

AMENDMENT TO H.R. 3045
OFFERED BY MS. WATERS OF CALIFORNIA AND
MR. FRANK OF MASSACHUSETTS

Strike section 23 (relating to housing innovation program) and insert the following new section:

1 SEC. 23. HOUSING INNOVATION PROGRAM.

2 (a) ESTABLISHMENT OF PROGRAM.—Title I of the
3 United States Housing Act of 1937 (42 U.S.C. 1437 et
4 seq.) is amended by adding at the end the following new
5 section:

6 “SEC. 37. HOUSING INNOVATION PROGRAM.

7 “(a) PURPOSE.—The purpose of the program under
8 this section is to establish a program under which public
9 housing agencies are given the flexibility to design, and
10 the Secretary is given the responsibility to evaluate, inno-
11 vative approaches to providing housing assistance that—

12 “(1) increase housing opportunities for low-,
13 very low-, and extremely low-income families, includ-
14 ing preserving, modernizing, rehabilitating, reconfig-
15 uring, or replacing public housing at risk of physical
16 deterioration or obsolescence, developing additional
17 affordable housing, providing supportive housing,

1 and increasing the number of families receiving ten-
2 ant-based rental assistance;

3 “(2) provide financial incentives and other sup-
4 port mechanisms to families to obtain employment
5 and increase earned income, and achieve economic
6 self-sufficiency, while protecting very low- and ex-
7 tremely low-income families from increased rent bur-
8 dens;

9 “(3) utilize funds in a more effective or cost-ef-
10 ficient manner, including achieving energy, adminis-
11 trative, and other cost savings;

12 “(4) leverage other Federal, State, and local
13 funding sources, including the low-income housing
14 tax credit program, to expand and preserve afford-
15 able housing opportunities, including public housing;

16 “(5) test alternative rent-setting policies to de-
17 termine whether rent determinations can be sim-
18 plified and administrative cost savings can be real-
19 ized while protecting extremely low- and very low-in-
20 come families from increased rent burdens;

21 “(6) are subject to rigorous evaluation to test
22 the effectiveness of such innovative approaches; and

23 “(7) are developed with the support of the local
24 community and with the substantial participation of
25 affected residents.

1 “(b) PROGRAM AUTHORITY.—

2 “(1) SCOPE.—

3 “(A) PRIORITY STRATEGY AGENCIES.—

4 The Secretary shall carry out a housing innova-
5 tion program under this section under which
6 the Secretary shall designate such number of
7 public housing agencies, which shall not exceed
8 60, to participate in the housing innovation pro-
9 gram as may be necessary, in conjunction with
10 agencies approved for continued program par-
11 ticipation pursuant to subsection (c), to dem-
12 onstrate the effectiveness of the priority strate-
13 gies identified in subsection (d)(2).

14 “(B) ADDITIONAL PROGRAM AGENCIES.—

15 The Secretary shall also designate such number
16 of additional agencies, which shall not exceed
17 20, to participate in the program under the
18 terms of subsection (i) as may be necessary to
19 demonstrate other innovative strategies as the
20 Secretary or applicants may propose.

21 “(C) TRANSFER OF EXISTING MTW AGEN-
22 CIES.—The Secretary shall also approve and
23 transfer into the program existing MTW agen-
24 cies pursuant to subsection (c).

1 “(2) DURATION.—The Secretary may carry out
2 the housing innovation program under this section
3 only during the 10-year period beginning on the date
4 of the enactment of the Section 8 Voucher Reform
5 Act of 2009.

6 “(c) PARTICIPATION OF EXISTING MTW AGEN-
7 CIES.—

8 “(1) IN GENERAL.—Subject to the require-
9 ments of paragraph (2), all existing MTW agencies
10 shall be designated to participate in the program.

11 “(2) CONDITIONS OF PARTICIPATION.—The
12 Secretary shall approve and transfer into the hous-
13 ing innovation program under this section each ex-
14 isting MTW agency that the Secretary determines—

15 “(A) is not in default under such agree-
16 ment;

17 “(B) is meeting the goals and objectives of
18 its moving to work plan; and

19 “(C) with respect to any agency that has
20 been audited by the Inspector General of the
21 Department of Housing and Urban Develop-
22 ment and that the Inspector General has deter-
23 mined was not complying with program rules, is
24 currently complying with such rules; the Sec-
25 retary shall provide an agency that the Sec-

1 retary determines is not in compliance a reason-
2 able period of time to achieve such compliance.

3 “(3) TERMS OF PARTICIPATION.—Any agency
4 approved for transfer into the housing innovation
5 program may, at its option, be subject to the provi-
6 sions of subsection (d)(3), in lieu of an agreement
7 currently in place with the Secretary for participa-
8 tion in the Moving to Work program. Each agency
9 shall, within two years after the date of the enact-
10 ment of the Section 8 Voucher Reform Act of 2009,
11 make changes to its policies that were implemented
12 before such date of enactment in order to comply
13 with the requirements of this section. Existing MTW
14 agencies shall not be required to comply with any re-
15 quirements under subsection (d).

16 “(d) ADDITIONAL AGENCIES.—

17 “(1) PROPOSALS; SELECTION PROCESS.—In ad-
18 dition to agencies participating in the program pur-
19 suant to subsection (c), the Secretary shall, within
20 12 months after such date of enactment, select pub-
21 lic housing agencies to participate in the program
22 pursuant to a competitive process that meets the fol-
23 lowing requirements:

24 “(A) Any public housing agency may be se-
25 lected to participate in the program, except that

1 not more than 5 agencies that are near-troubled
2 under the public housing assessment system
3 and/or section 8 management assessment pro-
4 gram may be selected, and except that any
5 agency that is a troubled agency under either
6 such assessment program or for which the Sec-
7 retary has hired an alternative management en-
8 tity for such agency or has taken possession of
9 all or any part of such agency's public housing
10 program shall not be eligible for participation.
11 Any near-troubled public housing agency par-
12 ticipating in the program shall remain subject
13 to the requirements of this Act governing ten-
14 ant rent contributions, eligibility, and continued
15 participation, and may not adopt policies de-
16 scribed in subsection (e)(4) (relating to rents
17 and requirements for continued occupation and
18 participation).

19 “(B) The process provides, to the extent
20 possible based on eligible agencies submitting
21 applications and taking into account existing
22 MTW agencies participating pursuant to sub-
23 section (c), for representation among agencies
24 selected of agencies having various characteris-
25 tics, including both large and small agencies,

1 agencies serving urban, suburban, and rural
2 areas, and agencies in various geographical re-
3 gions throughout the United States, and which
4 may include the selection of agencies that only
5 administer the voucher program under section
6 8(o).

7 “(C) Any agency submitting a proposal
8 under this paragraph shall have provided notice
9 to residents and the local community, not later
10 than 30 days before the first of the two public
11 meetings required under subparagraph (D).

12 “(D) The agency submitting a proposal
13 shall hold two public meetings to receive com-
14 ments on the agency’s proposed application, on
15 the implications of changes under the proposal,
16 and the possible impact on residents.

17 “(E) The process includes criteria for se-
18 lection, as follows:

19 “(i) The extent to which—

20 “(I) if proposal is for the purpose
21 of carrying out the priority strategy
22 under paragraph (2)(A) of this sub-
23 section, the proposal is likely to
24 achieve the purposes of increasing
25 housing opportunities for low-, very

1 low-, and extremely low-income fami-
2 lies, including preserving, modern-
3 izing, rehabilitating, reconfiguring, or
4 replacing public housing at risk of
5 physical deterioration or obsolescence,
6 developing additional affordable hous-
7 ing, providing supportive housing, or
8 increasing the number of families re-
9 ceiving tenant-based rental assistance,
10 or a combination of these purposes;

11 “(II) if the proposal is for the
12 purpose of carrying out the priority
13 strategy under paragraph (2)(B) of
14 this subsection, the proposal is likely
15 to achieve the purposes of families ob-
16 taining employment, increasing earned
17 income, or achieving economic self-
18 sufficiency, while protecting extremely
19 low- and very low-income families
20 from increased rent burdens;

21 “(III) if the proposal is for the
22 purpose of carrying out an innovative
23 strategy under paragraph (2)(C) of
24 this subsection, the proposal is likely
25 to utilize funds in a more effective or

1 cost-efficient manner, including
2 achieving energy, administrative, or
3 other cost-savings; or

4 “(IV) if the proposal is for the
5 purpose of carrying out an innovative
6 strategy pursuant to subsection
7 (b)(1)(B), the proposal is likely to
8 achieve the goals and objectives of
9 such strategy.

10 “(ii) The extent to which the proposal
11 generally identifies statutory provisions
12 and existing rules and regulations that im-
13 pede achievement of the goals and objec-
14 tives of the proposal and an explanation of
15 why a waiver of such statutory provisions,
16 rules, and regulations is necessary to
17 achieve such goals and objectives.

18 “(iii) The extent to which the agency
19 has a successful history of implementing or
20 has expertise in strategies similar to those
21 set forth in the agency’s proposal.

22 “(iv) The extent of commitment and
23 funding for carrying out the proposal by
24 local and State government agencies and
25 nonprofit organizations, including the pro-

1 vision of additional funding and other serv-
2 ices, and the extent of support for the pro-
3 posal by residents, resident advisory
4 boards, and members of the local commu-
5 nity.

6 “(v) Such other factors as the Sec-
7 retary may establish, in consultation with
8 participating agencies and agencies inter-
9 ested in participating in the program, pro-
10 gram stakeholders, and any entity con-
11 ducting evaluations pursuant to subsection
12 (f).

13 “(2) PRIORITY STRATEGIES.—For purposes of
14 the first sentence of paragraph (b)(1), the following
15 are priority strategies:

16 “(A) INCREASING HOUSING OPPORTUNI-
17 TIES.—A strategy of development of increasing
18 housing opportunities for low-, very low-, and
19 extremely low-income families, including pre-
20 serving, modernizing, rehabilitating, reconfig-
21 uring, or replacing public housing at risk of
22 physical deterioration or obsolescence, devel-
23 oping additional affordable housing, providing
24 supportive housing, or increasing the number of
25 families receiving tenant-based rental assist-

1 ance, or a combination of these purposes, and
2 which may include leveraging other Federal,
3 State, and local funding sources.

4 “(B) RENT REFORMS AND FAMILY SELF-
5 SUFFICIENCY.—A strategy to implement rent
6 reforms and other self-sufficiency incentives or
7 resources, which shall be designed to help fami-
8 lies obtain employment, increase their earned
9 income, or achieve economic self-sufficiency,
10 while protecting extremely low- and very low-in-
11 come families from increased rent burdens.

12 “(C) COST-EFFECTIVENESS.—A strategy
13 to utilize funds in a more effective or cost-effi-
14 cient manner, including achieving energy, ad-
15 ministrative, or other cost-savings.

16 “(3) CONTRACT AMENDMENT.—After selecting
17 agencies under this subsection, the Secretary shall
18 promptly amend the applicable annual contributions
19 contracts of such agencies to provide that—

20 “(A) subject to compliance with all pro-
21 gram rules under this section, such agencies
22 may implement any policies and activities that
23 are not inconsistent with this section, without
24 specifying such policies and activities in such
25 amendment and without negotiating or entering

1 into any other agreements with the Secretary
2 specifying such policies and activities; and

3 “(B) the policies and activities to be imple-
4 mented by an agency under the program in a
5 given year shall be described in and subject to
6 the requirements of the annual plan under sub-
7 section (e)(11).

8 “(4) MAINTAINING PARTICIPATION RATE.—If,
9 at any time after the initial selection period under
10 paragraph (1), the number of public housing agen-
11 cies participating in the program falls below the
12 number selected pursuant to paragraph (1), the Sec-
13 retary shall promptly solicit applications from and
14 select public housing agencies to participate in the
15 program under the terms and conditions for applica-
16 tion and selection provided in this section to increase
17 the number of participating agencies to the number
18 initially selected pursuant to paragraph (1).

19 “(e) PROGRAM REQUIREMENTS.—

20 “(1) PROGRAM FUNDS.—

21 “(A) IN GENERAL.—To carry out a hous-
22 ing innovation program under this section, the
23 participating agency may use amounts provided
24 to the agency from the Operating Fund under
25 section 9(e), amounts provided to the agency

1 from the Capital Fund under section 9(d), and
2 amounts provided to the agency for voucher as-
3 sistance under section 8(o). Such program
4 funds may be used for any activities that are
5 authorized by section 8(o) or 9, or for other ac-
6 tivities that are not inconsistent with this sec-
7 tion, which may include, without limitation—

8 “(i) providing capital and operating
9 assistance, and financing for housing pre-
10 viously developed or operated pursuant to
11 a contract between the Secretary and such
12 agency;

13 “(ii) the acquisition, new construction,
14 rehabilitation, financing, and provision of
15 capital or operating assistance for low-in-
16 come housing (including housing other
17 than public housing) and related facilities,
18 which may be for terms exceeding the term
19 of the program under this section in order
20 to secure other financing for such housing;

21 “(iii) costs of site acquisition and im-
22 provement, providing utility services, demo-
23 lition, planning, and administration of ac-
24 tivities under this paragraph;

1 “(iv) housing counseling for low-in-
2 come families in connection with rental or
3 homeownership assistance provided under
4 the program;

5 “(v) safety, security, law enforcement,
6 and anticrime activities appropriate to pro-
7 tect and support families assisted under
8 the program;

9 “(vi) tenant-based rental assistance,
10 which may include the project-basing of
11 such assistance;

12 “(vii) appropriate and reasonable fi-
13 nancial assistance that is required to pre-
14 serve low-income housing otherwise as-
15 sisted under programs administered by the
16 Secretary or under State or local low-in-
17 come housing or public housing programs;
18 and

19 “(viii) family self-sufficiency activities
20 for low-income families in connection with
21 rental or homeownership assistance pro-
22 vided under the program.

23 “(B) COMBINING FUNDS.—Notwith-
24 standing any other provision of law, a partici-
25 pating agency may combine and use program

1 funds for any activities authorized under this
2 section, except that a participating agency may
3 use funds provided for assistance under section
4 8(o) for activities other than those authorized
5 under section 8(o) only if (i) in the calendar
6 year prior to its participation in the program,
7 the agency utilized not less than 95 percent of
8 such funds allocated for that calendar year for
9 such authorized activities or 95 percent of its
10 authorized vouchers; or (ii) after approval to
11 participate in the program, the agency achieves
12 such utilization for a 12-month period. Such
13 limitation shall not apply to participating agen-
14 cies approved by the Secretary to combine
15 funds from sections 8 and 9 of the Act prior to
16 enactment of this section. A public housing
17 agency that uses funds provided from assist-
18 ance under section 8(o) for activities not au-
19 thorized under such subsection may not termi-
20 nate assistance to families assisted under such
21 subsection on the grounds of inadequate fund-
22 ing to the extent such inadequacy is caused by
23 such use of funds for purposes not authorized
24 under section 8(o).

1 “(2) USE OF PROGRAM FUNDS.—In carrying
2 out the housing innovation program under this sec-
3 tion, each participating agency shall continue to as-
4 sist—

5 “(A) not less than substantially the same
6 number of eligible low-income families under
7 the program as it assisted in the base year for
8 the agency; and

9 “(B) a comparable mix of families by fam-
10 ily size, subject to adjustment to reflect changes
11 in the agency’s waiting list, except that the Sec-
12 retary may approve exceptions to such require-
13 ments for up to 3 years based on modernization
14 or redevelopment activities proposed in an an-
15 nual plan submitted and approved in accord-
16 ance with paragraph (11).

17 Determinations with respect to the number of fami-
18 lies required to be served shall be adjusted to reflect
19 any allocation of additional vouchers under section
20 8(o), any change in annual voucher proration factor,
21 or such other appropriate adjustments as the Sec-
22 retary may establish. For purposes of subparagraphs
23 (A) and (B), the term ‘base year’ means, with re-
24 spect to existing MTW agencies, the first full cal-
25 endar year prior to approval for entry into the mov-

1 ing to work demonstration. The Secretary shall mon-
2 itor and enforce compliance with the requirements of
3 subparagraph (A) on an annual basis.

4 “(3) RETAINED PROVISIONS.—Each agency
5 that is approved for program participation pursuant
6 to subparagraph (A) or (B) of subsection (b)(1)
7 shall comply with all provisions of this Act except
8 those statutory provisions and existing rules and
9 regulations generally identified in the application for
10 participation in the program, except that the Sec-
11 retary may approve requests by an agency to waive
12 compliance with other statutes, regulations, and
13 rules pursuant to this Act, consistent with other pro-
14 gram rules, if the Secretary determines that such a
15 request would further the goals and objectives iden-
16 tified in the application for participation in the pro-
17 gram (taking into consideration public and resident
18 input pursuant to the procedure under paragraph
19 (4)) or would further the purposes identified in sub-
20 paragraphs (B) and (C) of subsection (f)(1). Not-
21 withstanding any other provision of this section,
22 families receiving assistance under this section shall
23 retain the same rights of judicial review of agency
24 action as they would otherwise have had if the agen-
25 cy were not participating in the program, and each

1 participating agency, including existing MTW agen-
2 cies that are approved for transfer into the program
3 pursuant to subsection (c), shall comply with the fol-
4 lowing provisions of this Act:

5 “(A) Subsections (a)(2)(A) and (b)(1) of
6 section 16 (relating to targeting for new admis-
7 sions in the public housing and voucher pro-
8 grams).

9 “(B) Section 2(b) (relating to tenant rep-
10 resentatives on the public housing agency board
11 of directors).

12 “(C) Section 3(b)(2) (relating to defini-
13 tions for the terms ‘low-income families’ and
14 ‘very low-income families’).

15 “(D) Section 5(A)(e) (relating to the for-
16 mation of and consultation with a resident advi-
17 sory board).

18 “(E) Sections 6(f)(1) and 8(o)(8)(B) (re-
19 lating to compliance of units assisted with hous-
20 ing quality standards or other codes).

21 “(F) Sections 6(c)(3), 6(c)(4)(i), and
22 8(o)(6)(B) (relating to rights of public housing
23 applicants and existing procedural rights for
24 applicants under section 8(o)).

1 “(G) Section 6(k) (relating to grievance
2 procedures for public housing tenants) and
3 comparable procedural rights for families as-
4 sisted under section 8(o).

5 “(H) Section 6(l) (relating to public hous-
6 ing lease requirements), except that for units
7 assisted both with program funds and low-in-
8 come housing tax credits, the initial lease term
9 may be less than 12 months if required to con-
10 form lease terms with such tax credit require-
11 ments.

12 “(I) Section 7 (relating to designation of
13 housing for elderly and disabled households),
14 except that a participating agency may make
15 such designations (at initial designation or upon
16 renewal) for a term of up to 5 years if the
17 agency includes in its annual plan under para-
18 graph (11) an analysis of the impact of such
19 designations on affected households and such
20 designation is subject to the program evalua-
21 tion. Any participating agency with a des-
22 ignated housing plan that was approved under
23 the moving to work demonstration may con-
24 tinue to operate under the terms of such plan
25 for a term of 5 years (with an option to renew

1 on the same terms for an additional 5 years) if
2 it includes in its annual plan an analysis of the
3 impact of such designations on affected house-
4 holds and is subject to evaluation under sub-
5 section (f).

6 “(J) Subparagraphs (C) through (E) of
7 section 8(o)(7) and section 8(o)(20) (relating to
8 lease requirements and eviction protections for
9 families assisted with tenant-based assistance).

10 “(K) Section 8(o)(13)(B) (relating to a
11 percentage limitation on project-based assist-
12 ance), except that for purposes of this subpara-
13 graph such section shall be applied by sub-
14 stituting ‘50 percent’ for ‘20 percent’, and all
15 voucher funding that is used for non-tenant
16 based assistance purposes shall count towards
17 this calculation.

18 “(L) Section 8(o)(13)(E) (relating to resi-
19 dent choice for tenants of units with project-
20 based vouchers), except with respect to—

21 “(i) in the case of agencies partici-
22 pating in the moving to work demonstra-
23 tion, any housing assistance payment con-
24 tract entered into before or within 2 years
25 after the enactment of this section;

1 “(ii) project-based vouchers that re-
2 place public housing units;

3 “(iii) not more than 10 percent of the
4 vouchers available to the participating
5 agency upon entering the housing innova-
6 tion program under this section; and

7 “(iv) any project-based voucher pro-
8 gram that is subject to evaluation under
9 subsection (f).

10 Notwithstanding the exceptions under this sub-
11 paragraph, an agency may not eliminate resi-
12 dent choice under section 8(o)(13)(E) for more
13 than 25 percent of its authorized vouchers.

14 “(M) Section 8(r) (relating to portability
15 of voucher assistance), except that a partici-
16 pating agency may receive funding for port-
17 ability obligations under section 8(dd) in the
18 same manner as other public housing agencies.

19 “(N) Sections 8(ee) and 6(u) (relating to
20 records, certification and confidentiality regard-
21 ing domestic violence).

22 “(O) Subsections (a) and (b) of section 12
23 (relating to payment of prevailing wages).

24 “(P) Section 18 (relating to demolition and
25 disposition of public housing).

1 “(Q) Requirements regarding—
2 “(i) establishment of resident councils
3 and jurisdiction-wide resident organiza-
4 tions;
5 “(ii) public housing agency support
6 for such councils and organizations; and
7 “(iii) involvement of such councils and
8 organizations in public housing agency op-
9 erations;
10 as authorized under sections 3(c)(2),
11 6(e)(5)(C), and 9(e) and implemented by appli-
12 cable regulations.

13 “(4) RENTS AND REQUIREMENTS FOR CONTIN-
14 UED OCCUPANCY OR PARTICIPATION.—

15 “(A) BEFORE POLICY CHANGE.—Before
16 adopting any policy pursuant to participation in
17 the housing innovation program under this sec-
18 tion that would make a material adverse change
19 to the requirements of this Act regarding ten-
20 ant rents or contributions, or conditions of con-
21 tinued occupancy or participation, a partici-
22 pating agency shall complete each of the fol-
23 lowing actions:

24 “(i) The agency shall conduct an im-
25 pact analysis of the proposed policy on

1 families the agency is assisting under the
2 program under this section and on appli-
3 cants on the waiting list, including analysis
4 of the incidence and severity of rent bur-
5 dens greater than 30 percent of adjusted
6 income on households of various sizes and
7 types and in various income tiers, that
8 would result, if any, without application of
9 the hardship provisions. The analysis with
10 respect to applicants on the waiting list
11 may be limited to demographic data pro-
12 vided by the applicable consolidated plan,
13 information provided by the Secretary, and
14 other generally available information. The
15 proposed policy, including provisions for
16 addressing hardship cases and transition
17 provisions that mitigate the impact of any
18 rent increases or changes in the conditions
19 of continued occupancy or participation,
20 and data from this analysis shall be made
21 available for public inspection and copying,
22 on request, and for access through the
23 Internet, for at least 60 days in advance of
24 the public meeting described in clause (ii).

1 “(ii) The agency shall hold a public
2 meeting regarding the proposed change, in-
3 cluding the hardship provisions, which may
4 be combined with a public meeting on the
5 draft annual plan under paragraph (11) or
6 the annual report under subsection (h)(2).

7 “(iii) The board of directors or other
8 similar governing body of the agency shall
9 approve the change in public session.

10 “(iv) The agency shall obtain approval
11 from the Secretary of the annual plan or
12 plan amendment. The Secretary may ap-
13 prove a plan or amendment containing a
14 material change to the requirements of this
15 Act regarding tenant rents or contribu-
16 tions, or conditions of continued occupancy
17 or participation, only if the agency agrees
18 that such policy may be included as part of
19 the national evaluation.

20 “(B) AFTER POLICY CHANGE.—After
21 adopting a policy described in subparagraph
22 (A), a program agency shall complete each of
23 the following actions:

24 “(i) The agency shall provide ade-
25 quate notice to residents, which shall in-

1 clude a description of the changes in the
2 public housing lease or participation agree-
3 ment that may be required and of the
4 hardship or transition protections offered.

5 “(ii) In the case of any additional re-
6 quirements for continued occupancy or
7 participation, the agency shall execute a
8 lease addendum or participation agreement
9 specifying the requirements applicable to
10 both the resident and the agency. A resi-
11 dent may bring a civil action to enforce
12 commitments of the agency made through
13 the lease addendum or participation agree-
14 ment.

15 “(iii) The agency shall reassess rent,
16 subsidy level, and policies on program par-
17 ticipation no less often than every two
18 years, which shall include preparing a re-
19 vised impact analysis, and make available
20 for public inspection and copying, on re-
21 quest, and for access through the Internet,
22 the results of such reassessment and im-
23 pact analysis. The requirement under this
24 clause may be met by sufficiently detailed

1 interim reports, if any, by the national
2 evaluating entity.

3 “(iv) The agency shall include in the
4 annual report under subsection (h)(2) in-
5 formation sufficient to describe any hard-
6 ship requests, including the number and
7 types of requests made, granted, and de-
8 nied, the use of transition rules, and ad-
9 verse impacts resulting from changes in
10 rent or continued occupancy policies, in-
11 cluding actions taken by the agency to
12 mitigate such impacts and impacts on fam-
13 ilies no longer assisted under the program.

14 “(C) APPLICABILITY TO EXISTING MTW
15 AGENCIES.—An existing MTW agency that, be-
16 fore the date of the enactment of this section,
17 implemented material changes to the require-
18 ments of this Act regarding tenant rents or
19 contributions, or conditions of continued occu-
20 pancy or participation, as part of the moving to
21 work demonstration shall not be subject to sub-
22 paragraph (A) with regard to such previously
23 implemented changes, but shall comply with the
24 requirements of subparagraph (B)(ii) and pro-
25 vide the evaluation and impact analysis required

1 by subparagraph (B)(iii) by the end of the sec-
2 ond agency fiscal year ending after such date of
3 enactment.

4 “(5) PROHIBITION AGAINST DECREASE IN PRO-
5 GRAM FUNDS.—The amount of program funds a
6 participating agency receives shall not be diminished
7 by its participation in the housing innovation pro-
8 gram under this section.

9 “(6) RENT BURDEN.—A participating agency
10 may not adopt rent policies that result in families
11 making substantially higher rent payments than
12 would customarily be made by families of com-
13 parable income under the program under which as-
14 sistance is provided.

15 “(7) TIME LIMITS.—A participating agency
16 may implement time limits on the term of housing
17 assistance received by families under the program
18 only if—

19 “(A) such limits are for a period of time
20 not shorter than 5 years; and

21 “(B) enforcement of such limits is sus-
22 pended for any period of time during which the
23 unemployment rate in the area exceeds 10 per-
24 cent.

1 “(8) EMPLOYMENT CONDITIONS.—A partici-
2 pating agency may condition the receipt of housing
3 assistance by families under the program on require-
4 ments relating to the employment status or related
5 activities of one or more family members only if—

6 “(A) such requirements are consistent with
7 the program for block grants to States for tem-
8 porary assistance for needy families under part
9 A of title IV of the Social Security Act;

10 “(B) the agency establishes reasonable
11 hardship exemptions; and

12 “(C) enforcement of such requirements is
13 suspended for any period of time during which
14 the unemployment rate in the area exceeds 10
15 percent.

16 “(9) SUBMISSION OF INFORMATION.—As part
17 of the annual report required under subsection
18 (h)(2), each participating agency shall submit infor-
19 mation annually to the Secretary regarding families
20 assisted under the program of the agency and com-
21 ply with any other data submissions required by the
22 Secretary for purposes of evaluation of the program
23 under this section.

24 “(10) PUBLIC AND RESIDENT PARTICIPA-
25 TION.—Each participating agency shall provide op-

1 portunities for resident and public participation in
2 the annual plan under paragraph (11), as follows:

3 “(A) NOTICE TO RESIDENTS.—

4 “(i) NOTICE.—Each year, the agency
5 shall provide notice to the low-income fam-
6 ilies it serves under the programs author-
7 ized by this section as to the impact of
8 proposed policy changes and program ini-
9 tiatives and of the schedule of resident ad-
10 visory board and public meetings for the
11 annual plan.

12 “(ii) MEETING.—The agency shall
13 hold at least one meeting with the resident
14 advisory board (including representatives
15 of recipients of assistance under section 8)
16 to review the annual plan for each year.

17 “(B) PUBLIC MEETING.—With respect to
18 each annual plan, the agency shall hold at least
19 one annual public meeting to obtain comments
20 on the plan, which may be combined with a
21 meeting to review the annual report. In the case
22 of any agency that administers, in the aggre-
23 gate, more than 15,000 public housing units
24 and vouchers, or that operates in more than one
25 county, the agency shall hold additional meet-

1 ings in locations that promote attendance by
2 residents and other stakeholders.

3 “(C) PUBLIC AVAILABILITY.—Before adop-
4 tion of any annual plan, and not less than 30
5 days before the public meeting required under
6 subparagraph (A)(ii) with respect to the plan,
7 the agency shall make the proposed annual plan
8 available for public inspection and copying, on
9 request, and for access through the Internet.
10 The annual plan shall be made available for
11 public inspection not less than 30 days before
12 approval by the board of directors (or other
13 similar governing body) of the agency and shall
14 remain publicly available.

15 “(D) BOARD APPROVAL.—Before submit-
16 ting an annual plan or annual report to the
17 Secretary, the plan or report, as applicable,
18 shall be approved in a public meeting by the
19 board of directors or other governing body of
20 the agency.

21 “(11) ANNUAL PLAN.—

22 “(A) REQUIREMENT.—For each year that
23 a participating agency participates in the hous-
24 ing innovation program under this section, the
25 agency shall submit to the Secretary, in lieu of

1 all other planning requirements, an annual plan
2 under this paragraph.

3 “(B) CONTENTS.—Each annual plan shall
4 include the following information:

5 “(i) A list and description of all pro-
6 gram initiatives and generally applicable
7 policy changes, including references to af-
8 fected provisions of law or the imple-
9 menting regulations affected.

10 “(ii) A description and comparison of
11 changes under the housing innovation pro-
12 gram of the agency from the plan for such
13 program for the preceding year.

14 “(iii) A description of property rede-
15 velopment or portfolio repositioning strate-
16 gies and proposed changes in policies or
17 uses of funds required to implement such
18 strategies.

19 “(iv) Documentation of public and
20 resident participation sufficient to comply
21 with the requirements under paragraphs
22 (4) and (10), including a copy of any rec-
23 ommendations submitted in writing by the
24 resident advisory board of the agency and
25 members of the public, a summary of com-

1 ments, and a description of the manner in
2 which the recommendations were ad-
3 dressed.

4 “(v) Certifications by the agency
5 that—

6 “(I) the annual plan will be car-
7 ried out in conformity with title VI of
8 the Civil Rights Act of 1964, the Fair
9 Housing Act, section 504 of the Reha-
10 bilitation Act of 1973, title II of the
11 Americans with Disabilities Act of
12 1990, and the rules, standards, and
13 policies in the approved plan;

14 “(II) the agency will affirmatively
15 further fair housing; and

16 “(III) the agency has complied
17 and will continue to comply with its
18 obligations under the national evalua-
19 tion.

20 “(vi) A description of the agency’s
21 local asset management strategy for public
22 housing properties, which shall be in lieu
23 of any other asset management, project
24 based management or accounting, or other
25 system of allocating resources and costs to

1 participating agency assets or cost centers
2 that the Secretary may otherwise impose
3 under this Act.

4 “(C) CHANGES.—If the agency proposes to
5 make material changes in policies or initiatives
6 in the plan during the year covered by the plan,
7 the agency shall consult with the resident advi-
8 sory board for the agency established pursuant
9 to section 5A(e) and the public regarding such
10 changes before their adoption.

11 “(D) APPROVAL PROCESS.—

12 “(i) TIMING.—The Secretary shall re-
13 view and approve or disapprove each an-
14 nual plan submitted to the Secretary with-
15 in 45 days after such submission. The Sec-
16 retary, directly or through the public hous-
17 ing agency, shall make information relating
18 to such approval or disapproval available to
19 all members of the Resident Advisory
20 Board of the public housing agency.

21 “(ii) STANDARDS FOR DIS-
22 APPROVAL.—The Secretary may dis-
23 approve a plan only if—

24 “(I) the Secretary reasonably de-
25 termines, based on information con-

1 tained in the annual plan or annual
2 report, that the agency is not in com-
3 pliance with the requirements of this
4 section;

5 “(II) the annual plan or most re-
6 cent annual report is not consistent
7 with other reliable information avail-
8 able to the Secretary; or

9 “(III) the annual plan or annual
10 report or the agency’s activities under
11 the program are not otherwise in ac-
12 cordance with applicable law.

13 “(iii) FAILURE TO DISAPPROVE.—If a
14 submitted plan is not disapproved within
15 45 days after submission, the plan shall be
16 considered to be approved for purposes of
17 this section. The preceding sentence shall
18 not preclude judicial review regarding such
19 compliance pursuant to chapter 7 of title
20 5, United States Code, or an action re-
21 garding such compliance under section
22 1979 of the Revised Statutes of the United
23 States (42 U.S.C. 1983).

24 “(f) EVALUATION OF PERFORMANCE.—

1 “(1) IN GENERAL.—The Secretary shall con-
2 duct detailed evaluations of all public housing agen-
3 cies participating in the program under this sec-
4 tion—

5 “(A) to determine the level of success of
6 each public housing agency in achieving the
7 goals and objectives of the application to par-
8 ticipate in the program;

9 “(B) to determine the level of success of
10 different types of proposals in achieving the pri-
11 ority strategies of subsection (d)(2) or other in-
12 novative strategies identified pursuant to sub-
13 section (b)(1); and

14 “(C) to identify program models that can
15 be replicated by other agencies to achieve such
16 success.

17 “(2) EVALUATION METHODOLOGY.—Evalua-
18 tions under this subsection shall be conducted uti-
19 lizing rigorous research methodology which shall in-
20 corporate, where appropriate and to the extent fund-
21 ing is available, the following:

22 “(A) Comparison of the impact on families
23 to similar types of families not subject to such
24 policies.

1 “(B) Comparisons of alternative strategies
2 for advancing common goals.

3 “(C) An examination of the costs, outputs,
4 and outcomes of tested strategies.

5 “(D) A process evaluation that examines
6 the challenges faced in implementing tested
7 strategies and how those challenges were over-
8 come.

9 “(E) A qualitative examination of the im-
10 pacts of tested strategies on affected families,
11 including families on agency waiting lists.

12 “(F) An examination of the impact of test-
13 ed strategies on the housing needs and condi-
14 tions of the jurisdiction in which the agency
15 works.

16 “(G) Appropriate sensitivity to the costs
17 that evaluation places on participating agencies,
18 including a recognition that smaller agencies
19 may have more difficulty than larger agencies
20 in responding to data requests.

21 “(3) ADVISORY COUNCIL.—The Secretary shall
22 establish an Advisory Council to provide input on
23 the policies and strategies to be tested in evaluations
24 under this subsection, data collection protocols, and
25 other matters related to the success of the evalua-

1 tion, and to assist the evaluating entity and the Sec-
2 retary in interpreting the findings and formulating
3 recommendations to the Congress to be included in
4 the final report. The Secretary may also establish a
5 separate Technical Advisory Group to provide input
6 on technical issues associated with the evaluation.

7 “(4) REPORTS.—

8 “(A) IN GENERAL.—The Secretary shall
9 submit three reports to the Congress, as pro-
10 vided in subparagraph (B), evaluating the pro-
11 grams of all public housing agencies partici-
12 pating in the program under this section and all
13 agencies participating in the moving to work
14 demonstration. Each such report shall include
15 findings and recommendations for any appro-
16 priate legislative action.

17 “(B) TIMING.—The reports under this
18 paragraph shall include—

19 “(i) an initial report, which shall be
20 submitted before the expiration of the 2-
21 year period beginning on the date on which
22 additional agencies are approved for par-
23 ticipation pursuant to subsection (d);

24 “(ii) an interim report, which shall be
25 submitted before the expiration of the 4-

1 year period beginning on such date of ap-
2 proval; and

3 “(iii) a final report, which shall be
4 submitted before the expiration of the 10-
5 year period beginning on the date of the
6 enactment of the Section 8 Voucher Re-
7 form Act of 2009.

8 “(5) EVALUATING ENTITY.—The Secretary may
9 contract out the responsibilities under this para-
10 graphs (1) and (2) to an independent entity that is
11 qualified to perform such responsibilities.

12 “(6) PERFORMANCE MEASURES.—The Sec-
13 retary or the evaluating entity, as applicable, shall
14 establish performance measures, which may in-
15 clude—

16 “(A) a baseline performance level against
17 which program activities may be evaluated; and

18 “(B) performance measures for each of the
19 five purposes identified in paragraphs (1)
20 through (5) of subsection (a).

21 “(g) IMPACT OF POLICY ON FAMILIES BEING AS-
22 SISTED.—

23 “(1) MODIFICATION OF POLICY.—If an evalua-
24 tion of an agency pursuant to subsection (f)(1)(A)
25 includes evidence that a policy adopted by an agency

1 is or has been harmful to families assisted by the
2 agency, the Secretary may, after the publication of
3 either the initial or the interim report pursuant to
4 subsection (f)(4)(B), require such agency to take ap-
5 propriate actions to modify such policy to ameliorate
6 such harm.

7 “(2) DETERMINATION.—The Secretary may not
8 take such action unless the Secretary has made a
9 determination that such policy is causing or has
10 caused measurable harm to families currently or pre-
11 viously assisted, based on a reduction in the overall
12 number of families receiving housing assistance,
13 noncompliance with the provision of subsection
14 (e)(6) (relating to rent burdens), specific types of
15 families losing their housing assistance, a reduction
16 in the number of affordable rental housing units op-
17 erated by the agency, noncompliance with the re-
18 quirements of subsection (e)(3)(A) (relating to tar-
19 geting), or a combination of such factors.

20 “(3) ADVICE AND OPPORTUNITY TO CON-
21 TEST.—Before taking such action, the Secretary
22 shall advise the agency and give the agency a fair
23 opportunity to contest such determination or action.
24 If an agency contests such a determination or ac-
25 tion, the Secretary shall provide an opportunity for

1 interested parties to submit additional relevant evi-
2 dence.

3 “(h) RECORDKEEPING, REPORTS, AND AUDITS.—

4 “(1) RECORDKEEPING.—Each public housing
5 agency participating in the program under this sec-
6 tion shall keep such records as the Secretary may
7 prescribe as reasonably necessary to disclose the
8 amounts and the disposition of amounts under the
9 program, to ensure compliance with the require-
10 ments of this section, and to measure performance.

11 “(2) REPORTS.—In lieu of all other reporting
12 requirements, each such agency participating in the
13 program shall submit to the Secretary an annual re-
14 port in a form and at a time specified by the Sec-
15 retary. Each annual report shall include the fol-
16 lowing information:

17 “(A) A description, including an annual
18 consolidated financial report, of the sources and
19 uses of funds of the agency under the program,
20 which shall account separately for funds made
21 available under section 8 and subsections (d)
22 and (e) of section 9, and shall compare the
23 agency’s actions under the program with its an-
24 nual plan for the year.

1 “(B) An annual audit that complies with
2 the requirements of Circular A–133 of the Of-
3 fice of Management and Budget, including the
4 OMB Compliance Supplement.

5 “(C) A description of each hardship excep-
6 tion requested and granted or denied, and of
7 the use of any transition rules.

8 “(D) Documentation of public and resident
9 participation sufficient to comply with the re-
10 quirements under paragraph (7).

11 “(E) A comparison of income and the sizes
12 and types of families assisted by the agency
13 under the program compared to those assisted
14 by the agency in the base year.

15 “(F) Every two years, an evaluation of
16 rent policies, subsidy level policies, and policies
17 on program participation.

18 “(G) A description of any ongoing local
19 evaluations and the results of any local evalua-
20 tions completed during the year.

21 “(3) ACCESS TO DOCUMENTS BY SECRETARY.—
22 The Secretary shall have access for the purpose of
23 audit and examination to any books, documents, pa-
24 pers, and records that are pertinent to assistance in

1 connection with, and the requirements of, this sec-
2 tion.

3 “(4) ACCESS TO DOCUMENTS BY THE COMP-
4 TROLLER GENERAL.—The Comptroller General of
5 the United States, or any of the duly authorized rep-
6 resentatives of the Comptroller General, shall have
7 access for the purpose of audit and examination to
8 any books, documents, papers, and records that are
9 pertinent to assistance in connection with, and the
10 requirements of, this section.

11 “(5) REPORTS REGARDING EVALUATIONS.—The
12 Secretary shall require each public housing agency
13 participating in the program under this section to
14 submit to the Secretary such information as the Sec-
15 retary considers appropriate to permit the Secretary
16 to evaluate (pursuant to subsection (f)) the perform-
17 ance and success of the agency in achieving the pur-
18 poses of the program.

19 “(i) ADDITIONAL PROGRAM AGENCIES.—In partici-
20 pating in the program under the terms of this subsection,
21 the public housing agencies designated for such participa-
22 tion shall be subject to the requirements of this section,
23 and the additional following requirements:

1 “(1) APPLICABILITY OF CERTAIN EXISTING
2 PROVISIONS.—Such agencies shall be subject to the
3 provisions of—

4 “(A) subsections (a) and (b) of section 3;
5 and

6 “(B) section 8(o), except for paragraph
7 (11) and except as the requirements of section
8 8(o) are modified by subsection (e)(3) of this
9 section.

10 “(2) NO TIME LIMITS.—Such agencies may not
11 impose time limits on the term of housing assistance
12 received by families under the program.

13 “(3) NO EMPLOYMENT CONDITIONS.—Such
14 agencies may not condition the receipt of housing as-
15 sistance by families under the program on the em-
16 ployment status of one or more family members.

17 “(4) ONE-FOR-ONE REPLACEMENT.—

18 “(A) CONDITIONS ON DEMOLITION.—Such
19 agencies may not demolish or dispose of any
20 dwelling unit of public housing operated or ad-
21 ministered by such agency (including any un-
22 inhabitable unit and any unit previously ap-
23 proved for demolition) except pursuant to a
24 plan for replacement of such units in accord-
25 ance with, and approved by the Secretary of

1 Housing and Urban Development pursuant to,
2 subparagraph (B).

3 “(B) PLAN REQUIREMENTS.—The Sec-
4 retary may not approve a plan that provides for
5 demolition or disposition of any dwelling unit of
6 public housing referred to in subparagraph (A)
7 unless—

8 “(i) such plan provides for outreach to
9 public housing agency residents in accord-
10 ance with paragraph (5);

11 “(ii) not later than 60 days before the
12 date of the approval of such plan, such
13 agency has convened and conducted a pub-
14 lic hearing regarding the demolition or dis-
15 position proposed in the plan;

16 “(iii) such plan provides that for each
17 such dwelling unit demolished or disposed
18 of, such public housing agency will provide
19 an additional dwelling unit through—

20 “(I) the acquisition or develop-
21 ment of additional public housing
22 dwelling units; or

23 “(II) the acquisition, develop-
24 ment, or contracting (including
25 through project-based assistance) of

1 additional dwelling units that are sub-
2 ject to requirements regarding eligi-
3 bility for initial or continued occu-
4 pancy, tenant contribution toward
5 rent, and long-term affordability re-
6 strictions which are comparable to
7 public housing units, except that no
8 household may be prevented from oc-
9 cupying a replacement dwelling unit
10 provided pursuant to clause (iii) ex-
11 cept to the extent specifically provided
12 by any other provision of Federal law
13 (including subtitle F of title V of the
14 Quality Housing and Work Responsi-
15 bility Act of 1998 (42 U.S.C. 13661
16 et seq.; relating to safety and security
17 in public and assisted housing, sub-
18 title D of title VI of the Housing and
19 Community Development Act of 1992
20 (42 U.S.C. 13611 et seq.; relating to
21 preferences for elderly and disabled
22 residents), and section 16(f) of this
23 Act (42 U.S.C. 1437n(f)); relating to
24 ineligibility of persons convicted of
25 methamphetamine offenses);

1 “(iv) such plan provides for a right,
2 and implementation of such right, to occu-
3 pancy of additional dwelling units provided
4 in accordance with clause (iii), for house-
5 holds who, as of the time that dwelling
6 units demolished or disposed of were va-
7 cated to provide for such demolition or dis-
8 position, were occupying such dwelling
9 units;

10 “(v) such plan provides that the pro-
11 posed demolition or disposition and reloca-
12 tion will be carried out in a manner that
13 affirmatively furthers fair housing, as de-
14 scribed in subsection (e) of section 808 of
15 the Civil Rights Act of 1968;

16 “(vi) such plan provides for a mixed-
17 income development on the site of the
18 original public housing, with at least one-
19 third of all dwelling units being provided
20 through the development of additional pub-
21 lic housing dwelling units, except that upon
22 a showing by the agency, if the Secretary
23 determines that such location is infeasible,
24 an agency may locate such a development
25 in areas within the jurisdiction of the

1 agency having low concentrations of pov-
2 erty; and

3 “(vii) to the extent that such plan
4 provides for the provision of replacement
5 or additional dwelling units, or redevelop-
6 ment, in phases over time, such plan pro-
7 vides that the ratio of dwelling units de-
8 scribed in subclauses (I) and (II) of clause
9 (iii) that are provided in any such single
10 phase to the total number of dwelling units
11 provided in such phase is not less than the
12 ratio of the aggregate number of such
13 dwelling units provided under the plan to
14 the total number of dwelling units provided
15 under the plan.

16 “(C) INAPPLICABLE PROVISIONS.—Sub-
17 paragraphs (B) and (D) of section 8(o)(13) of
18 the United States Housing Act of 1937 (42
19 U.S.C. 1437f(o)(13)) shall not apply with re-
20 spect to vouchers used to comply with the re-
21 quirements of subparagraph (B)(iii) of this
22 paragraph.

23 “(D) MONITORING.—The Secretary shall
24 provide for the appropriate field offices of the
25 Department to monitor and supervise the en-

1 enforcement of this paragraph and plans approved
2 under this paragraph and to consult, regarding
3 such monitoring and enforcement, with resident
4 councils of, and resident of public housing oper-
5 ated or administered by, the agency.

6 “(5) COMPREHENSIVE OUTREACH PLAN.—No
7 program funds of such agencies may be use to de-
8 molish or dispose of any public housing dwelling
9 units except in accordance with a comprehensive
10 outreach plan for such activities, developed by the
11 agency in conjunction with the residents of the pub-
12 lic housing agency, as follows:

13 “(A) The plan shall be developed by the
14 agency and a resident task force, which may in-
15 clude members of the Resident Council, but
16 may not be limited to such members, and which
17 shall represent all segments of the population of
18 residents of the agency, including single parent-
19 headed households, the elderly, young employed
20 and unemployed adults, teenage youth, and dis-
21 abled persons.

22 “(B) The votes and agreements regarding
23 the plan shall involve—

24 “(i) in the case of any public housing
25 agency that administers 250 or fewer pub-

1 lic housing dwelling units, not less than 10
2 percent of affected residents; and

3 “(ii) in the case of any public housing
4 agency that administers more than 250
5 public housing dwelling units, not less than
6 25 affected residents.

7 “(C) The plan shall provide for and de-
8 scribe outreach efforts to inform residents of
9 the program under this subsection, including a
10 door-to-door information program, monthly
11 newsletters to each resident household, monthly
12 meetings dedicated solely to every aspect of the
13 proposed development, including redevelopment
14 factors, which shall include the one-for-one re-
15 placement requirement under paragraph (4),
16 resident rights to return, the requirements of
17 the program under this subsection, new resident
18 support and community services to be provided,
19 opportunities for participation in architectural
20 design, and employment opportunities for resi-
21 dents, which shall make available at least 30
22 percent of the total hours worked at all such
23 employment, and shall also make available at
24 least 25 percent of unskilled jobs in demolition
25 activities and 25 percent of unskilled jobs in

1 construction activities related to the redevelop-
2 ment project, including job training, apprentice-
3 ships, union membership assistance.

4 “(D) The plan shall provide for regularly
5 scheduled monthly meeting updates and a sys-
6 tem for filing complaints about any aspect of
7 the redevelopment process.

8 “(j) DEFINITIONS.—For purposes of this section, the
9 following definitions shall apply:

10 “(1) EXISTING MTW AGENCY.—The term ‘exist-
11 ing MTW agency’ means a public housing agency
12 that as of the date of the enactment of the Section
13 8 Voucher Reform Act of 2009 has an existing
14 agreement with the Secretary pursuant to the mov-
15 ing to work demonstration, or is authorized to enter
16 into such an agreement under section 230 of the
17 Transportation, Housing and Urban Development,
18 and Related Agencies Appropriations Act, 2008
19 (Public Law 110–161; 121 Stat. 2438) or section
20 236 of the Transportation, Housing and Urban De-
21 velopment, and Related Agencies Appropriations
22 Act, 2009 (Division I of Public Law 111–8).

23 “(2) BASE YEAR.—The term ‘base year’ means,
24 with respect to a participating agency, the agency
25 fiscal year or calendar year, as appropriate, most re-

1 cently completed prior to selection and approval for
2 participation in the housing innovation program
3 under this section.

4 “(3) MOVING TO WORK DEMONSTRATION.—The
5 term ‘moving to work demonstration’ means the
6 moving to work demonstration program under sec-
7 tion 204 of the Departments of Veterans Affairs and
8 Housing and Urban Development, and Independent
9 Agencies Appropriations Act, 1996 (42 U.S.C. 1437f
10 note).

11 “(4) PARTICIPATING AGENCIES.—The term
12 ‘participating agencies’ means public housing agen-
13 cies designated and approved for participation, and
14 participating, in the housing innovation program
15 under this section.

16 “(5) PROGRAM FUNDS.—The term ‘program
17 funds’ means, with respect to a participating agency,
18 any amounts that the agency is authorized, pursuant
19 to subsection (e)(1), to use to carry out the housing
20 innovation program under this section of the agency.

21 “(6) RESIDENTS.—The term ‘residents’ means,
22 with respect to a public housing agency, tenants of
23 public housing of the agency and participants in the
24 voucher or other housing assistance programs of the
25 agency funded under section 8(o), or tenants of

1 other units owned by the agency and assisted under
2 this section.

3 “(k) RESIDENT TECHNICAL ASSISTANCE.—

4 “(1) AUTHORIZATION OF APPROPRIATIONS.—

5 There is authorized to be appropriated for each of
6 fiscal years 2010 through 2014 \$10,000,000, for
7 providing capacity building and technical assistance
8 to enhance the capabilities of low-income families as-
9 sisted or eligible for assistance under the program
10 under this section to participate in the process for
11 establishment and revision of annual plans under
12 this section for participating agencies, including re-
13 view and comment on impact analyses and demoli-
14 tion or disposition proposals.

15 “(2) CRITERIA FOR AWARD OF FUNDS.—The
16 Secretary shall publish the criteria to be used to
17 award funds on a competitive basis, in an amount
18 appropriate to the number of households affected by
19 the program of the participating agency or agencies
20 that such participating agency assists, to local, re-
21 gional, State, or national organizations that—

22 “(A)(i) have members who are predomi-
23 nantly low-income;

24 “(ii) have low-income individuals on their
25 boards of directors; or

1 “(iii) directly work with or represent low-
2 income individuals;

3 “(B) have the legal, policy, and develop-
4 ment expertise to provide such assistance or will
5 subcontract for such services; and

6 “(C) have a demonstrated capacity to man-
7 age similar grants.

8 “(3) PUBLIC HOUSING AGENCIES.—

9 “(A) INELIGIBILITY; NONLIABILITY.—Pub-
10 lic housing agencies shall not be eligible to re-
11 ceive funds under this subsection, and shall not
12 be liable for the action of any grantee.

13 “(B) COOPERATION WITH GRANTEES.—
14 Public housing agencies participating in the
15 program under this section shall cooperate with
16 grantees receiving technical assistance funds
17 under this subsection, to assist such grantees to
18 reach families assisted under the program.

19 “(1) AUTHORIZATION OF APPROPRIATIONS FOR
20 EVALUATIONS.—There is authorized to be appropriated
21 \$15,000,000 to the Department of Housing and Urban
22 Development for the purpose of conducting the evaluations
23 required under subsection (f)(1).”.

24 “(b) GAO REPORT.—Not later than 48 months after
25 the date of the enactment of this Act, the Comptroller

1 General of the United States shall submit a report to the
2 Congress on the extent to which the public housing agen-
3 cies participating in the housing innovation program
4 under section 37 of the United States Housing Act of
5 1937 are meeting the goals and purposes of such program,
6 as identified in subsection (a) of such section 37.

Page 69, line 18, strike “comprehensive”.

Page 72, line 22, after “ownership interest” insert
“or which the agency has control of”.

