

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Public and Indian Housing

Tenant-Based Rental Assistance

SUMMARY OF RESOURCES

(Dollars in Thousands)

	Enacted/ Requested	Carryover	Supplemental/ Rescission	Total Resources	Obligations	Outlays
2019 Appropriation	22,598,000	906,252 ^a	-	23,504,252	22,640,106	22,208,044
2020 Appropriation	23,874,050	916,638 ^b	(5,782) ^d	24,784,906	24,784,906	24,349,000
2021 President's Budget	18,833,000	63,525 ^c	-	18,896,525	18,896,525	19,792,000
Change from 2020	(5,041,050)	(853,113)	5,782	(5,888,381)	(5,888,381)	(4,557,000)

a/ Includes \$8 million in recaptured prior year unpaid obligations and \$89.2 million transferred from the Public Housing Operating Fund and Capital Fund for the purpose of Rental Assistance Demonstration (RAD) conversion.

b/ Includes an estimated \$52.5 million transferred from the Public Housing Operating Fund and Capital Fund for the purpose of Rental Assistance Demonstration (RAD) conversions.

c/ Includes an estimated \$63.5 million transferred from the Public Housing Fund for the purpose of Rental Assistance Demonstration (RAD) conversions.

d/ Includes a rescission of \$5.8 million recovered funds originally awarded for the Disaster Housing Assistance Program under per P.L. 110-329. This rescission is authorized per the Further Consolidated Appropriations Act, 2020 (P.L. 116-94).

PROGRAM PURPOSE

The Housing Choice Voucher (HCV) program is authorized under Section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) and is administered locally by approximately 2,200 public housing agencies (PHAs). Tenant-Based Rental Assistance (TBRA), commonly known as the HCV program seeks to provide greater access to housing choice and better housing opportunities for very low- and extremely low-income families; reduce the number of chronically homeless individuals, families, and veterans; and maximize the federal investment and the number of families assisted through HUD's rental housing assistance programs through comprehensive monitoring of voucher utilization. The program currently serves approximately 2.3 million families.

BUDGET OVERVIEW

The 2021 President's Budget requests \$18.8 billion for TBRA, which is approximately \$5 billion less than the 2020 enacted level. The 2021 Budget and estimated need for TBRA has been adjusted to reflect HUD's proposed single Moving to Work (MTW) account, as well as proposals described further below. Under this proposal, MTW Public Housing Agencies (PHAs) will receive their HCV funding and public housing funding through a single funding source. Accordingly, the 2021 Budget for contract renewals and administrative fees for MTW agencies (both the existing 39 MTW agencies and the expansion MTW agencies anticipated to be under the demonstration at the start of calendar year 2021) has been moved from the TBRA and Public Housing Fund accounts to the MTW account. For more details, please see the MTW account narrative.

The HCV program is the federal government's largest program targeted to assist very low-income families, the elderly, and persons with disabilities with affordable, decent, safe, and sanitary housing in the private market. The program serves the most economically vulnerable families in the country, including families with disabilities, elderly families, formerly homeless veterans, and families with children, through federal assistance voucher payments in the provision of meeting their rental housing needs.

Requested funding levels and brief descriptions for each of the major funding components of the HCV program include:

Contract Renewals - \$17 billion

The 2021 Budget provides funding to renew expiring HCV program Housing Assistance Payments (HAP) funding increments on a calendar year basis. The TBRA account provides funding for the HCV program, which is HUD's largest rental assistance program. HUD is requesting a separate appropriation for the MTW account in 2021. The contract renewal amount that will be directly appropriated to the MTW account will be \$4.2 billion; therefore, the budget for TBRA contract renewal for non-MTW is \$17 billion, totaling to \$21.1 billion for contract renewals for both MTW and non-MTW agencies. Contract renewals include funding for special purpose vouchers (SPVs), which PHAs must reissue only to qualifying participants upon turnover, either from their waiting lists or referrals. Some of these voucher categories are HUD VASH (Veterans Affairs Supportive Housing), Family Unification Program (FUP), and Tenant Protection Vouchers (TPV). Contract renewals also include up to \$4 million for renewal of rental assistance and associated administrative costs appropriated under the Tribal HUD-VASH demonstration program in prior acts. The requested funding level assumes both program-specific savings policies and savings from proposed legislative reforms.

Administrative Fees - \$1.5 billion

Administrative fees are a vital component of the HCV program, providing PHAs with the resources necessary to administer the requested rental assistance for approximately 1.9 million families. The 2021 Budget provides a total of \$1.8 billion in administrative fees for the HCV program resulting in a proration of 70 percent. After considering the MTW direct appropriation of \$340 million, the Administrative fees for non-MTW is \$1.5 billion. These fees are paid to PHAs to perform fundamental program responsibilities such as admitting households, conducting housing quality inspections, completing tenant income certifications, and paying salaries and costs incurred in managing the HCV program. The estimated prorated administrative fee funding for the existing and expansion MTW agencies has also been shifted to the new MTW account.

Tenant Protection Vouchers - \$100 million

TPVs are provided to families impacted by housing conversion actions beyond their control, such as public housing demolition, disposition and conversions, and when private owners of multifamily developments choose to leave the project-based program or convert to long-term Section 8 contracts.

Section 811 Mainstream Renewals - \$310 million

Mainstream Renewals funding supports contracts and administrative fees originally funded under the Section 811 Tenant-Based program. The Housing for Persons with Disabilities (Section 811) program provides tenant-based assistance for persons with disabilities to access affordable, private housing of their choice. The requested funding also includes administrative fees for the renewed vouchers.

Lead Risk Assessment Demonstration - \$30 million

Currently, HUD uses a visual inspection process and a presumption of lead-based paint in pre-1978 HCV units to evaluate units for lead-based paint hazards. The Lead Risk Assessment Demonstration would add a lead hazards screening to the HCV leasing process. This study would respond to current Government Accountability Office (GAO) recommendations and multiple,

bipartisan directives from Congress. The study would be a collaboration between TBRA and the Lead Hazard Office. The study's funding is located in the Lead Hazard Control account

JUSTIFICATION

The HCV program partners with local PHAs and landlords to provide housing to our nation's neediest citizens. Of the families currently receiving HCV assistance, over half are either elderly or have a disabled head of household, and 75 percent are extremely low-income with incomes at or below 30 percent of the area median income. Without rental assistance, these families would likely face a great risk of transitory homelessness, or be forced to forgo other life necessities, such as food, clothing, and medicine.

HCV assistance is primarily tenant-based assistance, which means the assistance is not permanently associated to a unit or project, but rather to an individual family. The family is responsible for finding a suitable rental unit with an owner who is willing to participate in the program. The PHA pays a monthly housing assistance payment directly to the owner on behalf of the family. That payment helps cover the affordability gap between what very low-income families can afford to pay for rent, and the actual rent charged. The HCV program relies on private sector partnerships to effectively and efficiently provide affordable housing opportunities in the local community instead of depending on direct government intervention to do so.

HUD's *Worst Case Housing Needs: 2017 Report to Congress*¹ reveals that among very low-income renter households that lacked assistance, 8.3 million had worst-case housing needs resulting from severe rent burden (paying more than one-half of their monthly income for rent) or living in severely inadequate housing units. Many families assisted by the HCV program formerly experienced worst-case housing needs, and without the benefit of this program, would be at immediate risk of homelessness.

HUD works with numerous stakeholders in providing HCV assistance to families. In addition to PHAs and private owners, these include:

- Other federal agencies, such as the Department of Veterans Affairs;
- State and local entities, such as Public Child Welfare Agencies;
- Housing Industry Associations;
- Resident Groups; and
- Tribally Designated Entities (TDHEs) and Tribal governments.

The HCV program has proven to be effective at meeting the housing needs of our most vulnerable citizens compared to other approaches. For example, in October 2016, HUD published the results of the Family Options Study². Launched in 2008, the study's goal was to determine which housing and services interventions work best for families with children experiencing homelessness. Reports published in July 2015 and October 2016 presented evidence regarding the effects of giving families in emergency shelters priority access to HCVs, "usual care" homeless and housing services, rapid re-housing, or project-based transitional housing. The study team followed the families for 3 years and measured outcomes in five domains of family well-being: (1) housing stability, (2) family preservation, (3) adult well-being, (4) child well-being, and (5) self-sufficiency. The study determined that the HCV program was the most effective intervention of the approaches tested. HCV

¹ HUD's *Worst Case Housing Needs: 2017 Report to Congress*, <https://www.huduser.gov/portal/sites/default/files/pdf/Worst-Case-Housing-Needs.pdf>

² HUD's *The Family Options Study*, https://www.huduser.gov/portal/family_options_study.html

intervention reduced most forms of residential instability by more than one half, reduced food insecurity, and improved multiple measures of adult and child well-being.

HUD continues to take steps to improve the operations of the HCV program, enhance systems and streamline requirements to reduce burden on PHAs. The continued implementation of the Economic Growth, Regulatory Relief, and Consumer Protection Act of 2018 and the Housing Opportunities Through Modernization Act of 2016 (HOTMA) will provide PHAs with new flexibilities that will enable them to reduce administrative burden and redirect those resources to improving performance and services. Through the development and eventual deployment of Public Housing Information Center – New Generation (PIC-NG) and National Standards for the Physical Inspection of Real Estate (NSPIRE) inspection standards, HUD will modernize key systems and improve operations of the program. Through the implementation of the recommendations of the Landlord Task Force, HUD plans to revitalize its working relationship with these key program stakeholders. HUD is also working on creating the Enterprise Voucher Management System (eVMS), which will automate the workflow process for fund allocation management, calculate the HAP funding requirement for each PHA, and improve data stewardship. Improving these key business processes to create efficiencies will enable staff to focus on HCV policy and finance issues and the expanding portfolio which includes over 200,000 of Project-Based Voucher (PBV) units and 200,000 SPV units.

The 2021 Budget for TBRA supports the strategic plan goals of enhancing rental assistance, reducing homelessness, and advancing economic opportunity.

Rent Reform

The 2021 President’s Budget funding level across HUD rental assistance programs would support the same number of households currently assisted while proposing reforms to ensure the long-term fiscal sustainability of HUD’s rental assistance programs.

The current rent structure in HUD’s rental assistance programs creates disincentives to employment; large administrative burdens for PHAs, private owners, and tenants; significant and increasing costs to the Federal Government; and a one-size-fits-all approach that cannot offer the flexibility to meet the needs of households in communities across the nation.

Thus, with the MAHWA submitted to Congress in April 2018, HUD proposed reforming rental assistance with the following goals:

1. Simplify program administration: Simplify rent calculations by determining rents using gross rather than adjusted income.
2. Reduce federal taxpayer costs while encouraging work and stable family formation: Limit income recertification for all households to once every three years, which encourages work by deferring increases in tenant rent payments as a result of increased wages. In addition, the law would establish higher expectations for work-able tenants by setting tenant rent contributions at 35 percent of gross income, while setting a lower rent of 30 percent of gross income for those unable to work, notably the elderly and persons with disabilities. Additionally, current elderly and persons with disabilities would be held harmless from rent increases reflected in the proposed legislation. Moreover, HUD would maintain the hardship exemption for tenants who, in certain circumstances, are unable to pay their rents.
3. Increase local control and choice: Empower PHAs and property owners to choose alternative rent structures, approved by the Secretary, that would best serve the needs of households in localities across the nation. These alternative rent structures must incur the same overall program costs and would provide a structure to encourage resident self-sufficiency.

In addition, the 2021 Budget continues to propose uniform work requirements for households with non-elderly, non-disabled tenants able to work. HUD will continue exploring ways to leverage existing enforcement and compliance mechanisms without adding burdens on PHAs and private multifamily property owners. HUD also will continue to support work requirement demonstration evaluations to build an evidence base from the experiences of Moving to Work PHAs on effective ways to promote self-sufficiency.

Please see the “Overview of Rental Assistance Programs” justification for more information.

SUMMARY OF RESOURCES BY PROGRAM

(Dollars in Thousands)

Budget Activity	2019 Budget Authority	2018 Carryover Into 2019	2019 Total Resources	2019 Obligations	2020 Appropriation	2019 Carryover Into 2020	2020 Total Resources	2021 President's Budget
Contract Renewals	20,313,000	98,120	20,411,120	20,362,430	21,502,000	48,690	21,550,690	16,958,000
Administrative Fees	1,886,000	192,161	2,078,161	1,903,838	1,977,000	174,323	2,151,323	1,465,000
Section 8 Rental Assistance	85,000	142,244	227,244	117,434	75,000	109,810	184,810	100,000
Veterans Affairs Supportive Housing (VASH) Program	40,000	8,099	48,099	4,645	40,000	43,454	83,454	-
Tribal HUD-VASH	4,000	8,235	12,235	2,153	1,000	10,082	11,082	-
Section 811 Mainstream Renewals	225,000	309,824	534,824	128,812	229,050	406,012	635,062	310,000
Rental Assistance Demonstration	-	111,761	111,761	90,827	-	73,426	73,426	-
Family Unification Program (FUP)	20,000	30,000	50,000	29,967	25,000	20,033	45,033	-
Mobility Demonstration	25,000	-	25,000	-	25,000	25,000	50,000	-
Disaster Displacement	-	5,782	5,782	-	-	-	-	-
FSS Coordinators	-	26	26	-	-	26	26	-
Lead Risk Assessment	-	-	-	-	-	-	-	[30,000]
Total	22,598,000	906,252	23,504,252	22,640,106	23,874,050	910,856	24,784,906	18,833,000

LEGISLATIVE PROPOSALS AND GENERAL PROVISIONS

Appropriations Language

The 2021 President’s Budget has the following changes to appropriations language from the 2020 enacted bill:

- MTW Fund Proposal:** HUD requests language to add a separate MTW account. This new MTW account would provide the annual funding for the MTW agencies out of a single account, rather than through separate accounts (Public Housing Fund and TBRA – for both HCV contract renewals and administrative fees). The shift to the MTW account will not change the methodology used to calculate the MTW agencies’ funding eligibility. The funding eligibility for MTW agencies will continue to be determined in accordance with the terms and conditions of the MTW agreements or Operations Notice for the Expansion of the MTW Demonstration Program, as applicable. MTW PHAs would be subject to the same proration and inflation of non-MTW PHAs. Please see the MTW account narrative for more detailed information.

- **Continued MTW PHA Eligibility for the Set-Asides and a New Eligibility Category for MTW Expansion Agencies:** As discussed above, under the 2021 Budget, MTW agencies would receive their HCV contract renewal funds and administrative fees from a new MTW account. However, the MTW agencies would continue to be eligible to apply for and receive set-aside funding from the TBRA account for any of the eligible set-aside categories. In addition, HUD is proposing to expand the eligibility categories for the set-aside for the expansion MTW agencies. Currently, one of the set-aside categories allows HUD to make adjustments to a PHA's renewal funding for vouchers that are not used during the previous 12-month period to fulfill a PBV commitment. Because an expansion MTW agency may use its flexibility to develop affordable housing outside of the PBV program, HUD is proposing to amend this category to also allow adjustments for an expansion MTW agency for a funding obligation to develop affordable housing. The proposed change reinforces HUD's commitment to recognizing and encouraging the use of the MTW flexibilities by the expansion MTW agencies while maintaining the same basic renewal funding structure that applies to non-MTW agencies in accordance with the MTW Operations notice.
- **Lead Risk Assessment Demonstration:** HUD requests \$30 million for a demonstration which would add a lead hazards screening to the HCV leasing process. Currently, HUD uses a visual inspection process and a presumption of lead-based paint in pre-1978 HCV units to evaluate units for lead-based paint hazards. This study would respond to current Government Accountability Office (GAO) recommendations and multiple, bipartisan directives from Congress. As part of the study, HUD would seek to determine whether PHAs can effectively incorporate a lead screening into the Housing Quality Standards (HQS) or future inspection process and improve the detection of lead-based paint hazards, while preserving rental housing availability and affordability. The study will also include an analysis of PHAs that have already added similar lead hazard testing to their leasing process to comply with State or local lead-based paint laws. The study would be a collaboration between TBRA and the Lead Hazard Office. The study's funding is located in the Lead Hazard Control account.
- **Mainstream Vouchers Shortfall:** HUD requests the authority to establish a modest set-aside of up to \$10 million within the Mainstream Voucher Program (Section 811) account to provide funding adjustments to PHAs that (1) despite taking reasonable cost savings measures are facing a Mainstream shortfall that would require them to terminate families or (2) have experienced a significant increase in Mainstream renewal costs resulting from unforeseen circumstances. Currently, HUD has the authority to provide shortfall funding for all other vouchers in the HCV program through the TBRA renewal account set-aside. However, Mainstream vouchers receive renewal funding through a separate appropriation and there is no authority for HUD to establish a set-aside and make funding adjustments to the PHAs' Mainstream renewal allocations. Given the growth of the Mainstream vouchers with the issuance of tens of thousands of vouchers in 2018 and 2019, HUD needs similar flexibility to assist PHAs administering Mainstream vouchers. This change is reflected in the proposed appropriation language.

General Provisions

The 2021 President's Budget re-proposes the following general provision that was enacted in the 2020 appropriations bill:

- **Voucher Assistance for Students at Institutions of Higher Education:** This provision clarifies the eligibility for assistance under section 8 of the United States Housing Act of 1937 (2021 President's Budget, Section 207).

- **Management and Disposition of Certain Multifamily Projects:** This section governs the use of project-based subsidy in connection with managing and disposing of multifamily properties (2021 President’s Budget, Section 208).

The 2021 President’s Budget proposes the following new general provision:

- **Tenant-Based Rental Assistance Flexibilities:** This provision, which would be further defined in Federal Register notice, would allow specific indicators of the Section 8 Management Assessment Program (SEMAP) to be temporarily suspended by HUD. Suspending certain SEMAP indicators would eliminate administrative burden and reduce PHA costs associated with preparing the SEMAP certifications and submissions that are used by HUD to generate the PHA’s SEMAP designation. In addition, this provision would be used to permit PHAs to set their payment standards below 90 percent of the Fair Market Rent (FMR) without HUD approval, provided the payment standard is no less than 80 percent of the FMR. This additional flexibility will further reduce PHA burden and simplify program administration (2021 President’s Budget, Sec. 225).

Legislative Proposals

The 2021 Budget supports the following legislative proposals and will seek changes through the authorization process rather than the appropriations process:

- **Mainstream Voucher Flexibility:** HUD requests statutory flexibilities in line with those available to HUD-VASH for separate waiting lists, reduced screening criteria, and direct referrals from supportive services agencies. Those flexibilities have made it easier to assist a “difficult to serve” population, with complex needs. This would ease administrative burden on PHAs and clients and make it easier to serve persons referred directly from service organizations, and who are often best in a position to assess whether an individual is a candidate for successful program participation. This added program and funding flexibility for the Mainstream Vouchers would encourage partnerships with service organizations and encourage faster lease-ups.
- **PBV Replacement Housing Exceptions:** This proposal would amend the Housing Opportunities Through Modernization Act of 2016 (HOTMA) provision that allows certain formerly federally assisted projects to be exempt from the normally applicable project-based voucher PHA program cap and income-mixing requirements. It would provide PHAs with greater flexibility to use PBV new construction as a resource to preserve affordable housing. The proposed change would allow a PBV new construction project to be eligible for PBV replacement housing exceptions and project cap exemptions regardless of whether the project is built on a different site from the formerly federally assisted housing it is replacing.
- **PBV Supportive Services Exceptions:** Section 106(a)(3) of HOTMA amended section 8(o)(13)(D) of the United States Housing Act of 1937. Section 8(o)(13)(D) limits the number of units within a project that may receive project-based assistance to the greater of 25 units or 25 percent of the units in the project. There are several exceptions provided to this income mixing requirement, including units exclusively made available to households eligible for supportive services. However, in order for the supportive services exception to apply to the project, the supportive services must be made available to all the assisted residents of the project. Under this proposal, the project could designate a certain number of PBV units as supportive services units. Those units would not count against the PBV project cap provided they were occupied by families eligible to receive the services and those services were made available to all families occupying the designated supportive service units. For example, a project would be able to designate a certain number of units for supportive housing for persons with disabilities and those units would be excepted from the cap on the overall

number of PBV assisted units in the project. However, the PHA could also attach project-based voucher assistance to other units in the project (which would be subject to the income mixing requirements) which could be leased to families that would not need and would not be eligible for the supportive services without jeopardizing the exception for the designated supportive service units.

Further, the Budget continues to support legislative reforms as reflected in the Making Affordable Housing Work Act of 2018 and uniform work requirements.

APPROPRIATIONS LANGUAGE

The 2021 President's Budget includes proposed changes in the appropriation language listed below. New language is italicized, and language proposed for deletion is bracketed.

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) ("the Act" herein), not otherwise provided for, [~~\$19,874,050,000~~]*\$14,833,000,000*, to remain available until [expended] *September 30, 2023*, shall be available on October 1, [2019] *2020* (in addition to the \$4,000,000,000 previously appropriated under this heading that shall be available on October 1, [2019] *2020*), and \$4,000,000,000, to remain available until [expended] *September 30, 2024*, shall be available on October 1, [2020] *2021*: Provided, That the amounts made available under this heading are provided as follows:

(1) [~~\$21,502,000,000~~]*\$16,958,000,000* shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers, *in addition to amounts made available for this purpose under the heading "Moving to Work"*: Provided, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover *and amounts made available for this purpose under the heading "Moving to Work"*, the Secretary for the calendar year [2020] *2021* funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers [under this paragraph] including tenant protection and Choice Neighborhoods vouchers: *Provided further, That costs associated with any foregone increases in tenant rent payments due to the implementation of rent incentives as authorized pursuant to waivers or alternative requirements of the Jobs-Plus initiative as described under the heading "Self-Sufficiency Programs" shall be renewed*: [Provided further, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract, except for public housing agencies participating in the MTW demonstration, which are instead governed by the terms and conditions of their MTW agreements:] Provided further, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph) *and under paragraph (1) under the heading "Moving to Work"*, prorate each public housing agency's allocation otherwise established pursuant to this paragraph: Provided further, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60 days after enactment of this Act or March 1, [2020] *2021*: Provided further, That the Secretary may extend the notification period with the prior written approval of the House and Senate Committees on Appropriations: Provided further, That public housing agencies participating in the *Moving to Work* (MTW) demonstration shall be funded [pursuant to] *in*

*accordance with the requirements of the MTW demonstration program and their MTW agreements, if any, and shall be subject to the same pro rata adjustments under the previous provisos: Provided further, That the Secretary may offset public housing agencies' calendar year [2020] 2021 allocations based on the excess amounts of public housing agencies' net restricted assets accounts, including HUD-held programmatic reserves (in accordance with VMS data in calendar year [2019] 2020 that is verifiable and complete), as determined by the Secretary: Provided further, That public housing agencies participating in the MTW demonstration shall also be subject to the offset, as determined by the Secretary, [excluding amounts subject to the single fund budget authority provisions of their MTW agreements,]from the agencies' calendar year [2020]2021 MTW funding allocation: Provided further, That the Secretary shall use any offset referred to in the previous two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the pro- ration of renewal funding allocations: Provided further, That up to \$100,000,000 shall be available only: (1) for adjustments in the allocations for public housing agencies, *including agencies participating in the MTW demonstration*, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the previous 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act, *or an adjustment for a funding obligation not yet expended in the previous calendar year for an MTW-eligible activity to develop affordable housing for an agency added to the MTW demonstration under the expansion authority provided in section 239 of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016 (Public Law 114–113)*; (3) for adjustments for costs associated with HUD-Veterans Affairs Supportive Housing (HUD-VASH) vouchers; and (4) for public housing *agencies including agencies participating in the MTW demonstration* that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding [;(5) for adjustments in the allocations for public housing agencies that (i) are leasing a lower-than-average percentage of their authorized vouchers, (ii) have low amounts of budget authority in their net restricted assets accounts and HUD- held programmatic reserves, relative to other agencies, and (iii) are not participating in the Moving to Work demonstration, to enable such agencies to lease more vouchers; and (6) for public housing agencies that have experienced in- creased costs or loss of units in an area for which the President declared a disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.)]: Provided further, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary;*

(2) [~~\$75,000,000~~]*\$100,000,000* shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, Choice Neighborhood vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106–569, as amended, or under the authority as provided under this Act: Provided, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: Provided further, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds: [*Provided further, That of the amounts made available under this paragraph, up to \$5,000,000 may be available to provide tenant protection assistance, not otherwise provided under this paragraph, to residents residing in low vacancy areas and who may have to pay*

rents greater than 30 percent of household income, as the result of: (A) the maturity of a HUD-insured, HUD-held or section 202 loan that requires the permission of the Secretary prior to loan prepayment; (B) the expiration of a rental assistance contract for which the tenants are not eligible for enhanced voucher or tenant protection assistance under existing law; or (C) the expiration of affordability restrictions accompanying a mortgage or preservation program administered by the Secretary: *Provided further*, That such tenant protection assistance made available under the previous proviso may be provided under the authority of section 8(t) or section 8(o)(13) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)): *Provided further*, That the Secretary shall issue guidance to implement the previous provisos, including, but not limited to, requirements for defining eligible at-risk households within 60 days of the enactment of this Act: *Provided further*, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist:] *Provided further*, That the Secretary may provide section 8 rental assistance from amounts made available under this paragraph for units assisted under a project-based subsidy contract funded under the "Project-Based Rental Assistance" heading under this title where the owner has received a Notice of Default and the units pose an imminent health and safety risk to residents: *Provided further*, That to the extent that the Secretary determines that such units are not feasible for continued rental assistance payments or transfer of the subsidy contract associated with such units to another project or projects and owner or owners, any remaining amounts associated with such units under such contract shall be recaptured and *such recaptured amounts, in an amount equal to the cost of rental assistance provided pursuant to the previous proviso, up to the total amounts recaptured, shall be transferred and merged with amounts* [used to reimburse amounts used] under this paragraph: [for rental assistance under the preceding proviso:] *Provided further*, *That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist;*

(3) [~~\$1,977,000,000~~]~~\$1,465,000,000~~ shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, *in addition to amounts made available for this purpose under the heading "Moving to Work"*, of which up to [~~\$30,000,000~~]~~\$10,000,000~~ shall be available to the Secretary to allocate to public housing agencies, *including agencies participating in the MTW demonstration*, that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, HUD-VASH vouchers, and other special purpose incremental vouchers: *Provided*, That no less than [~~\$1,947,000,000~~]~~\$1,455,000,000~~ of the amount provided in this paragraph *and all amounts for this purpose under the heading "Moving to Work"* shall be allocated to public housing agencies for the calendar year [2020] *2021* funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105–276): *Provided further*, That if the amounts made available under this paragraph *in addition to amounts for this purpose provided under the heading "Moving to Work"* are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That all public housing agencies participating in the MTW demonstration shall be funded [pursuant to] *in accordance with the requirements of the MTW demonstration program and their MTW agreements, if any*, and shall be subject to the same uniform percentage decrease as under the previous proviso: *Provided further*, That amounts provided under

this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;

(4) [~~\$229,050,000~~]~~\$310,000,000~~ for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: Provided, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading: *Provided further, That up to \$10,000,000 shall be available only (1) for adjustments in the allocations for public housing agencies, after applications for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in Mainstream renewal costs resulting from unforeseen circumstances, and (2) for public housing agencies that despite taking reasonable cost saving measures, as determined by the Secretary, would otherwise be required to terminate the rental assistance for Mainstream families as a result of insufficient funding: Provided further, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary:* Provided further, That upon turnover, section 811 special purpose vouchers funded under this heading in this or prior Acts, or under any other heading in prior Acts, shall be provided to non-elderly persons with disabilities;

(5) *Of the amounts provided under paragraph (1) up to [~~\$1,000,000~~]~~\$4,000,000~~ [shall] may be for rental assistance and associated administrative fees for Tribal HUD-VASH to serve Native American veterans that are homeless or at-risk of homelessness living on or near a reservation or other Indian areas: Provided, That such amount shall be made available for renewal grants to recipients that received assistance under prior Acts under the Tribal HUD-VASH program: Provided further, That the Secretary shall be authorized to specify criteria for renewal grants, including data on the utilization of assistance reported by grant recipients: Provided further, That such assistance shall be administered in accordance with program requirements under the Native American Housing Assistance and Self-Determination Act of 1996 and modeled after the HUD-VASH program: Provided further, That the Secretary shall be authorized to waive, or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such assistance: Provided further, That grant recipients shall report to the Secretary on utilization of such rental assistance and other program data, as prescribed by the Secretary: Provided further, That the Secretary may reallocate, as determined by the Secretary, amounts returned or recaptured from awards under prior Acts to existing recipients under the Tribal HUD-VASH program; and*

[(6) ~~\$40,000,000~~ for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: Provided, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 203 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: Provided further, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor

standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: Provided further, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over;]

[(7) \$25,000,000 shall be made available for the family unification program as authorized under section 8(x) of the Act: Provided, That the amounts made available under this paragraph are provided as follows:]

[(A) \$5,000,000 shall be for new incremental voucher assistance: Provided, That the assistance made available under this subparagraph shall continue to remain available for family unification upon turnover; and]

[(B) \$20,000,000 shall be for new incremental voucher assistance to assist eligible youth as defined by such section 8(x)(2)(B): Provided, That assistance made available under this subparagraph shall continue to remain available for such eligible youth upon turnover: Provided further, That of the total amount made available under this subparagraph, up to \$10,000,000 shall be available on a noncompetitive basis to public housing agencies that partner with public child welfare agencies to identify such eligible youth, that request such assistance to timely assist such eligible youth, and that meet any other criteria as specified by the Secretary: Provided further, That the Secretary shall review utilization of the assistance made available under the previous proviso, at an interval to be determined by the Secretary, and unutilized voucher assistance that is no longer needed shall be recaptured by the Secretary and reallocated pursuant to the previous proviso: Provided further, That for any public housing agency administering voucher assistance appropriated in a prior Act under the family unification program, or made available and competitively selected under this paragraph, that determines that it no longer has an identified need for such assistance upon turnover, such agency shall notify the Secretary, and the Secretary shall recapture such assistance from the agency and reallocate it to any other public housing agency or agencies based on need for voucher assistance in connection with such specified program or eligible youth, as applicable;]

[(8) \$25,000,000 shall be made available for the mobility demonstration authorized under section 235 of division G of the Consolidated Appropriations Act, 2019 (42 U.S.C. 1437f note; Public Law 116-6; 133 Stat. 465), of which up to \$5,000,000 shall be for new incremental voucher assistance and the remainder of which shall be available to provide mobility-related services to families with children, including pre- and post-move counseling and rent deposits, and to offset the administrative costs of operating the mobility demonstration: Provided, That incremental voucher assistance made available under this paragraph shall be for families with children participating in the mobility demonstration and shall continue to remain available for families with children upon turnover: Provided further, That for any public housing agency administering voucher assistance under the mobility demonstration that determines that it no longer has an identified need for such assistance upon turnover, such agency shall notify the Secretary, and the Secretary shall recapture such assistance from the agency and reallocate it to any other public housing agency or agencies based on need for voucher assistance in connection with such demonstration; and]

[(9)](6) the Secretary shall separately track all special purpose vouchers funded under this heading. (*Department of Housing and Urban Development Appropriations Act, 2020.*)