimated to be available, to
20 carry out this subtitle for any fiscal year
21 are allocated—

22 “(I) to the metropolitan cities
23 and urban counties that did not re-
24 ceive a direct allocation of funds

1 under section 413 for the prior fiscal
2 year; and

3 “(II) to counties that are not
4 urban counties.

5 “(C) COMBINATIONS OR CONSORTIA.—For
6 a collaborative applicant that represents a com-
7 bination or consortium of cities or counties, the
8 estimated need amount shall be the sum of the
9 estimated need amounts for the cities or coun-
10 ties represented by the collaborative applicant.

11 “(D) AUTHORITY OF SECRETARY.—The
12 Secretary may increase the estimated need
13 amount for a geographic area if necessary to
14 provide 1 year of renewal funding for all expir-
15 ing contracts entered into under this subtitle
16 for the geographic area.

17 “(e) APPEALS.—

18 “(1) IN GENERAL.—Not later than 3 months
19 after the date of enactment of the Community Part-
20 nership to End Homelessness Act of 2005, the Sec-
21 retary shall establish a timely appeal procedure for
22 grant amounts awarded or denied under this subtitle
23 pursuant to an application for funding.

24 “(2) PROCESS.—The Secretary shall ensure
25 that the procedure permits appeals submitted by col-

1 laborative applicants, entities carrying out homeless
2 housing and services projects (including emergency
3 shelters and homelessness prevention programs),
4 homeless planning bodies not designated by the Sec-
5 retary as collaborative applicants.

6 “(f) RENEWAL FUNDING FOR UNSUCCESSFUL AP-
7 PPLICANTS.—The Secretary may renew funding for a spe-
8 cific project previously funded under this subtitle that the
9 Secretary determines is worthy, and was included as part
10 of a total application that met the criteria of subsection
11 (c), even if the application was not selected to receive
12 grant assistance. The Secretary may renew the funding
13 for a period of not more than 1 year, and under such con-
14 ditions as the Secretary determines to be appropriate.

15 **“SEC. 423. ELIGIBLE ACTIVITIES.**

16 “(a) IN GENERAL.—The Secretary may award grants
17 to qualified collaborative applicants under section 422 to
18 carry out homeless assistance and prevention projects that
19 consist of 1 or more of the following eligible activities:

20 “(1) Construction of new housing units to pro-
21 vide transitional or permanent housing.

22 “(2) Acquisition or rehabilitation of a structure
23 to provide supportive services or to provide transi-
24 tional or permanent housing, other than emergency
25 shelter.

1 “(3) Leasing of property, or portions of prop-
2 erty, not owned by the recipient or project sponsor
3 involved, for use in providing transitional or perma-
4 nent housing, or providing supportive services.

5 “(4) Provision of rental assistance to provide
6 transitional or permanent housing to eligible per-
7 sons. The rental assistance may include tenant-based
8 or project-based rental assistance.

9 “(5) Payment of operating costs for housing
10 units assisted under this subtitle.

11 “(6)(A) Through the end of the final deter-
12 mination year (as described in subparagraph
13 (C)(iii)), the supportive services described in section
14 425(c), for both new projects and projects receiving
15 renewal funding.

16 “(B) After that final determination year, for
17 both new projects and projects receiving renewal
18 funding, services providing job training, case man-
19 agement, outreach services, life skills training, hous-
20 ing counseling services, and other services deter-
21 mined by the Secretary (either at the Secretary’s ini-
22 tiative or on the basis of adequate justification by an
23 applicant) to be directly relevant to allowing persons
24 experiencing homelessness to access and retain hous-
25 ing.

1 “(C)(i) Not later than 30 days after the end of
2 the fiscal year in which the date of enactment of the
3 Community Partnership to End Homelessness Act of
4 2005 occurs (referred to in this paragraph as the
5 ‘initial year’), the Government Accountability Office,
6 after consultation with the congressional committees
7 with jurisdiction over the services referred to in this
8 paragraph, shall determine—

9 “(I) the amount of Federal funds (other
10 than funds made available under this subtitle)
11 that were made available to fund the supportive
12 services described in section 425(c), other than
13 the services described in subparagraph (B) (re-
14 ferred to in this paragraph as the ‘outside sup-
15 portive services amount’) for that initial year;
16 and

17 “(II) the amount of Federal funds made
18 available under this subtitle to fund the sup-
19 portive services described in section 425(c),
20 other than the services described in subpara-
21 graph (B) (referred to in this paragraph as the
22 ‘subtitle B supportive services amount’) for that
23 initial year.

24 “(ii) Not later than 30 days after the end of the
25 third full fiscal year after that date of enactment

1 and of each subsequent fiscal year (referred to in
2 this paragraph as the ‘determination year’) until the
3 final determination year described in clause (iii), the
4 Government Accountability Office, after consultation
5 with the committees described in clause (i), shall—

6 “(I) determine the outside supportive serv-
7 ices amount for that determination year;

8 “(II) calculate the increase in the outside
9 supportive services amount, by subtracting the
10 outside supportive services amount for the ini-
11 tial year from the outside supportive services
12 amount for that determination year;

13 “(III) make—

14 “(aa) a positive determination that
15 the increase is greater than or equal to the
16 subtitle B supportive services amount for
17 the initial year; or

18 “(bb) a negative determination that
19 that increase is less than that amount; and

20 “(IV) submit a report regarding that de-
21 termination year, and containing the positive or
22 negative determination, to the Secretary.

23 “(iii) On receipt of such a report regarding a
24 determination year that contains a positive deter-
25 mination, the Secretary may publish a notice in the

1 Federal Register, containing a proposed order that
2 subparagraph (B) shall apply for subsequent fiscal
3 years, and seeking public comment for a period of
4 not less than 60 days. At the end of the comment
5 period, the Secretary may issue a final order that
6 subparagraph (B) shall apply for subsequent fiscal
7 years. If the Secretary issues that final order, the
8 determination year shall be considered to be the
9 final determination year for purposes of this sub-
10 paragraph.

11 “(iv) If the Secretary does not issue a final
12 order under clause (iii), subparagraph (A) shall
13 apply for the fiscal year following the determination
14 year.

15 “(7)(A) In the case of a collaborative applicant
16 that is a legal entity, payment of administrative
17 costs related to planning, administering grand
18 awards for, monitoring, and evaluating projects, and
19 ensuring compliance with homeless management in-
20 formation system requirements described in section
21 402(j)(2), for which the collaborative applicant may
22 use not more than 6 percent of the total funds made
23 available through the grant. A project sponsor re-
24 ceiving funds from the collaborative applicant may
25 use not more than an additional 5 percent of the

1 total funds made available through the grant for
2 such administrative costs.

3 “(B) For purposes of this paragraph, moni-
4 toring and evaluating shall include—

5 “(i) measuring the outcomes of the home-
6 less assistance planning process of a collabo-
7 rative applicant for preventing and ending
8 homelessness;

9 “(ii) the effective and timely implementa-
10 tion of specific projects funded under this sub-
11 title, relative to projected outcomes; and

12 “(iii) in the case of a housing project fund-
13 ed under this subtitle, compliance with appro-
14 priate standards of housing quality and habit-
15 ability as determined by the Secretary.

16 “(8) Prevention activities (for which a collabo-
17 rative applicant may use not more than 5 percent of
18 the funds made available through the grant), includ-
19 ing—

20 “(A) providing financial assistance to indi-
21 viduals or families who have received eviction
22 notices, foreclosure notices, or notices of termi-
23 nation of utility services if, in the case of such
24 an individual or family—

1 “(i) the inability of the individual or
2 family to make the required payments is
3 due to a sudden reduction in income;

4 “(ii) the assistance is necessary to
5 avoid the eviction, foreclosure, or termi-
6 nation of services; and

7 “(iii) there is a reasonable prospect
8 that the individual or family will be able to
9 resume the payments within a reasonable
10 period of time;

11 “(B) carrying out relocation activities (in-
12 cluding providing security or utility deposits,
13 rental assistance for a final month at a loca-
14 tion, assistance with moving costs, or rental as-
15 sistance for not more than 3 months) for mov-
16 ing into transitional or permanent housing, in-
17 dividuals, and families that include such indi-
18 viduals—

19 “(i) who lack housing;

20 “(ii) who are being discharged from a
21 publicly funded acute care or long-term
22 care facility, program, or system of care,
23 or whose services (from such a facility,
24 program, or system of care) are being ter-
25 minated; and

1 “(iii) who have plans, developed col-
2 laboratively by the public entities involved
3 and the individuals and families, for secur-
4 ing or maintaining housing after any fund-
5 ing provided under this subtitle is utilized;
6 and

7 “(C) providing family support services that
8 promote reunification of—

9 “(i) youth experiencing homelessness,
10 with their families; and

11 “(ii) children or youth involved with
12 the child welfare or juvenile justice sys-
13 tems, with their parents or guardians.

14 “(b) ELIGIBILITY FOR FUNDS FOR PREVENTION AC-
15 TIVITIES.—To be eligible to receive grant funds under sec-
16 tion 422 to carry out the prevention activities described
17 in subsection (a)(8), an applicant shall submit an applica-
18 tion to the Secretary under section 422 that shall include
19 a certification in which—

20 “(1) the relevant public entities in the geo-
21 graphic area involved certify compliance with sub-
22 section (c); and

23 “(2) the publicly funded institutions, facilities,
24 and systems of care in the geographic area certify
25 that the institutions, facilities, and systems of care

1 will take, and fund directly, all reasonable measures
2 to ensure that the institutions, facilities, and sys-
3 tems of care do not discharge individuals into home-
4 lessness.

5 “(c) SUPPLEMENT, NOT SUPPLANT.—Funds appro-
6 priated under section 407 and made available for preven-
7 tion activities described in subsection (a)(8) shall be used
8 to supplement and not supplant other Federal, State, and
9 local public funds used for homelessness prevention.

10 “(d) USE RESTRICTIONS.—

11 “(1) ACQUISITION, REHABILITATION, AND NEW
12 CONSTRUCTION.—A project that consists of activities
13 described in paragraph (1) or (2) of subsection (a)
14 shall be operated for the purpose specified in the ap-
15 plication submitted for the project under section 422
16 for not less than 15 years.

17 “(2) OTHER ACTIVITIES.—A project that con-
18 sists of activities described in any of paragraphs (3)
19 through (8) of subsection (a) shall be operated for
20 the purpose specified in the application submitted
21 for the project under section 422 for the duration of
22 the grant period involved.

23 “(3) CONVERSION.—If the recipient or project
24 sponsor carrying out a project that provides transi-
25 tional or permanent housing submits a request to

1 the collaborative applicant involved to carry out in-
2 stead a project for the direct benefit of low-income
3 persons, and the collaborative applicant determines
4 that the initial project is no longer needed to provide
5 transitional or permanent housing, the collaborative
6 applicant may recommend that the Secretary ap-
7 prove the project described in the request and au-
8 thorize the recipient or project sponsor to carry out
9 that project. If the collaborative applicant is the re-
10 cipient or project sponsor, it shall submit such a re-
11 quest directly to the Secretary who shall determine
12 if the conversion of the project is appropriate.

13 “(e) INCENTIVES TO CREATE NEW PERMANENT
14 HOUSING STOCK.—

15 “(1) AWARDS.—

16 “(A) IN GENERAL.—In making grants to
17 collaborative applicants under section 422, the
18 Secretary shall make awards that provide the
19 incentives described in paragraph (2) to pro-
20 mote the creation of new permanent housing
21 units through the construction, or acquisition
22 and rehabilitation, of permanent housing units,
23 that are owned by a project sponsor or other
24 independent entity who entered into a contract
25 with a recipient or project sponsor, for—

1 “(i) chronically homeless individuals
2 and chronically homeless families; and

3 “(ii) nondisabled homeless families.

4 “(B) LIMITATION.—In awarding funds
5 under this subsection, the Secretary shall not
6 award more than 10 percent of the funds for
7 project sponsors or independent entities that
8 propose to serve nondisabled homeless families.

9 “(2) ASSISTANCE.—

10 “(A) INDIVIDUALS WITH DISABILITIES.—A
11 collaborative applicant that receives assistance
12 under section 422 to implement a project that
13 involves the construction, or acquisition and re-
14 habilitation, of new permanent housing units
15 described in paragraph (1), for individuals and
16 families described in paragraph (1)(A)(i), shall
17 also receive, as part of the grant, incentives
18 consisting of—

19 “(i) funds sufficient to provide not
20 more than 10 years of rental assistance,
21 renewable in accordance with section 428;

22 “(ii) a bonus in an amount to be de-
23 termined by the Secretary to carry out ac-
24 tivities described in this section; and

1 “(iii) the technical assistance needed
2 to ensure the financial viability and pro-
3 grammatic effectiveness of the project.

4 “(B) NONDISABLED HOMELESS FAMI-
5 LIES.—A collaborative applicant that receives
6 assistance under section 422 to implement a
7 project that involves the construction, or acqui-
8 sition and rehabilitation, of new permanent
9 housing units described in paragraph (1), for
10 nondisabled homeless families, shall also receive
11 incentives consisting of—

12 “(i) a bonus in an amount to be de-
13 termined by the Secretary to carry out ac-
14 tivities described in this section; and

15 “(ii) the technical assistance needed
16 to ensure the financial viability and pro-
17 grammatic effectiveness of the project.

18 “(3) ELIGIBLE APPLICANTS.—To be eligible to
19 receive a grant under this subtitle to carry out ac-
20 tivities to create new permanent housing stock for
21 individuals and families described in paragraph (1),
22 an applicant shall be a collaborative applicant as de-
23 scribed in this subtitle, a private nonprofit or for
24 profit organization, a public-private partnership, a

1 public housing agency, or an instrumentality of a
2 State or local government.

3 “(4) LOCATION.—To the extent practicable, a
4 collaborative applicant that receives a grant under
5 this subtitle to create new permanent housing stock
6 shall ensure that the housing is located in a mixed-
7 income environment.

8 “(5) DEFINITION.—In this subsection, the term
9 ‘nondisabled homeless family’ means a homeless
10 family that does not have an adult head of house-
11 hold with a disabling condition, as defined in section
12 401(1)(B).

13 “(f) REPAYMENT OF ASSISTANCE AND PREVENTION
14 OF UNDUE BENEFITS.—

15 “(1) REPAYMENT.—If a recipient (or a project
16 sponsor receiving funds from the recipient) receives
17 assistance under section 422 to carry out a project
18 that consists of activities described in paragraph (1)
19 or (2) of subsection (a) and the project ceases to
20 provide transitional or permanent housing—

21 “(A) earlier than 10 years after operation
22 of the project begins, the Secretary shall re-
23 quire the recipient (or the project sponsor re-
24 ceiving funds from the recipient) to repay 100
25 percent of the assistance; or

1 “(B) not earlier than 10 years, but earlier
2 than 15 years, after operation of the project be-
3 gins, the Secretary shall require the recipient
4 (or the project sponsor receiving funds from the
5 recipient) to repay 20 percent of the assistance
6 for each of the years in the 15-year period for
7 which the project fails to provide that housing.

8 “(2) PREVENTION OF UNDUE BENEFITS.—Ex-
9 cept as provided in paragraph (3), if any property
10 is used for a project that receives assistance under
11 subsection (a) and consists of activities described in
12 paragraph (1) or (2) of subsection (a), and the sale
13 or other disposition of the property occurs before the
14 expiration of the 15-year period beginning on the
15 date that operation of the project begins, the recipi-
16 ent (or the project sponsor receiving funds from the
17 recipient) who received the assistance shall comply
18 with such terms and conditions as the Secretary may
19 prescribe to prevent the recipient (or a project spon-
20 sor receiving funds from the recipient) from unduly
21 benefitting from such sale or disposition.

22 “(3) EXCEPTION.—A recipient (or a project
23 sponsor receiving funds from the recipient) shall not
24 be required to make the repayments, and comply

1 with the terms and conditions, required under para-
2 graph (1) or (2) if—

3 “(A) the sale or disposition of the property
4 used for the project results in the use of the
5 property for the direct benefit of very low-in-
6 come persons; or

7 “(B) all of the proceeds of the sale or dis-
8 position are used to provide transitional or per-
9 manent housing meeting the requirements of
10 this subtitle.”;

11 (3) in section 425 (42 U.S.C. 11385), by strik-
12 ing subsection (c) and inserting the following:

13 “(c) SERVICES.—Subject to section 423(a)(6), sup-
14 portive services may include such services as—

15 “(1) establishing and operating a child care
16 services program for families experiencing homeless-
17 ness;

18 “(2) establishing and operating an employment
19 assistance program, including providing job training;

20 “(3) providing outpatient health services, food,
21 and case management;

22 “(4) providing assistance in obtaining perma-
23 nent housing, employment counseling, and nutri-
24 tional counseling;

1 “(5) providing outreach services, life skills
2 training, and housing search and counseling services;

3 “(6) providing assistance in obtaining other
4 Federal, State, and local assistance available for
5 residents of supportive housing (including mental
6 health benefits, employment counseling, and medical
7 assistance, but not including major medical equip-
8 ment);

9 “(7) providing legal services for purposes in-
10 cluding requesting reconsiderations and appeals of
11 veterans and public benefit claim denials and resolv-
12 ing outstanding warrants that interfere with an indi-
13 vidual’s ability to obtain and retain housing;

14 “(8) providing—

15 “(A) transportation services that facilitate
16 an individual’s ability to obtain and maintain
17 employment;

18 “(B) income assistance;

19 “(C) health care; and

20 “(D) other supportive services necessary to
21 obtain and maintain housing; and

22 “(9) providing other services determined by the
23 Secretary (either at the Secretary’s initiative or on
24 the basis of adequate justification by an applicant)

1 to be directly relevant to allowing persons experi-
2 encing homelessness to access and retain housing.”;

3 (4) in section 426 (42 U.S.C. 11386)—

4 (A) in subsection (a)—

5 (i) in paragraph (1), by striking “Ap-
6 plications” and all that follows through
7 “shall” and inserting “Applications for as-
8 sistance under section 422 shall”;

9 (ii) in paragraph (2)—

10 (I) by striking subparagraph (B)

11 and inserting the following:

12 “(B) a description of the size and charac-
13 teristics of the population that would occupy
14 housing units or receive supportive services as-
15 sisted under this subtitle;” and

16 (II) in subparagraph (E), by

17 striking “in the case of projects as-
18 sisted under this title that do not re-
19 ceive assistance under such sections,”;
20 and

21 (iii) in paragraph (3), in the last sen-
22 tence, by striking “recipient” and inserting
23 “recipient (or a project sponsor receiving
24 funds from the recipient)”;

1 (B) by striking subsections (b) and (c) and
2 inserting:

3 “(b) SELECTION CRITERIA.—The Secretary shall
4 award funds to collaborative applicants, and other eligible
5 applicants that have been approved by the Secretary, by
6 a national competition based on criteria established by the
7 Secretary, which shall include—

8 “(1) the capacity of the applicant based on the
9 past performance and management of the applicant;

10 “(2) if applicable, previous performance regard-
11 ing homelessness prevention, housing, and services
12 programs funded in any fiscal year prior to the date
13 of submission of the application;

14 “(3) the plan by which—

15 “(A) access to appropriate permanent
16 housing will be secured if the proposed project
17 does not include permanent housing; and

18 “(B) access to outcome-effective supportive
19 services will be secured for residents or con-
20 sumers involved in the project who are willing
21 to use the services;

22 “(4) if applicable, the extent to which an eval-
23 uation for the project will—

24 “(A) use periodically collected information
25 and analysis to determine whether the project

1 has resulted in enhanced stability and well-
2 being of the residents or consumers served by
3 the project;

4 “(B) include evaluations obtained directly
5 from the individuals or families served by the
6 project; and

7 “(C) be submitted by the project sponsors
8 for the grant, to the collaborative applicant, for
9 review and use in assessments, conducted by
10 the collaborative applicant, consistent with the
11 duty of the collaborative applicant to ensure ef-
12 fective outcomes that contribute to the goal of
13 preventing and ending homelessness in the geo-
14 graphic area served by the collaborative appli-
15 cant;

16 “(5) the need for the type of project proposed
17 in the geographic area to be served and the extent
18 to which prioritized programs meet unmet needs;

19 “(6) the extent to which the amount of assist-
20 ance to be provided under this subtitle will be sup-
21 plemented with resources from other public and pri-
22 vate sources, including mainstream programs identi-
23 fied by the Government Accountability Office in the
24 2 reports described in section 102(a)(5)(B);

1 “(7) demonstrated coordination with the other
2 Federal, State, local, private, and other entities serv-
3 ing individuals experiencing homelessness in the
4 planning and operation of projects, to the extent
5 practicable;

6 “(8) the extent to which the membership of the
7 collaborative applicant involved represents the com-
8 position described in section 402(b) and the extent
9 of membership involvement in the application proc-
10 ess; and

11 “(9) such other factors as the Secretary deter-
12 mines to be appropriate to carry out this subtitle in
13 an effective and efficient manner.

14 “(c) REQUIRED AGREEMENTS.—The Secretary may
15 not provide assistance for a proposed project under this
16 subtitle unless the collaborative applicant involved
17 agrees—

18 “(1) to ensure the operation of the project in
19 accordance with the provisions of this subtitle;

20 “(2) to conduct an ongoing assessment of ac-
21 cess to mainstream programs referred to in sub-
22 section (b)(4);

23 “(3) to monitor and report to the Secretary the
24 progress of the project;

1 “(4) to develop and implement procedures to
2 ensure—

3 “(A) the confidentiality of records per-
4 taining to any individual provided family vio-
5 lence prevention or treatment services through
6 the project; and

7 “(B) that the address or location of any
8 family violence shelter project assisted under
9 this subtitle will not be made public, except
10 with written authorization of the person respon-
11 sible for the operation of such project;

12 “(5) to ensure, to the maximum extent prac-
13 ticable, that individuals and families experiencing
14 homelessness are involved, through employment, pro-
15 vision of volunteer services, or otherwise, in con-
16 structing, rehabilitating, maintaining, and operating
17 facilities for the project and in providing supportive
18 services for the project;

19 “(6) if a collaborative applicant receives funds
20 under subtitle C to carry out the payment of admin-
21 istrative costs described in section 423(a)(7), to es-
22 tablish such fiscal control and fund accounting pro-
23 cedures as may be necessary to assure the proper
24 disbursement of, and accounting for, such funds in order
25 to ensure that all financial transactions carried out

1 with such funds are conducted, and records main-
2 tained, in accordance with generally accepted ac-
3 counting principles; and

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

7 (C) in subsection (d), in the first sentence,
8 by striking “recipient” and inserting “recipient
9 or project sponsor”;

10 (D) by striking subsection (e);

11 (E) by redesignating subsections (f), (g),
12 and (h), as subsections (e), (f), and (g), respec-
13 tively;

14 (F) in subsection (f) (as redesignated in
15 subparagraph (E)), in the first sentence, by
16 striking “recipient” each place it appears and
17 inserting “recipient or project sponsor”;

18 (G) by striking subsection (i); and

19 (H) by redesignating subsection (j) as sub-
20 section (h);

21 (5)(A) by repealing section 429 (42 U.S.C.
22 11389); and

23 (B) by redesignating sections 427 and 428 (42
24 U.S.C. 11387, 11388) as sections 431 and 432, re-
25 spectively; and

1 (6) by inserting after section 426 the following:

2 **“SEC. 427. ALLOCATION AMOUNTS AND INCENTIVES FOR**
3 **SPECIFIC ELIGIBLE ACTIVITIES.**

4 “(a) PURPOSE.—The Secretary shall promote—

5 “(1) permanent housing development activities
6 for—

7 “(A) homeless individuals with disabilities
8 and homeless families that include such an indi-
9 vidual; and

10 “(B) nondisabled homeless families; and

11 “(2) prevention activities described in section
12 423(a)(8).

13 “(b) DEFINITION.—In this section, the term ‘non-
14 disabled homeless family’ means a homeless family that
15 does not include a homeless individual with a disability.

16 “(c) ANNUAL PORTION OF APPROPRIATED AMOUNT
17 AVAILABLE.—

18 “(1) DISABLED HOMELESS INDIVIDUALS AND
19 FAMILIES.—

20 “(A) IN GENERAL.—From the amount
21 made available to carry out this subtitle for a
22 fiscal year, a portion equal to not less than 30
23 percent of the sums made available to carry out
24 subtitle B and this subtitle for that fiscal year
25 shall be used for activities to develop new per-

1 manent housing, in order to help create afford-
2 able permanent housing for homeless individ-
3 uals with disabilities and homeless families that
4 include such an individual who is an adult.

5 “(B) CALCULATION.—In calculating the
6 portion of the amount described in subpara-
7 graph (A) that is used for activities described in
8 subparagraph (A), the Secretary shall not count
9 funds made available to renew contracts for ex-
10 isting projects (in existence as of the date of
11 the renewal) under section 428.

12 “(2) PREVENTION ACTIVITIES.—From the
13 amount made available to carry out this subtitle for
14 a fiscal year, a portion equal to not more than 5
15 percent of the sums described in paragraph (1) shall
16 be used for prevention activities described in section
17 423(a)(8).

18 “(d) FUNDING FOR ACQUISITION, CONSTRUCTION,
19 AND REHABILITATION OF PERMANENT OR TRANSITIONAL
20 HOUSING.—Nothing in this Act shall be construed to es-
21 tablish a limit on the amount of funding that an applicant
22 may request under this subtitle for acquisition, construc-
23 tion, or rehabilitation activities for the development of per-
24 manent housing or transitional housing.

1 **“SEC. 428. RENEWAL FUNDING AND TERMS OF ASSISTANCE**
2 **FOR PERMANENT HOUSING.**

3 “(a) IN GENERAL.—Of the total amount available for
4 use in connection with this subtitle, such sums as may
5 be necessary shall be designated for the purpose of renew-
6 ing expiring contracts for permanent housing, within the
7 account referred to as the ‘Homeless Assistance Grants
8 Account’ on the date of enactment of the Community
9 Partnership to End Homelessness Act of 2005.

10 “(b) RENEWALS.—Such sums shall be available for
11 the renewal of contracts for a 1-year term for rental as-
12 sistance and housing operation costs associated with per-
13 manent housing projects funded under this subtitle, or
14 under subtitle C or F (as in effect on the day before the
15 date of enactment of the Community Partnership to End
16 Homelessness Act of 2005). The Secretary shall determine
17 whether to renew a contract for such a permanent housing
18 project on the basis of demonstrated need for the project
19 and the compliance of the entity carrying out the project
20 with appropriate standards of housing quality and habit-
21 ability as determined by the Secretary.

22 “(c) CONSTRUCTION.—Nothing in this section shall
23 be construed as prohibiting the Secretary from renewing
24 contracts under this subtitle in accordance with criteria
25 set forth in a provision of this subtitle other than this sec-
26 tion.

1 **“SEC. 429. MATCHING FUNDING.**

2 “(a) IN GENERAL.—A recipient of a grant (including
3 a renewed grant) under this subtitle shall make available
4 contributions, in cash, in an amount equal to not less than
5 25 percent of the Federal funds provided under the grant.

6 “(b) APPLICATION.—Subsection (a) shall not apply
7 in the case of a grant for activities consisting of the pay-
8 ment of operating costs associated with permanent hous-
9 ing renewal grants described in section 428 that fund the
10 operation of permanent housing—

11 “(1) for individuals or families whose incomes
12 are 50 percent or less of the median income for an
13 individual or family, respectively, in the geographic
14 area involved; and

15 “(2) that receives no Federal or State funds
16 from a source other than this subtitle.

17 **“SEC. 430. APPEAL PROCEDURE.**

18 “(a) IN GENERAL.—With respect to funding under
19 this subtitle, if certification of consistency with the Con-
20 solidated Plan pursuant to section 403 is withheld from
21 an applicant who has submitted an application for that
22 certification, such applicant may appeal such decision to
23 the Secretary.

24 “(b) PROCEDURE.—The Secretary shall establish a
25 procedure to process the appeals described in subsection
26 (a).

1 “(c) DETERMINATION.—Not later than 45 days after
2 the date of receipt of an appeal described in subsection
3 (a), the Secretary shall determine if certification was un-
4 reasonably withheld. If such certification was unreason-
5 ably withheld, the Secretary shall review such application
6 and determine if such applicant shall receive funding
7 under this subtitle.”.

8 **SEC. 7. REPEALS AND CONFORMING AMENDMENTS.**

9 (a) REPEALS.—Subtitles D, E, F, and G of title IV
10 of the McKinney-Vento Homeless Assistance Act (42
11 U.S.C. 11391 et seq., 11401 et seq., 11403 et seq., and
12 11408 et seq.) are repealed.

13 (b) CONFORMING AMENDMENTS.—

14 (1) UNITED STATES INTERAGENCY COUNCIL ON
15 HOMELESSNESS.—Section 2066(b)(3)(F) of title 38,
16 United States Code and section 506(a) of the Public
17 Health Service Act (42 U.S.C. 290aa–5(a)) are
18 amended by striking “Interagency Council on the
19 Homeless” and inserting “United States Interagency
20 Council on Homelessness”.

21 (2) CONSOLIDATED PLAN.—Section 403(1) of
22 the McKinney-Vento Homeless Assistance Act, as re-
23 designated in section 4(2), is amended—

1 (A) by striking “current housing afford-
2 ability strategy” and inserting “Consolidated
3 Plan”; and

4 (B) by inserting before the comma the fol-
5 lowing: “(referred to in that section as a ‘com-
6 prehensive housing affordability strategy’)”.

7 (3) PERSONS EXPERIENCING HOMELESS-
8 NESS.—Section 103 of the McKinney-Vento Home-
9 less Assistance Act (42 U.S.C. 11302) is amended
10 by adding at the end the following:

11 “(d) PERSONS EXPERIENCING HOMELESSNESS.—
12 References in this Act to homeless individuals (including
13 homeless persons) or homeless groups (including the
14 homeless) shall be considered to include, and to refer to,
15 individuals experiencing homelessness or groups experi-
16 encing homelessness, respectively.”.

17 **SEC. 8. EFFECTIVE DATE.**

18 This Act shall take effect 6 months after the date
19 of enactment of this Act.

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