

110TH CONGRESS  
1ST SESSION

# H. R. 202

To authorize the renewal of tenant-based rental assistance vouchers under section 8 of the United States Housing Act of 1937.

---

## IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2007

Mr. ROTHMAN introduced the following bill; which was referred to the Committee on Financial Services

---

## A BILL

To authorize the renewal of tenant-based rental assistance vouchers under section 8 of the United States Housing Act of 1937.

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 “Housing Authority  
5 Funding Fairness Act of 2007”.

6 **SEC. 2. VOUCHER RENEWAL FUNDING.**

7 Section 8 of the United States Housing Act of 1937  
8 (42 U.S.C. 1437f) is amended by striking subsection (dd)  
9 and inserting the following new subsection:

10 “(dd) TENANT-BASED VOUCHERS.—

1           “(1) AUTHORIZATION OF APPROPRIATIONS.—

2           There are authorized to be appropriated, for each of  
3           fiscal years 2008 through 2012, such sums as may  
4           be necessary for tenant-based assistance under sub-  
5           section (o) for the following purposes:

6                   “(A) To renew all expiring annual con-  
7                   tributions contracts for tenant-based rental as-  
8                   sistance.

9                   “(B) To provide tenant-based rental assist-  
10                  ance for—

11                           “(i) relocation and replacement of  
12                           housing units that are demolished or dis-  
13                           posed of pursuant to the Omnibus Consoli-  
14                           dated Rescissions and Appropriations Act  
15                           of 1996 (Public Law 104–134);

16                           “(ii) conversion of section 23 projects  
17                           to assistance under this section;

18                           “(iii) the family unification program  
19                           under subsection (x) of this section;

20                           “(iv) relocation of witnesses in con-  
21                           nection with efforts to combat crime in  
22                           public and assisted housing pursuant to a  
23                           request from a law enforcement or pros-  
24                           ecution agency;

1 “(v) enhanced vouchers authorized  
2 under subsection (t) of this section;

3 “(vi) vouchers in connection with the  
4 HOPE VI program under section 24;

5 “(vii) demolition or disposition of pub-  
6 lic housing units pursuant to section 18 of  
7 the United States Housing Act of 1937  
8 (42 U.S.C. 1437p);

9 “(viii) mandatory and voluntary con-  
10 versions of public housing to vouchers, pur-  
11 suant to sections 33 and 22 of the United  
12 States Housing Act of 1937, respectively  
13 (42 U.S.C. 1437z–5, 1437t);

14 “(ix) vouchers necessary to comply  
15 with a consent decree or court order;

16 “(x) vouchers transferred from an-  
17 other public housing agency; and

18 “(xi) tenant protection assistance, in-  
19 cluding replacement and relocation assist-  
20 ance.

21 “(2) ALLOCATION OF RENEWAL FUNDING  
22 AMONG PUBLIC HOUSING AGENCIES.—

23 “(A) From amounts appropriated for each  
24 year pursuant to paragraph (1)(A), the Sec-

1           retary shall provide renewal funding for each  
2           public housing agency—

3                   “(i) based on leasing and costs from  
4                   the prior year, as adjusted by an annual  
5                   adjustment factor to be established by the  
6                   Secretary;

7                   “(ii) by making any adjustments nec-  
8                   essary to provide for the first-time renewal  
9                   of vouchers funded under paragraph  
10                  (1)(B); and

11                  “(iii) by making such other adjust-  
12                  ments as the Secretary considers appro-  
13                  priate.

14                  “(B) LEASING AND COST DATA.—For pur-  
15                  poses of subparagraph (A)(i), leasing and cost  
16                  data shall be calculated not less often than bi-  
17                  ennially by using the average for the calendar  
18                  year that, at the time of such calculation, is the  
19                  most recently completed calendar year for which  
20                  the Secretary determines data is available, sub-  
21                  stantially verifiable, and complete. Such leasing  
22                  data shall be adjusted to include vouchers that  
23                  were set aside under a commitment to provide  
24                  project-based assistance under subsection  
25                  (o)(13).

1           “(C) MOVING TO WORK.—Notwithstanding  
2           subparagraphs (A) and (B), each public hous-  
3           ing agency participating at any time in the  
4           moving to work demonstration under section  
5           204 of the Departments of Veterans Affairs  
6           and Housing and Urban Development, and  
7           Independent Agencies Appropriations Act, 1996  
8           (42 U.S.C. 1437f note) or in the Moving to  
9           Work program under section 36 of this Act  
10          shall be funded pursuant to its agreement  
11          under such program and shall be subject to any  
12          pro rata adjustment made under subparagraph  
13          (D).

14          “(D) PRO RATA ALLOCATION.—

15                 “(i) INSUFFICIENT FUNDS.—To the  
16                 extent that amounts made available for a  
17                 fiscal year are not sufficient to provide  
18                 each public housing agency with the full al-  
19                 location for the agency determined pursu-  
20                 ant to subparagraphs (A) and (C), the  
21                 Secretary shall reduce such allocation for  
22                 each agency on a pro rata basis, except  
23                 that renewal funding of enhanced vouchers  
24                 under section 8(t) shall not be subject to  
25                 such proration.

1           “(ii) EXCESS FUNDS.—To the extent  
2           that amounts made available for a fiscal  
3           year exceed the amount necessary to pro-  
4           vide each housing agency with the full allo-  
5           cation for the agency determined pursuant  
6           to subparagraphs (A) and (C), such excess  
7           amounts shall be used for the purposes  
8           specified in subparagraphs (B) and (C) of  
9           paragraph (4).

10          “(3) ADVANCES.—

11           “(A) AUTHORITY.—During the last 3  
12           months of each calendar year, the Secretary  
13           shall provide amounts to any public housing  
14           agency, at the request of the agency, in an  
15           amount up to two percent of the allocation for  
16           the agency for such calendar year.

17           “(B) USE.—Amounts advanced under sub-  
18           paragraph (A) may be used to pay for addi-  
19           tional voucher costs, including costs related to  
20           temporary overleasing.

21           “(C) REPAYMENT.—Amounts advanced  
22           under subparagraph (A) in a calendar year  
23           shall be repaid to the Secretary in the subse-  
24           quent calendar year by reducing the amounts  
25           made available for such agency for such subse-

1           quent calendar year pursuant to allocation  
2           under paragraph (2) by an amount equal to the  
3           amount so advanced to the agency.

4           “(4) RECAPTURE.—

5                   “(A) IN GENERAL.—The Secretary shall  
6           recapture, from amounts provided under the  
7           annual contributions contract for a public hous-  
8           ing agency for a calendar year, all amounts al-  
9           located under paragraph (2) that are unused by  
10          the agency at the end of each calendar year.

11                   “(B) REALLOCATION.—Not later than May  
12          1 of each calendar year, the Secretary shall—

13                           “(i) calculate the aggregate unused  
14                           amounts for the preceding year recaptured  
15                           pursuant to subparagraph (A);

16                           “(ii) set aside and make available  
17                           such amounts as the Secretary considers  
18                           appropriate to reimburse public housing  
19                           agencies for increased costs related to port-  
20                           ability and family self-sufficiency activities  
21                           during such year; and

22                           “(iii) reallocate all remaining amounts  
23                           among public housing agencies that, in the  
24                           preceding year, used at least 99 percent of  
25                           amounts allocated under paragraph (2) for

1           the agency and leased fewer than the num-  
2           ber of vouchers authorized for the agency;  
3           except that the Secretary may establish  
4           priority for allocation of such amounts to  
5           public housing agencies that leased fewer  
6           vouchers in such preceding year than in  
7           the 12-month period ending April 1, 2004.

8           “(C) USE.—Amounts reallocated to a pub-  
9           lic housing agency pursuant to subparagraph  
10          (B)(iii) may be used only to increase voucher  
11          leasing rates to the level authorized for the  
12          agency.”.

○