

116TH CONGRESS
1ST SESSION

S. 2803

To provide Federal housing assistance on behalf of youths who are aging out of foster care, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 6, 2019

Mr. BROWN (for himself and Mr. GRASSLEY) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To provide Federal housing assistance on behalf of youths who are aging out of foster care, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fostering Stable Hous-
5 ing Opportunities Act of 2019”.

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

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

10 (1) in the first sentence—

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

2 and

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

4 following: “(v) a youth described in section

5 8(x)(2)(B),”; and

6 (2) in the second sentence, by inserting “or

7 (vi)” after “clause (v)”.

8 **SEC. 3. HOUSING CHOICE VOUCHERS FOR FOSTERING STA-**
 9 **BLE HOUSING OPPORTUNITIES.**

10 (a) ASSISTANCE FOR YOUTH AGING OUT OF FOSTER
 11 CARE.—Section 8(x) of the United States Housing Act of
 12 1937 (42 U.S.C. 1437f(x)) is amended—

13 (1) in paragraph (2), by inserting “subject to
 14 paragraph (5),” after “(B)”;

15 (2) in paragraph (3)—

16 (A) by striking “(3) ALLOCATION.—The”
 17 and inserting the following:

18 “(3) ALLOCATION.—

19 “(A) IN GENERAL.—The”; and

20 (B) by adding at the end the following new
 21 subparagraph:

22 “(B) ASSISTANCE FOR YOUTH AGING OUT
 23 OF FOSTER CARE.—Notwithstanding any other
 24 provision of law, the Secretary shall, subject
 25 only to the availability of funds, allocate such

1 assistance to any public housing agencies that
 2 (i) administer assistance pursuant to paragraph
 3 (2)(B), or seek to administer such assistance,
 4 consistent with procedures established by the
 5 Secretary, (ii) have requested such assistance so
 6 that they may provide timely assistance to eligi-
 7 ble youth, and (iii) have submitted to the Sec-
 8 retary a statement describing how the agency
 9 will connect assisted youths with local commu-
 10 nity resources and self-sufficiency services, to
 11 the extent they are available, and obtain refer-
 12 rals from public child welfare agencies regard-
 13 ing youths in foster care who become eligible
 14 for such assistance.”;

15 (3) by redesignating paragraph (5) as para-
 16 graph (6); and

17 (4) by inserting after paragraph (4) the fol-
 18 lowing new paragraph:

19 “(5) REQUIREMENTS FOR ASSISTANCE FOR
 20 YOUTH AGING OUT OF FOSTER CARE.—Assistance
 21 provided under this subsection for an eligible youth
 22 pursuant to paragraph (2)(B) shall be subject to the
 23 following requirements:

24 “(A) REQUIREMENTS TO EXTEND ASSIST-
 25 ANCE.—

1 “(i) PARTICIPATION IN FAMILY SELF-
 2 SUFFICIENCY.—In the case of a public
 3 housing agency that is providing such as-
 4 sistance under this subsection on behalf of
 5 an eligible youth and that is carrying out
 6 a family self-sufficiency program under
 7 section 23, the agency shall, subject only
 8 to the availability of such assistance, ex-
 9 tend the provision of such assistance for
 10 up to 24 months beyond the period re-
 11 ferred to in paragraph (2)(B), but only
 12 during such period that the youth is in
 13 compliance with the terms and conditions
 14 applicable under section 23 and the regula-
 15 tions implementing such section to a per-
 16 son participating in a family self-suffi-
 17 ciency program.

18 “(ii) EDUCATION, WORKFORCE DE-
 19 VELOPMENT, OR EMPLOYMENT.—In the
 20 case of a public housing agency that is
 21 providing such assistance under this sub-
 22 section on behalf of an eligible youth and
 23 that is not carrying out a family self-suffi-
 24 ciency program under section 23, or is car-
 25 rying out such a program in which the

1 youth has been unable to enroll, the agency
2 shall, subject only to the availability of
3 such assistance, extend the provision of
4 such assistance for two successive 12-
5 month periods, after the period referred to
6 in paragraph (2)(B), but only if for not
7 less than 9 months of the 12-month period
8 preceding each such extension the youth
9 was—

10 “(I) engaged in obtaining a rec-
11 ognized postsecondary credential or a
12 secondary school diploma or its recog-
13 nized equivalent;

14 “(II) enrolled in an institution of
15 higher education, as such term is de-
16 fined in section 101(a) of the Higher
17 Education Act of 1965 (20 U.S.C.
18 1001(a)) and including the institu-
19 tions described in subparagraphs (A)
20 and (B) of section 102(a)(1) of such
21 Act (20 U.S.C. 1002(a)(1)); or

22 “(III) participating in a career
23 pathway, as such term is defined in
24 section 3 of the Workforce Innovation

1 and Opportunity Act (29 U.S.C.
2 3102).

3 Notwithstanding any other provision of
4 this clause, a public housing agency shall
5 consider employment as satisfying the re-
6 quirements under this subparagraph.

7 “(iii) EXCEPTIONS.—Notwithstanding
8 clauses (i) and (ii), a public housing agen-
9 cy that is providing such assistance under
10 this subsection on behalf of an eligible
11 youth shall extend the provision of such as-
12 sistance for up to 24 months beyond the
13 period referred to in paragraph (2)(B),
14 and clauses (i) and (ii) of this subpara-
15 graph shall not apply, if the eligible youth
16 certifies that he or she is—

17 “(I) a parent or other household
18 member responsible for the care of a
19 dependent child under the age of 6 or
20 for the care of an incapacitated per-
21 son;

22 “(II) a person who is regularly
23 and actively participating in a drug
24 addiction or alcohol treatment and re-
25 habilitation program; or

1 “(III) a person who is incapable
2 of complying with the requirement
3 under clause (i) or (ii), as applicable,
4 due to a documented medical condi-
5 tion.

6 “(iv) VERIFICATION OF COMPLI-
7 ANCE.—The Secretary shall require the
8 public housing agency to verify compliance
9 with the requirements under this subpara-
10 graph by each eligible youth on whose be-
11 half the agency provides such assistance
12 under this subsection on an annual basis
13 in conjunction with reviews of income for
14 purposes of determining income eligibility
15 for such assistance.

16 “(B) SUPPORTIVE SERVICES.—

17 “(i) ELIGIBILITY.—Each eligible
18 youth on whose behalf such assistance
19 under this subsection is provided shall be
20 eligible for any supportive services (as such
21 term is defined in section 103 of the Work-
22 force Innovation and Opportunity Act (29
23 U.S.C. 3102)) made available, in connec-
24 tion with any housing assistance program

1 of the agency, by or through the public
2 housing agency providing such assistance.

3 “(ii) INFORMATION.—Upon the initial
4 provision of such assistance under this
5 subsection on behalf of any eligible youth,
6 the public housing agency shall inform
7 such eligible youth of the existence of any
8 programs or services referred to in clause
9 (i) and of their eligibility for such pro-
10 grams and services.

11 “(C) APPLICABILITY TO MOVING TO WORK
12 AGENCIES.—Notwithstanding any other provi-
13 sion of law, the requirements of this paragraph
14 shall apply to assistance under this subsection
15 pursuant to paragraph (2)(B) made available
16 by each public housing agency participating in
17 the Moving to Work Program under section 204
18 of the Departments of Veterans Affairs and
19 Housing and Urban Development, and Inde-
20 pendent Agencies Appropriations Act, 1996 (42
21 U.S.C. 1437f note), except that in lieu of com-
22 pliance with clause (i) or (ii) of subparagraph
23 (A) of this paragraph, such an agency may
24 comply with the requirements under such
25 clauses by complying with such terms, condi-

tions, and requirements as may be established by the agency for persons on whose behalf such rental assistance under this subsection is provided.

“(D) TERMINATION OF VOUCHERS UPON TURN-OVER.—A public housing agency shall not reissue any such assistance made available from appropriated funds when assistance for the youth initially assisted is terminated, unless specifically authorized by the Secretary.

“(E) REPORTS.—

“(i) IN GENERAL.—The Secretary shall require each public housing agency that provides such assistance under this subsection in any fiscal year to submit a report to the Secretary for such fiscal year that—

“(I) specifies the number of persons on whose behalf such assistance under this subsection was provided during such fiscal year;

“(II) specifies the number of persons who applied during such fiscal year for such assistance under this subsection, but were not provided

1 such assistance, and provides a brief
2 identification in each instance of the
3 reason why the public housing agency
4 was unable to award such assistance;
5 and

6 “(III) describes how the public
7 housing agency communicated or col-
8 laborated with public child welfare
9 agencies to collect such data.

10 “(ii) INFORMATION COLLECTIONS.—

11 The Secretary shall, to the greatest extent
12 possible, utilize existing information collec-
13 tions, including the Voucher Management
14 System (VMS), the Inventory Management
15 System/PIH Information Center (IMS/
16 PIC), or the successors of those systems,
17 to collect information required under this
18 subparagraph.

19 “(F) CONSULTATION.—The Secretary shall
20 consult with the Secretary of Health and
21 Human Services to provide such information
22 and guidance to the Secretary of Health and
23 Human Services as may be necessary to facili-
24 tate such Secretary in informing States and
25 public child welfare agencies on how to correctly

1 and efficiently implement and comply with the
2 requirements of this subsection relating to as-
3 sistance provided pursuant to paragraph
4 (2)(B).”.

5 (b) COORDINATION BETWEEN PHAS AND PUBLIC
6 CHILD WELFARE AGENCIES.—

7 (1) APPLICABILITY TO FOSTERING STABLE
8 HOUSING OPPORTUNITIES PROGRAM.—Subparagraph
9 (A) of section 8(x)(4) of the United States Housing
10 Act of 1937 (42 U.S.C. 1437f(x)(4)(A)) is amended
11 by inserting before the semicolon at the end the fol-
12 lowing: “and establishing a point of contact at public
13 housing agencies to ensure that public housing agen-
14 cies receive appropriate referrals regarding eligible
15 recipients”.

16 (c) PHA ADMINISTRATIVE FEES.—Subsection (q) of
17 section 8 of the United States Housing Act of 1937 (42
18 U.S.C. 1437f(q)) is amended by adding at the end the fol-
19 lowing new paragraph:

20 “(5) SUPPLEMENTS FOR ADMINISTERING AS-
21 SISTANCE FOR YOUTH AGING OUT OF FOSTER
22 CARE.—The Secretary may provide supplemental
23 fees under this subsection to the public housing
24 agency for the cost of administering any assistance
25 for foster youth under subsection (x)(2)(B), in an

1 amount determined by the Secretary, but only if the
 2 agency waives for such eligible youth receiving as-
 3 sistance any residency requirement that it has other-
 4 wise established pursuant to subsection
 5 (r)(1)(B)(i).”.

6 **SEC. 4. EXCEPTIONS TO LIMITATIONS FOR PROJECT-BASED**
 7 **VOUCHER ASSISTANCE.**

8 (a) PERCENTAGE LIMITATION.—The first sentence of
 9 clause (ii) of section 8(o)(13)(B) of the United States
 10 Housing Act of 1937 (42 U.S.C. 1437f(o)(13)(B)(ii)) is
 11 amended by inserting before “or that” the following: “that
 12 house eligible youths receiving assistance pursuant to sub-
 13 section (x)(2)(B),”.

14 (b) INCOME-MIXING REQUIREMENT.—Subclause (I)
 15 of section 8(o)(13)(D)(ii) of the United States Housing
 16 Act of 1937 (42 U.S.C. 1437f(o)(13)(D)(ii)(I)) is amend-
 17 ed by inserting after “elderly families” the following: “,
 18 to eligible youths receiving assistance pursuant to sub-
 19 section (x)(2)(B),”.

20 **SEC. 5. APPLICABILITY.**

21 The amendments made by this Act shall not apply
 22 to housing choice voucher assistance made available pur-
 23 suant to section 8(x) of the United States Housing Act
 24 of 1937 (42 U.S.C. 1437f(x)) that is in use on behalf of

1 an assisted family as of the date of the enactment of this
2 Act.

