

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.

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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

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## 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-



1 tions, and requirements as may be established  
2 by the agency for persons on whose behalf such  
3 rental assistance under this subsection is pro-  
4 vided.

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

11 “(E) REPORTS.—

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

18 “(I) specifies the number of per-  
19 sons on whose behalf such assistance  
20 under this subsection was provided  
21 during such fiscal year;

22 “(II) specifies the number of per-  
23 sons who applied during such fiscal  
24 year for such assistance under this  
25 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.

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