

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
2020 Appropriation	23,874,050	914,172 ^{b/}	1,250,000 ^{e/}	26,038,222	25,165,731	24,631,966
2021 Appropriation	25,777,439 ^{a/}	937,421 ^{c/}	4,980,000 ^{f/}	31,694,860	27,976,000	26,101,000
2022 President's Budget	30,442,000	3,796,000 ^{d/}	-	34,238,000	30,927,000	30,436,000
Change from 2021	4,664,561	2,858,579	(4,980,000)	2,543,140	2,951,000	4,335,000

a/ Includes \$695 million designated as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

b/ Includes \$2.5 million in recaptured prior year unpaid obligations and \$53.3 million transferred from the Public Housing Operating Fund and Capital Fund for the purpose of Rental Assistance Demonstration (RAD) conversions and considers the rescission of \$5.8 million recovered funds originally awarded for the Disaster.

Housing Assistance Program per P.L. 110-329. The rescission was authorized per the Further Consolidated Appropriations Act, 2020 (P.L. 116-94).

c/ Includes \$1.6 million in recaptured prior year unpaid obligations and \$63.3 million transferred from the Public Housing Fund for the purpose of Rental Assistance.

Demonstration (RAD) conversions.

d/ Includes \$3.7 billion in FY 2021 American Rescue Plan (ARP) mandatory unobligated balance brought forward. Additionally, it includes an estimated \$76 million transferred from the Public Housing Fund and an estimated \$1 million transferred from the Housing for the Elderly account for the purpose of Rental Assistance Demonstration (RAD) conversions.

e/ Includes \$1.2 billion in supplemental Coronavirus Aid, Relief, and Economic Security (CARES) Act funding.

f/ Includes \$4.9 billion in supplemental American Rescue Plan (ARP) mandatory funding.

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) and currently serves approximately 2.3 million families. 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 reverse the effects of residential segregation in the pursuit of racial equity.

BUDGET OVERVIEW

The 2022 President's Budget for Tenant-Based Rental Assistance (TBRA) is \$30.4 billion, which is approximately \$4.6 billion more than the 2021 enacted level. The Budget simultaneously supports the administration's strategic goals to strengthen and broaden the Federal housing program for people in need and advance housing equity as a means to improving housing choices and greater economic opportunity. Additionally, the American Rescue Plan (ARP) of 2021 provided \$4.9 billion for emergency housing vouchers. The 2022 TBRA Budget aligns with the Administration's efforts to build a bridge toward economic recovery and stabilized communities.

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.

The 2022 Budget includes funding for the following activities:

- \$25.0 billion for Contract Renewals (HAP), which is an increase of \$1.9 billion from the 2021 enacted level.
- \$2.8 billion in Administrative Fees, which is an increase of \$631 million from the 2021 enacted level.
- \$100 million for Tenant Protection Vouchers (TPV), which is a decrease of \$16 million from the 2021 enacted level.
- \$508 million for Section 8 Mainstream Renewals, which is an increase of \$194 million from the 2021 enacted level.
- \$491 million for Mobility Services, a new program for 2022 that will assist families to move to high-opportunity neighborhoods.
- \$1.6 billion for Incremental Vouchers, a new effort that will result in 200,000 additional families receiving support, including those who are homeless or fleeing from domestic violence.

JUSTIFICATION

The HCV program is an essential component of the Federal housing safety net for people in need. The availability of housing choice vouchers represents the opportunity for low- and extremely low-income families to improve their housing options and pursue greater economic opportunities. Support for the HCV program increases access to affordable housing and the option to project base vouchers aides in the preservation of deeply affordable units that are available to families in need. The Administration supports a strategy that recognizes the HCV program as an essential resource to prevent homelessness, promote racial equity, and provide critical funds to ensure families pay approximately 30 percent of their income for rent.

The HCV program partners with local PHAs and landlords to provide housing to our nation's neediest families. Of the families currently receiving HCV assistance:

- 78 percent are extremely low-income, earning below 30 percent of the area median income,
- 75 percent of program participants identify as part of a minority population; 53 percent of those being Black, non-Hispanics,
- 29 percent of households served have an elderly head of household,
- 25 percent have a non-elderly disabled head of household, and
- 36 percent of families served have a female head of household with children.

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 tied to a particular 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 provide affordable housing opportunities effectively and efficiently in the local community instead of depending on direct government intervention to do so.

HUD's *Worst Case Housing Needs: 2019 Report to Congress*¹ reveals that among very low-income renter households that lacked assistance, 7.72 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 Study. 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 housing choice vouchers, 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 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.

The 2022 Budget includes several assumptions. It assumes that PHAs will fully utilize their 2021 funding renewal allocations. HUD also applied the 2021 and 2022 inflation factors and adjusted the renewal need estimate for first time renewals for new vouchers such as TPVs and Special Purpose Vouchers (SPVs) awarded in 2020 and 2021. This Budget also takes into account the goal to increase program leasing by 53,000 new households in 2021 through the provision of comprehensive technical assistance designed to encourage PHA expenditure of available program reserves necessary. HUD also expects additional leasing in calendar year 2021 to materialize from the fiscal year 2021 Housing Assistance Payments (HAP) set aside category that makes funds available to PHAs with lower-than-average leasing levels for the purpose of increasing their leasing.

Based on the assumptions provided, the amounts in this budget will fund TBRA and Mainstream HAP to PHAs at 100 percent proration in 2022, which will maintain current services for approximately 2.3 million participants. The Administrative Fee proration will also be at 100 percent which is critical for PHAs to secure continuity of sound operations and program compliance. This is attained by maintaining and increasing the PHA's capacity by recruiting experienced personnel responsible for fundamental program activities, including admitting households, conducting housing quality inspections, completing tenant income certifications, and paying salaries and overhead costs incurred in managing the program.

¹ HUD's Worst Case Housing Needs Report, 2019 Report to Congress
(<https://www.huduser.gov/portal/sites/default/files/pdf/worst-case-housing-needs-2020.pdf>)

The Budget does not request new funding for Veterans Affairs Supportive Housing (VASH) or Family Unification Program (FUP) vouchers as previously appropriated funds that remain available for carryover are sufficient to fund the anticipated need for new voucher allocations.

HUD continues to take steps to improve the operations of the voucher program, enhance systems and streamline requirements to reduce burden on PHAs. The continued implementation of the Economic Growth Act of 2018 and the Housing Opportunities Through Modernization Act of 2016 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 operation of the program. Through the implementation of the recommendations of the Landlord Task Force, HUD plans to revitalize its working relationship with a key program stakeholder. 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 units and 200,000 Special Purpose Vouchers units.

The 2022 Budget supports the Administration’s priority of increasing access to affordable housing and providing greater opportunities for economic independence to America’s neediest families through the use of vouchers. The 2022 Budget funding level will advance housing equity and broaden the Federal housing safety net for people in need including domestic violence survivors, homeless persons, veterans, Native American veterans, and at-risk youths aging out of foster care.

The 2022 requested funding levels and description for the major components of the HCV Program to achieve the above priorities are:

Contract Renewals - \$25.0 billion

The 2022 President’s 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. The requested funding level will maintain current services for approximately 2.3 million participating households and fund the 2021 goal to increase program utilization by 53,000 units. 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), the Family Unification Program (FUP), and Tenant Protection Vouchers (TPV). Contract renewals also includes up to \$5 million funding necessary to maintain current services for Tribal HUD-VASH participants.

RAD Conversion Subsidy - \$50 million

HUD has requested a total of \$50 million in the TBRA account, from within the \$25.0 billion for Contract Renewals, to support the cost-effective conversion of public housing properties that are unable to convert using only the funds provided through existing appropriations. This investment would permit public housing authorities who want to participate in RAD to convert approximately 30,000 units and, in the process, holistically address critical property needs, environmental hazards, energy inefficiencies, and increase housing choice for residents. Combined with the \$50 million requested in the PBRA account, this investment would permit public housing authorities to generate

an estimated \$1.8 billion in financing to re-invest in impacted communities or to bring deep rental assistance into neighborhoods of opportunity.

Administrative Fees - \$2.8 billion

Administrative fees are a vital component of the HCV program, providing PHAs with the resources necessary to administer the requested rental assistance for over 2.3 million families. The Budget provides \$2.8 billion in administrative fees for the HCV program resulting in a proration of 100 percent. While prior years have funded the administrative fees at roughly 80 percent, HUD believes higher fees are necessary to support additional leasing and aligns with increasing access to affordable housing. These fees allow PHAs to perform fundamental program responsibilities, such as admitting households, conducting housing quality inspections, completing tenant income certifications, and paying salaries and over-costs incurred in managing the HCV program.

Tenant Protection Vouchers - \$100 million

Tenant Protection Vouchers (TPV) 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 rental assistance program or prepaid their multifamily mortgages, Moderate Rehabilitation replacements, or as part of the Rental Assistance Demonstration (RAD) program. Tenant Protection Vouchers are a critical component to revitalizing public housing units. The estimated number of TPV actions in 2022 is approximately 16,150 units. The requested funding level combined with 2021 carryover funds is sufficient to meet the estimated need.

Section 811 Mainstream Renewals - \$508 million

Mainstream Renewals are 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. PIH will support over 51,000 Mainstream voucher holders with this level of funding. The requested funding also includes administrative fees for the renewed vouchers. This amount does not include funding for new incremental vouchers in calendar year 2022. The requested funding is in alignment with the Administration's proposed goal of developing policy that aggressively enforces the civil rights of people with disabilities while expanding their access to accessible, integrated, and affordable housing.

Mobility Services - \$491 million

Mobility Services program is a new initiative that funds cost-effective housing mobility strategies to assist families with children to move from areas of extreme poverty to areas of higher opportunity. The funding will also address impediments to PHA collaboration, in particular regulatory and administrative barriers, with a goal of reversing the effects of residential segregation adversely impacting people of color. Services provided to participating families may include mobility counseling, move assistance such as security deposit or landlord incentive payments, as well as other activities like credit counseling or portability coordination.

Incremental Vouchers - \$1.6 billion

HUD requests \$1.6 billion to support approximately 200,000 new incremental vouchers, the largest one-year increase in housing vouchers since the program was authorized, to support affordable housing and provide greater access to areas of opportunity. The new incremental vouchers could be

allocated using a formula that may include factors such as severe cost burden, overcrowding, substandard housing for very low-income renters, and administrative capacity. The new incremental vouchers could target individuals and families that are experiencing or at-risk of homelessness and individuals and families fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, or stalking. The Administration looks forward to working with the Congress to build on this investment and achieve its long-term goal of providing housing vouchers to all eligible households, while increasing the program's impact on equity and poverty alleviation.

The Continuum's of Care (CoC's) report through the Point-in-Time (PIT) count of sheltered and unsheltered homeless persons found that the number of people experiencing homelessness nationwide increased by two percent between 2019 and 2020, marking the fourth consecutive year that total homelessness has increased in the United States. The total number of people experiencing homelessness on a single night in January 2020 is 580,466 and is largely driven by the increase in the unsheltered homeless population. The 2020 Continuum of Care Homeless Assistance Programs Homeless Populations Report also identified 26,464 survivors of domestic violence in emergency shelter, 6,231 in transitional housing, and an additional 15,837 unsheltered^[1]. The requested funding is in alignment with the Administration's proposed goal to expand the safety net for homeless persons and survivors of domestic violence, including access to affordable housing.

The demographics of the families participating in the HCV program demonstrate how essential this program is to serve those most in need. The HCV program currently serves approximately 2.3 million families; seventy-six percent of program participants are people of color. The average household size is 2.3 persons with an average household income of approximately \$15,073. Extremely low-income families (families earning less than thirty percent of an area's median income) make up approximately seventy-eight percent of households served. Twenty-nine percent of households earn wages as their primary source of income and the average household monthly contribution towards rent (Total Tenant Payment) is \$387. Females with children head thirty-six percent of households. Twenty-nine percent of households have an elderly head of household and forty percent of all households served include children. The chart below provides additional insight into the demographics of the households that are currently supported by the program.

^[1] HUD 2020 Continuum of Care Homeless Assistance Program Homeless Populations and Subpopulations Report (https://files.hudexchange.info/reports/published/CoC_PopSub_NatlTerrDC_2020.pdf)

Q4 2020 Housing Choice Voucher Tenant Characteristics																								
<p>How many households and people are served?</p> <p>5.2 million people</p> <p>2.3 million households</p>	<p>What are the racial characteristics of the tenants?</p> <p>This program serves a very demographically diverse population. 75% of residents are in a minority group.</p> <table border="1" style="width: 100%; text-align: center;"> <thead> <tr> <th><i>Asian/P.I.</i></th> <th><i>Black, non-Hispanic</i></th> <th><i>Hispanic</i></th> <th><i>Native American</i></th> <th><i>White</i></th> </tr> </thead> <tbody> <tr> <td>3%</td> <td>53%</td> <td>19%</td> <td>1%</td> <td>24%</td> </tr> </tbody> </table>	<i>Asian/P.I.</i>	<i>Black, non-Hispanic</i>	<i>Hispanic</i>	<i>Native American</i>	<i>White</i>	3%	53%	19%	1%	24%	<p>What are the characteristics of the heads of household?</p> <p>Female headed families with children 36%</p> <p>Elderly 29%</p> <p>Non-elderly disabled 25%</p>												
<i>Asian/P.I.</i>	<i>Black, non-Hispanic</i>	<i>Hispanic</i>	<i>Native American</i>	<i>White</i>																				
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<p>How big are the households?</p> <table border="1" style="width: 100%; text-align: center;"> <thead> <tr> <th>Household Size</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>1 Person</td> <td>46%</td> </tr> <tr> <td>2 People</td> <td>20%</td> </tr> <tr> <td>3 People</td> <td>15%</td> </tr> <tr> <td>4+ People</td> <td>20%</td> </tr> </tbody> </table>	Household Size	Percentage	1 Person	46%	2 People	20%	3 People	15%	4+ People	20%	<p>How old are the heads of household?</p> <table border="1" style="width: 100%; text-align: center;"> <thead> <tr> <th>Age Group</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>24 Years or Less</td> <td>2%</td> </tr> <tr> <td>25 to 50 Years</td> <td>47%</td> </tr> <tr> <td>51 to 60 Years</td> <td>22%</td> </tr> <tr> <td>62 Years or More</td> <td>29%</td> </tr> <tr> <td>85 Years or More</td> <td>2%</td> </tr> </tbody> </table>	Age Group	Percentage	24 Years or Less	2%	25 to 50 Years	47%	51 to 60 Years	22%	62 Years or More	29%	85 Years or More	2%	<p>What is the share of rent paid by the tenant and HUD?</p> <p>Average household contribution \$387</p> <p>Average HUD contribution \$785</p>
Household Size	Percentage																							
1 Person	46%																							
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<p>What are the income levels of assisted households?</p> <p>Tenants make an average gross income of \$15,073.</p> <p>77% of households earn \$20,000 or less per year</p>		<p>How do household incomes compare to the local area median income?</p> <p>Extremely low income (less than 30% AMI) 78%</p> <p>Very low income (30% to 50% AMI) 17%</p> <p>Low Income (50% to 80% AMI) 4%</p>																						

Some percentage totals not equal to 100 due to rounding.
 Source: HUD PIC and TRACS databases, December 2020 extract.

SUMMARY OF RESOURCES BY PROGRAM

(Dollars in Thousands)

Budget Activity	2020 Budget Authority	2019 Carryover Into 2020	2020 Total Resources	2020 Obligations	2021 Appropriation	2020 Carryover Into 2021	2021 Total Resources	2022 President's Budget
Contract Renewals	21,502,000	49,352	21,551,352	21,429,739	22,385,000	121,789	22,506,789	25,001,000
Contract Renewals (CARES Act)	400,000	-	400,000	243,831	-	157,337	157,337	-
Administrative Fees	1,977,000	174,338	2,151,338	2,010,421	2,159,000	140,917	2,299,917	2,790,000
Administrative Fees (CARES Act)	850,000	-	850,000	849,999	-	-	-	-
Contract Renewals-Emergency	-	-	-	-	695,000	-	695,000	-
Section 8 Rental Assistance	75,000	110,436	185,436	122,447	116,000	63,244	179,244	100,000
Veterans Affairs Supportive Housing (VASH) Program	40,000	44,624	84,624	29,402	40,000	55,222	95,222	-
Tribal HUD-VASH	1,000	10,082	11,082	4,096	-	6,985	6,985	-
Section 811 Mainstream Renewals	229,050	406,012	635,062	387,949	314,000	247,113	561,113	508,000
Rental Assistance Demonstration	-	74,269	74,269	63,430	-	74,172	74,172	-
Family Unification Program (FUP)	25,000	20,033	45,033	24,417	25,000	20,616	45,616	-
Mobility Demonstration	25,000	25,000	50,000	-	-	50,000	50,000	-
Mobility Services	-	-	-	-	-	-	-	491,000
Homelessness and Domestic Violence Vouchers	-	-	-	-	43,439	-	43,439	-
Incremental Vouchers	-	-	-	-	-	-	-	1,552,000
FSS Coordinator	-	26	26	-	-	26	26	-
Emergency – Housing Vouchers (ARP Act)	-	-	-	-	4,177,000	-	4,177,000	-
Administrative Fees (ARP Act)	-	-	-	-	603,000	-	603,000	-
Allocation Adjustments for CY 2021 (ARP Act)	-	-	-	-	200,000	-	200,000	-
Total	25,124,050	914,172	26,038,222	25,165,731	30,757,439	937,421	31,694,860	30,442,000

LEGISLATIVE PROPOSALS AND GENERAL PROVISIONS

In the 2022 Budget, HUD requests the following proposals for the Tenant-Based Rental Assistance program:

Appropriations Language Explanation

The 2022 President's Budget has the following changes to appropriations language from the 2021 enacted bill:

- **Mainstream Vouchers Shortfall:** HUD requests the authority to establish a 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. In calendar year 2021, Mainstream vouchers are eligible for shortfall funding from TBRA HAP set-aside. While HUD appreciates the inclusion of Mainstream Vouchers as eligible for the TBRA HAP set-aside, Mainstream vouchers are funded through a separate appropriation which requires separate reconciliation. The inclusion of Mainstream in the TBRA set-aside reduces necessary relief funds made available specifically for TBRA and complicates financial reporting and auditing. The proposed Mainstream Set-Aside would allow for adjustments to PHA Mainstream programs that experienced a significant increase, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; for PHAs that despite taking reasonable cost savings measures, would otherwise be required to terminate rental assistance for families as a result of insufficient funding. A separate Mainstream Set-Aside will ease both PHA and HUD administrative burden, ensure better reporting and compliance with cash management procedures.

General Provisions

The 2022 President's Budget re-proposes the following general provisions that were enacted in the 2021 appropriations bill:

- **MTW Expansion PHA Reserve Flexibility:** HUD is requesting that language that allows Expansion MTW PHA(s) the ability to use previously appropriated Section 8 and Section 9 funds flexibly continue to be included. Currently this language must be included annually in the Appropriations Act. HUD is requesting that Congress modify the language to make the following provision permanent (2022 President's Budget, Section 224).
- **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. (2022 President's Budget, Section 207)

Rental Assistance Demonstration (RAD) conversions have proven to be a versatile and effective preservation tool for which the 2022 President's Budget proposes Legislative Proposals and General Provisions which would impact conversions to both PBRA and PBV. Please see the "Project-Based Rental Assistance" justifications for more details.

APPROPRIATIONS LANGUAGE

The 2022 President's Budget includes 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.) (in this title "the Act"), not otherwise provided for, [~~\$21,777,439,000~~] *\$26,442,000,000*, to remain available until expended, which shall be available on October 1, [~~2020~~] *2021* (in addition to the \$4,000,000,000 previously appropriated under this heading that shall be available on October 1, [~~2020~~] *2021*), and \$4,000,000,000, to remain available until expended, which shall be available on October 1, [~~2021~~] *2022*: *Provided*, That the amounts made available under this heading are provided as follows:

(1) ~~[\$23,080,000,000]~~*\$25,001,000,000* 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: *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year ~~[2021]~~*2022* 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 Moving to Work (MTW) demonstration, which are instead governed in accordance with the requirements of the MTW demonstration program or their MTW agreements, if any:] *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), 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, 2021]: *Provided further*, That the Secretary may extend the notification period with the prior written [approval of] *notification to the House and Senate Committees on Appropriations: Provided further*, That public housing agencies participating in the MTW demonstration shall be funded in accordance with the requirements of the MTW demonstration program or 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 ~~[2021]~~*2022* 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 ~~[2020]~~*2021* 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 ~~[2021]~~*2022* 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 proration of renewal funding allocations: *Provided further*, *That the Secretary may utilize unobligated balances, including recaptures and carryover, remaining from prior year appropriations (excluding special purpose vouchers), notwithstanding the purposes for which such amounts were appropriated, to avoid or reduce the proration of renewal funding allocations:* *Provided further*, That up to ~~[\$110,000,000]~~*\$100,000,000* shall be available only: (1) for adjustments in the allocations for public housing agencies, 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 [(including Mainstream 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 a 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 (division L of Public Law 114–113); (3) for adjustments for costs associated with HUD-Veterans Affairs Supportive Housing (HUD-VASH) vouchers; (4) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families[, including Mainstream 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]for withheld payments for months in the previous calendar year that were subsequently paid by the public housing agency after the agency's actual costs were validated; and (6) for public housing agencies that have experienced increased 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: *Provided further*, That of the amount provided in this paragraph, up to \$50,000,000 shall be available to supplement funds transferred from the headings "Public Housing Fund" to fund contracts for properties converting from assistance under Section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) under the heading "Rental Assistance Demonstration" in the Department of Housing and Urban Development Appropriation Act, 2012 (Public Law 112–55) to further long-term financial stability and promote the energy efficiency or climate resilience of such properties;

(2) [\$116,000,000]\$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 [(including victims of violent crimes)] 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 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 to and merged with amounts* [used to reimburse amounts used]under this paragraph[for rental assistance under the previous proviso]: *Provided further*, That of the amounts made available under this paragraph, [at least]no less than \$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 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;

(3) [~~\$2,159,000,000~~] ~~\$2,790,000,000~~ shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to [~~\$30,000,000~~] ~~\$10,000,000~~ shall be available to the Secretary to allocate to public housing agencies 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 [~~\$2,129,000,000~~] ~~\$2,780,000,000~~ of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year [2021]2022 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 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 carryover, 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 in accordance with the requirements of the MTW demonstration program or 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) [~~\$314,000,000~~] ~~\$508,000,000~~ 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 allocation 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 \$5,000,000 shall 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 the Tribal HUD-VASH program under prior Acts to existing recipients under the Tribal HUD-VASH program;

[(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) \$43,439,000 shall be for incremental rental voucher assistance under section 8(o) of the United States Housing Act of 1937 for use by individuals and families who are homeless, as defined in section 103(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a)), at risk of homelessness, as defined in section 401(1) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(1)), fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, or stalking, or veterans and families that include a veteran family member that meet one of the preceding criteria: Provided, That assistance made available under this paragraph shall continue to remain available for such eligible individuals and families upon turnover: Provided further, That the Secretary shall make such funding available, notwithstanding section 203 of this title (competition provision) to public housing agencies that partner with eligible continuums of care or other entities as designated by the Secretary, based on geographical need of such assistance, public housing agency administrative performance, and other factors as specified by the Secretary: Provided further, That the Secretary shall review utilization of the assistance made available under the preceding 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 preceding proviso: Provided further, That, the Secretary shall give preference to applicants that demonstrate a strategy to coordinate assistance with services available in the community: Provided further, That none of the funds provided in this paragraph may be used to require people experiencing homelessness to receive treatment or perform any other prerequisite activities as a condition for receiving shelter, housing or other services: Provided further, That the Secretary shall issue guidance to implement the preceding proviso;]

(6) \$1,552,000,000 shall be made available for new incremental voucher assistance under section 8(o) of the United States Housing Act of 1937 to be allocated pursuant to a method, as determined by the Secretary, which may include a formula that may include such factors as severe cost burden, overcrowding, substandard housing for very low-income renters, homelessness, and administrative capacity, where such allocation method shall include both rural and urban areas: Provided, That the Secretary may specify additional terms and conditions to ensure that public housing agencies provide vouchers for use by survivors of domestic violence, or individuals and families who are homeless, as defined in section 103(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a)), or at risk of homelessness, as defined in section 401(1) of the McKinney-Vento Homelessness Assistance Act (42 U.S.C. 11360(1));

(7) \$491,000,000 shall be for mobility-related services, as defined by the Secretary, for voucher families with children modeled after services provided in connection with 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), Provided, That the Secretary shall make funding available to public

housing agencies on a competitive basis and shall give preference to public housing agencies with higher concentrations of housing choice voucher families with children residing in high-poverty neighborhoods: Provided further, That the Secretary may recapture from the public housing agencies unused balances based on utilization of such awards and reallocate such amounts to any other public housing agency or agencies based on need for such mobility-related services as identified under such competition; and

([9]) (8) the Secretary shall separately track all special purpose vouchers funded under this heading. (*Department of Housing and Urban Development Appropriations Act, 2021.*)