H. R. 4300

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

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 2019

Ms. DEAN (for herself, Mr. TURNER, Ms. BASS, and Mr. STIVERS) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. SHORT TITLE.

This Act may be cited as the “Fostering Stable Housing Opportunities Act of 2019”.

SEC. 2. DEFINITION OF FAMILY.

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

(1) in the first sentence—
(A) by striking “(v)” and inserting “(vi)”; and

(B) by inserting after “tenant family,” the following: “(v) a youth described in section 8(x)(2)(B)”;

(2) in the second sentence, by inserting “or (vi)” after “clause (v)”.

SEC. 3. HOUSING CHOICE VOUCHERS FOR FOSTERING STABLE HOUSING OPPORTUNITIES.

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

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

(2) in paragraph (3)—

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

“(3) ALLOCATION.—

“(A) IN GENERAL.—The”; and

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

“(B) ASSISTANCE FOR YOUTH AGING OUT OF FOSTER CARE.—Notwithstanding any other provision of law, the Secretary shall, subject only to the availability of funds, allocate such
assistance to any public housing agencies that
(i) administer assistance pursuant to paragraph
(2)(B), or seek to administer such assistance,
consistent with procedures established by the
Secretary, and (ii) have requested such assist-
ance so that they may provide timely assistance
to eligible youth.”;

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

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

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

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

“(i) PARTICIPATION IN FAMILY SELF-
sufficiency.—In the case of a public
housing agency that is providing such as-
sistance under this subsection on behalf of
an eligible youth and that is carrying out
a family self-sufficiency program under
section 23, the agency shall, subject only
to the availability of such assistance, extend the provision of such assistance for up to 24 months beyond the period referred to in paragraph (2)(B), but only during such period that the youth is in compliance with the terms and conditions applicable under section 23 and the regulations implementing such section to a person participating in a family self-sufficiency program.

“(ii) Education, Workforce Development, or Employment.—In the case of a public housing agency that is providing such assistance under this subsection on behalf of an eligible youth and that is not carrying out a family self-sufficiency program under section 23, the agency shall, subject only to the availability of such assistance, extend the provision of such assistance for two successive 12-month periods, after the period referred to in paragraph (2)(B), but only if during the entire 12-month period preceding each such extension the youth was—
“(I) engaged in obtaining a recognized postsecondary credential or a secondary school diploma or its recognized equivalent;

“(II) enrolled in an institution of higher education, as such term is defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) and including the institutions described in subparagraphs (A) and (B) of section 102(a)(1) of such Act (20 U.S.C. 1002(a)(1)); or

“(III) participating in a career pathway, as such term is defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

Notwithstanding any other provision of this clause, a public housing agency shall consider employment as satisfying the requirements under this subparagraph.

“(iii) EXCEPTIONS.—Notwithstanding clauses (i) and (ii), a public housing agency that is providing such assistance under this subsection on behalf of an eligible
youth shall extend the provision of such assistance for up to 24 months beyond the period referred to in paragraph (2)(B), and clauses (i) and (ii) of this subparagraph shall not apply, if the eligible youth is—

“(I) a parent or other household member responsible for the care of a dependent child under the age of 6 or for the care of an incapacitated person;

“(II) a person who is regularly and actively participating in a drug addiction or alcohol treatment and rehabilitation program; or

“(III) a person who is incapable of complying with the requirement under clause (i) or (ii), as applicable, due to a documented medical condition.

“(iv) Verification of Compliance.—The Secretary shall require the public housing agency to verify compliance with the requirements under this subparagraph by each eligible youth on whose be-
half the agency provides such assistance under this subsection on an annual basis in conjunction with reviews of income for purposes of determining income eligibility for such assistance.

“(B) SUPPORTIVE SERVICES.—

“(i) ELIGIBILITY.—Each eligible youth on whose behalf such assistance under this subsection is provided shall be eligible for any supportive services (as such term is defined in section 103 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102)) made available, in connection with any housing assistance program of the agency, by or through the public housing agency providing such assistance.

“(ii) INFORMATION.—Upon the initial provision of such assistance under this subsection on behalf of any eligible youth, the public housing agency shall inform such eligible youth of the existence of any programs or services referred to in clause (i) and of their eligibility for such programs and services.
“(C) Applicability to Moving to Work Agencies.—Notwithstanding any other provision of law, the requirements of this paragraph shall apply to assistance under this subsection pursuant to paragraph (2)(B) made available by each public housing agency participating in the Moving to Work Program under section 204 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (42 U.S.C. 1437f note), except that in lieu of compliance with clause (i) or (ii) of subparagraph (A) of this paragraph, such an agency may comply with the requirements under such clauses by complying with such terms, conditions, 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.—The Secretary shall re-
quire each public housing agency that provides
such assistance under this subsection in any fis-
cal 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 such assistance, and

provides a brief identification in each in-
stance of the reason why the public hous-
ing agency was unable to award such as-
sistance; and

“(iii) describes how the public housing
agency communicated or collaborated with
public child welfare agencies to collect such
data.

“(F) CONSULTATION.—The Secretary shall
consult with the Secretary of Health and
Human Services to provide such information
and guidance to the Secretary of Health and
Human Services as may be necessary to facilitate such Secretary in informing States and public child welfare agencies on how to correctly and efficiently implement and comply with the requirements of this subsection relating to assistance provided pursuant to paragraph (2)(B).”.

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

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

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

“(4) SUPPLEMENTS FOR ADMINISTERING ASSISTANCE FOR YOUTH AGING OUT OF FOSTER CARE.—If a public housing agency has established a
residency requirement pursuant to subsection (r)(1)(B)(i), the Secretary may provide supplemental fees under this subsection to the agency for the cost of administering any assistance for foster youth under subsection (x)(2)(B), in an amount determined by the Secretary, but only if the agency waives the residency requirement for such eligible youth receiving assistance.”.

(d) PHA PLANS.—Subsection (d) of section 5A of the United States Housing Act of 1937 (42 U.S.C. 1437c–1(d)) is amended—

(1) by redesignating paragraph (19) as paragraph (20); and

(2) by inserting after paragraph (18) the following new paragraph:

“(19) FOSTERING STABLE HOUSING OPPORTUNITIES.—For any public housing agency that will provide rental assistance pursuant section 8(x)(2)(B) during such fiscal year—

“(A) a statement describing how the agency will connect assisted youths with local community resources and self-sufficiency services and obtain referrals from public child welfare agencies regarding youths in foster care who become eligible for such assistance; and
“(B) if the agency is requesting supplemental administrative fees pursuant to section 8(q)(4) and has established a residency requirement pursuant to subsection (r)(1)(B)(i), assurances satisfactory to the Secretary that the agency will waive the residency requirement for eligible youth receiving such assistance as required by such section 8(q)(4).”.

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

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

(b) Income-Mixing Requirement.—Subclause (I) of section 8(o)(13)(D)(ii) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(13)(D)(ii)(I)) is amended by inserting after “elderly families” the following: “, to eligible youths receiving assistance pursuant to section 8(x)(2)(B),”.