

108TH CONGRESS
2^D SESSION

S. 2829

To establish a grant program administered under an agreement among the Secretaries of Housing and Urban Development, Health and Human Services, and Veterans Affairs, in consultation with the U.S. Interagency Council on Homelessness, to address the goal of ending chronic homelessness through coordinated provision of housing, health care, mental health and substance abuse treatment, and supportive and other services, including assistance in accessing non-homeless specific benefits and services, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 22, 2004

Mr. ALLARD (for himself and Mrs. DOLE) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To establish a grant program administered under an agreement among the Secretaries of Housing and Urban Development, Health and Human Services, and Veterans Affairs, in consultation with the U.S. Interagency Council on Homelessness, to address the goal of ending chronic homelessness through coordinated provision of housing, health care, mental health and substance abuse treatment, and supportive and other services, including assistance in accessing non-homeless specific benefits and services, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Samaritan Initiative
5 Act of 2004”.

6 **SEC. 2. SAMARITAN INITIATIVE.**

7 Title IV of the McKinney-Vento Homeless Assistance
8 Act (42 U.S.C. 11136 et seq.) is amended by adding at
9 the end the following:

10 **“Subtitle H—Samaritan Initiative**

11 **“SEC. 495. PURPOSE.**

12 “The purpose of this subtitle is to authorize competi-
13 tive grants for coordinated comprehensive housing, treat-
14 ment, and support services to chronically homeless per-
15 sons—

16 “(1) to reduce the prevalence of chronic home-
17 lessness;

18 “(2) to support promising strategies to move
19 chronically homeless persons in urban and rural
20 communities from the streets to safe, permanent
21 housing;

22 “(3) to provide for integrated systems of serv-
23 ices to improve the effectiveness of programs serving
24 chronically homeless persons;

1 “(4) to promote self-sufficiency and recovery
2 among chronically homeless persons; and

3 “(5) to encourage programs serving chronically
4 homeless persons to promote access to Federal,
5 State, and local non-homeless specific programs of
6 assistance for which such persons are eligible.

7 **“SEC. 495A. DEFINITIONS.**

8 “For purposes of this subtitle, the following defini-
9 tions shall apply:

10 “(1) CHRONICALLY HOMELESS PERSON.—The
11 term ‘chronically homeless person’ means an unac-
12 companied individual with a disabling condition
13 who—

14 “(A) has been sleeping in 1 or more places
15 not meant for human habitation, or in 1 or
16 more emergency homeless shelters, for longer
17 than 1 year; or

18 “(B) has had 4 or more periods of home-
19 lessness that, in total, have lasted more than 3
20 years.

21 “(2) DISABLING CONDITION.—The term ‘dis-
22 abling condition’ means a diagnosable substance use
23 disorder, serious mental illness, developmental dis-
24 ability, or chronic physical illness or disability, in-
25 cluding the co-occurrence of 2 or more of such con-

1 ditions, that limits the ability of an individual to
2 work or perform one or more activities of daily liv-
3 ing.

4 “(3) ELIGIBLE ENTITY.—The term ‘eligible en-
5 tity’ means a State, unit of general local govern-
6 ment, public housing agency, local workforce invest-
7 ment board, or private nonprofit organization, in-
8 cluding a faith-based or community-based organiza-
9 tion.

10 “(4) ELIGIBLE VETERAN.—The term ‘eligible
11 veteran’ means a person who served in the active
12 United States military, naval, or air service, and
13 who was discharged or released under conditions
14 other than dishonorable.

15 “(5) HOMELESS MANAGEMENT INFORMATION
16 SYSTEM.—The term ‘homeless management informa-
17 tion system’ shall mean a computerized data collec-
18 tion application maintained by an eligible entity,
19 that—

20 “(A) enumerates the homeless population
21 within the jurisdiction of the eligible entity and
22 the number of homeless individuals that re-
23 ceived services from the eligible entity; and

1 “(B) compiles information on the charac-
2 teristics and service needs of homeless individ-
3 uals.

4 “(6) HOMELESSNESS.—The term ‘homeless-
5 ness’ means sleeping in a place not meant for
6 human habitation or in an emergency homeless shel-
7 ter.

8 “(7) INTERAGENCY IMPLEMENTATION AND
9 MONITORING TEAM.—The term ‘interagency imple-
10 mentation and monitoring team’ means the inter-
11 agency implementation and monitoring team estab-
12 lished under section 495B(d).

13 “(8) PARTICIPATING FEDERAL AGENCY.—The
14 term ‘participating Federal agency’ means the De-
15 partments of Housing and Urban Development,
16 Health and Human Services, and Veterans Affairs,
17 or any other Federal agency that may receive appro-
18 priations for purposes of participating under the
19 provisions of this subtitle.

20 “(9) PRIVATE NONPROFIT ORGANIZATION.—
21 The term ‘private nonprofit organization’ means a
22 private organization—

23 “(A) no part of the net earnings of which
24 inures to the benefit of any member, founder,
25 contributor, or individual;

1 “(B) that has a voluntary board; and

2 “(C) that has an accounting system or a
3 designated fiscal agent in accordance with re-
4 quirements established by the participating
5 Federal agencies.

6 “(10) PUBLIC HOUSING AGENCY.—The term
7 ‘public housing agency’ has the same meaning as in
8 section 3(b)(6) of the United States Housing Act of
9 1937 (42 U.S.C. 1437a(b)(6)).

10 “(11) STATE.—The term ‘State’ means any
11 State of the United States, the District of Columbia,
12 the Commonwealth of Puerto Rico, the Virgin Is-
13 lands, Guam, American Samoa, the Northern Mar-
14 iana Islands, or any agency or instrumentality there-
15 of that is established pursuant to legislation and
16 designated by the chief executive officer to act on
17 behalf of the State with regard to provisions of this
18 subtitle.

19 “(12) UNIT OF GENERAL LOCAL GOVERN-
20 MENT.—The term ‘unit of general local government’
21 means—

22 “(A) a city, town, township, county, parish,
23 village, or other general purpose political sub-
24 division of a State; and

1 “(B) any agency or instrumentality thereof
2 that is established pursuant to legislation and
3 designated by the chief executive officer to act
4 on behalf of the jurisdiction with regard to pro-
5 visions of this subtitle.

6 **“SEC. 495B. GRANT AUTHORITY AND ADMINISTRATION.**

7 “(a) IN GENERAL.—The participating Federal agen-
8 cies shall enter into a cooperative agreement to make and
9 administer competitive grants to eligible entities, including
10 faith-based and community-based organizations, in ac-
11 cordance with the provisions of this subtitle for the pur-
12 pose of providing treatment and support services that are
13 coordinated with the provision of housing for chronically
14 homeless persons.

15 “(b) DELEGATIONS.—No provision of this subtitle
16 shall limit the ability of the participating Federal agencies
17 to delegate, assign, or share administrative responsibilities
18 as the participating Federal agencies may determine to be
19 necessary or appropriate.

20 “(c) COORDINATION AMONG PARTICIPATING FED-
21 ERAL AGENCIES.—The Secretary of Housing and Urban
22 Development shall coordinate with the participating Fed-
23 eral agencies to implement and administer the grant pro-
24 gram established under this subtitle.

1 “(d) INTERAGENCY IMPLEMENTATION AND MONI-
2 TORING TEAM.—The participating Federal agencies shall
3 establish an interagency implementation and monitoring
4 team to review and conduct oversight of the award of
5 grants, and the use of grant funds awarded under this
6 subtitle. Each participating Federal agency shall appoint
7 appropriate designees to serve on the interagency imple-
8 mentation and monitoring team.

9 “(e) COORDINATION REQUIREMENTS.—

10 “(1) IN GENERAL.—In carrying out this sub-
11 title, the interagency implementation and monitoring
12 team shall, as appropriate and to the extent feasible,
13 establish uniform or coordinated requirements,
14 standards, procedures, and timetables with respect
15 to—

16 “(A) application procedures and grant re-
17 quirements, including those providing for—

18 “(i) a single consolidated application
19 form; and

20 “(ii) a single timetable, location, and
21 procedure for filing of a consolidated appli-
22 cation;

23 “(B) criteria for the award of grants;

1 “(C) a coordinated process for review and
2 the approval or denial of the consolidated appli-
3 cation;

4 “(D) the establishment of performance
5 standards and measures of performance out-
6 comes, including—

7 “(i) the requirement that the Sec-
8 retary of Housing and Urban Development
9 attempt to quantify the reduction in chron-
10 ic homelessness; and

11 “(ii) the requirement that, where ap-
12 plicable, the grantees utilize a homeless
13 management information system;

14 “(E) oversight, including monitoring, au-
15 dits, and evaluations of grantees, and require-
16 ments for annual reports by grantees; and

17 “(F) such other factors that the inter-
18 agency implementation and monitoring team
19 determines are necessary or appropriate.

20 “(2) PERFORMANCE ASSESSMENT.—

21 “(A) IN GENERAL.—The interagency im-
22 plementation and monitoring team shall estab-
23 lish such performance standards, performance
24 measures, and annual reporting requirements,

1 and make such performance reviews and audits
2 as may be necessary or appropriate—

3 “(i) to determine whether a grantee
4 has carried out its activities in a timely
5 manner and in accordance with the appli-
6 cable requirements of this subtitle;

7 “(ii) to assess the effectiveness of a
8 grantee in accomplishing the objectives of
9 this subtitle; and

10 “(iii) for other purposes as the inter-
11 agency implementation and monitoring
12 team determines significant with respect to
13 the performance assessment of a grantee.

14 “(B) PROVISION OF SUPPORT AND
15 STAFF.—The Secretary of Veterans Affairs may
16 provide program monitoring and evaluation
17 services and staff to participating Federal agen-
18 cies. In such cases, participating Federal agen-
19 cies may reimburse the Department of Veterans
20 Affairs for the cost of such staff and services.

21 “(f) PROVISIONS AND REQUIREMENTS APPLICABLE
22 TO GRANTS UNDER THIS SUBTITLE.—

23 “(1) IN GENERAL.—A grantee under this sub-
24 title shall establish and operate a system of assist-
25 ance to chronically homeless persons that identifies

1 such persons and provides them access to affordable
2 permanent housing that is coordinated with appro-
3 priate treatment and support.

4 “(2) REQUIRED GRANTEE ACTIVITIES.—A
5 grantee under this subtitle shall carry out, directly
6 or through arrangements with a network of other
7 entities, activities relating to the housing, treatment,
8 and support of homeless persons, which may include
9 the following:

10 “(A) HOUSING ACTIVITIES.—Eligible ac-
11 tivities specified in section 495C(a) that ensure
12 the placement of chronically homeless persons
13 in safe, affordable, permanent housing.

14 “(B) TREATMENT AND SUPPORT ACTIVI-
15 TIES.—Eligible activities specified in section
16 495D(a) to address the multiple physical
17 health, mental health, and substance abuse
18 treatment needs of chronically homeless persons
19 who are eligible for or residents in housing
20 under section 495C(a).

21 “(C) SERVICE COORDINATION.—Activities,
22 including those coordinated with local planning
23 bodies, that promote the access of eligible
24 chronically homeless persons to a range of serv-
25 ices that contribute to self-sufficiency, recovery,

1 employment, stability in housing, and access to
2 health care.

3 “(D) ADMINISTRATION.—Administrative
4 and planning activities, including the develop-
5 ment and implementation of comprehensive
6 plans for housing and services at the grantee
7 level with costs not to exceed 6 percent of total
8 costs of carrying out the program under this
9 subtitle.

10 “(E) OTHER SERVICES.—Such services
11 and activities as the participating Federal agen-
12 cies may find necessary and appropriate.

13 “(3) CRITERIA FOR GRANT AWARD.—In award-
14 ing grants under this subtitle, the participating Fed-
15 eral agencies shall consider—

16 “(A) the extent to which the applicant
17 demonstrates an understanding of the unique
18 characteristics of chronically homeless persons;

19 “(B) the adequacy of the approach of the
20 applicant in addressing the needs of the chron-
21 ically homeless;

22 “(C) the capacity of the applicant to carry
23 out and sustain required activities;

24 “(D) where services are to be provided
25 through a network of entities, the adequacy of

1 the qualifications of such entities, and the stat-
2 ed willingness of such entities, to collaborate
3 and participate in carrying out proposed activi-
4 ties;

5 “(E) the extent to which the applicant has
6 been involved in Federal, State, or local non-
7 homeless specific programs of assistance that
8 could provide additional assistance to eligible
9 chronically homeless persons;

10 “(F) the commitment and the dem-
11 onstrated ability of the applicant to achieve the
12 reduction in the number of chronically homeless
13 persons; and

14 “(G) such additional factors as the partici-
15 pating Federal agencies may determine signifi-
16 cant or necessary with respect to the potential
17 success of the applicant in carrying out the pur-
18 poses of this subtitle.

19 “(4) INITIAL TERM OF GRANT.—Notwith-
20 standing any other provision of law, each grant
21 awarded under this section shall be for an initial
22 term of 3 years.

23 “(5) GRANT RENEWAL.—Upon the expiration of
24 a grant under this section, the participating Federal
25 agencies may award, on a competitive basis, a re-

1 newal grant under this subtitle for an additional 3-
2 year term, subject to the continued qualification of
3 the grantee for the grant as determined by the par-
4 ticipating Federal agencies. The amount of a re-
5 newal grant under this paragraph may be up to 50
6 percent of the cost of the activities to be carried out
7 by the grantee.

8 “(6) FEDERAL MATCHING.—

9 “(A) IN GENERAL.—A grant under this
10 subtitle shall be available to pay the Federal
11 share of the costs incurred by the grantee for
12 activities under this subtitle.

13 “(B) FEDERAL SHARE.—For purposes of
14 subparagraph (A), the Federal share shall be—

15 “(i) 75 percent of the cost of the pro-
16 gram for the first year of the grant;

17 “(ii) 75 percent for the second year of
18 the grant; and

19 “(iii) 50 percent for each succeeding
20 year, including each year of a renewal
21 grant term under paragraph (5).

22 “(C) NON-FEDERAL SHARE.—The non-
23 Federal share of costs incurred by the grantee
24 may be in cash or in-kind, as appropriate.

1 “(7) GEOGRAPHIC DISTRIBUTION.—The partici-
2 pating Federal agencies shall ensure that consider-
3 ation is given to geographic distribution (such as
4 urban and rural areas) in the awarding of grants
5 under subsection (a).

6 “(8) DISCLOSURE.—Section 12(a) of the De-
7 partment of Housing and Urban Development Act
8 (42 U.S.C. 3537a(a)) shall not apply to this subtitle.

9 “(g) AUTHORIZATION OF APPROPRIATIONS.—

10 “(1) FISCAL YEAR 2005.—There are authorized
11 to be appropriated to carry out this subtitle
12 \$70,000,000 for fiscal year 2005, of which—

13 “(A) \$50,000,000 is authorized to be ap-
14 propriated to the Department of Housing and
15 Urban Development;

16 “(B) \$10,000,000 is authorized to be ap-
17 propriated to the Department of Health and
18 Human Services; and

19 “(C) Not more than \$10,000,000 is au-
20 thorized from the amounts to be appropriated
21 to the Department of Veterans Affairs for
22 treatment of homeless veterans under medical
23 care to carry out section 495D.

24 “(2) FISCAL YEARS 2006, 2007, AND 2008.—
25 There are authorized to be appropriated to carry out

1 this subtitle such sums as may be necessary for each
2 of fiscal years 2006, 2007, and 2008.

3 “(h) AUTHORITY TO CONSOLIDATE FUNDS.—

4 “(1) IN GENERAL.—For purposes of carrying
5 out this subtitle, and in accordance with the agree-
6 ment under subsection (a), the participating Federal
7 agencies are authorized to transfer to the Secretary
8 of Housing and Urban Development funds appro-
9 priated for use under this subtitle, and the Secretary
10 of Housing and Urban Development may receive
11 such funds.

12 “(2) RULE OF CONSTRUCTION.—Notwith-
13 standing subsection (g), in the event that funds are
14 not appropriated for use in accordance with this
15 subtitle to one or more participating Federal agen-
16 cies in any fiscal year, paragraph (1) shall not be
17 construed to require a participating Federal agency
18 that has been provided with budget authority pursu-
19 ant to subsection (g) in a fiscal year to use such
20 budget authority to fund grants for activities that
21 are not in accordance with the primary mission of
22 such participating Federal agency.

23 “(i) TECHNICAL ASSISTANCE AND SUPPORT.—In ad-
24 dition to funds otherwise provided for agency administra-
25 tive costs, not more than 2 percent of amounts appro-

1 priated for the activities under this subtitle may be used
2 by the participating Federal agencies for administrative
3 costs, including costs associated with—

4 “(1) providing technical assistance to applicants
5 and grantees; and

6 “(2) providing support and assistance in select-
7 ing and assessing projects to carry out this subtitle,
8 including any preparation necessary for such selec-
9 tion and assessment.

10 **“SEC. 495C. HOUSING ACTIVITIES.**

11 “(a) ELIGIBLE HOUSING ACTIVITIES.—Subject to
12 section 495B, a grant under this subtitle shall be used
13 for activities in support of permanent housing for chron-
14 ically homeless persons, including the following:

15 “(1) PROVISION OF HOUSING.—

16 “(A) ACQUISITION.—The acquisition of oc-
17 cupancy-ready real property.

18 “(B) REHABILITATION.—The minor reha-
19 bilitation of real property for housing.

20 “(C) OPERATING COSTS.—The costs of op-
21 erating a housing project, including salaries and
22 benefits, maintenance, insurance, utilities, re-
23 placement reserve accounts, and furnishings.

1 “(D) LEASING.—Leasing of an existing
2 structure or structures, or portions thereof to
3 provide housing.

4 “(E) HOUSING COUNSELING.—The costs
5 of counseling and advice services with respect to
6 property maintenance, financial management,
7 and other such matters as may be appropriate
8 to assist chronically homeless persons in obtain-
9 ing housing.

10 “(2) RENTAL ASSISTANCE.—Project-based or
11 tenant-based rental assistance for chronically home-
12 less persons, which assistance shall be provided to
13 the extent practicable, and administered in the man-
14 ner provided under the rules and regulations gov-
15 erning the provision of assistance under section 8 of
16 the United States Housing Act of 1937 (42 U.S.C.
17 1437f).

18 “(3) OTHER ACTIVITIES.—Such other activities
19 as the Secretary of Housing and Urban Develop-
20 ment determines to be appropriate.

21 “(b) PROGRAM REQUIREMENTS FOR HOUSING AC-
22 TIVITIES.—

23 “(1) REQUIREMENTS CONCERNING REAL PROP-
24 erty.—

1 “(A) USE RESTRICTION.—Each grantee
2 under this subtitle shall ensure that permanent
3 housing for chronically homeless persons that
4 are acquired or rehabilitated with grant
5 amounts under this subtitle is used for such
6 persons for not less than 10 years.

7 “(B) HOUSING QUALITY.—Each grantee
8 under this subtitle shall ensure that housing as-
9 sisted with grant amounts provided under this
10 subtitle is decent, safe, and sanitary, and com-
11 plies with all applicable State and local housing
12 codes, building codes, and licensing require-
13 ments in the jurisdiction in which the housing
14 is located.

15 “(C) PREVENTION OF UNDUE BENEFIT.—
16 Subject to section 495B(e), the Secretary of
17 Housing and Urban Development may prescribe
18 such terms and conditions as the Secretary con-
19 siders necessary to prevent grantees from un-
20 duly benefiting from the sale or other disposi-
21 tion of projects, other than a sale or other dis-
22 position resulting in the use of a project for the
23 direct benefit of chronically homeless persons.

24 “(2) HOMELESS MANAGEMENT INFORMATION
25 SYSTEM.—Each grantee shall be required to provide

1 such information to the appropriate administrator of
2 the local homeless management information system,
3 as is necessary for the implementation and operation
4 of homeless management information systems.

5 **“SEC. 495D. TREATMENT AND SUPPORT SERVICES.**

6 “Subject to section 495B, a grant under this subtitle
7 shall be used to provide treatment and support services,
8 which may include the following:

9 “(1) PRIMARY HEALTH SERVICES.—Primary
10 health services, including the following:

11 “(A) PHYSICIAN AND OTHER SERVICES.—
12 Health services related to family medicine, in-
13 ternal medicine, pediatrics, obstetrics, or gyne-
14 cology that are furnished by physicians and
15 where appropriate, physicians’ assistants, nurse
16 practitioners, or nurse midwives.

17 “(B) DIAGNOSTIC SERVICES.—Diagnostic
18 laboratory and radiological services.

19 “(C) PREVENTIVE SERVICES.—Preventive
20 health services.

21 “(D) EMERGENCY SERVICES.—Emergency
22 medical services.

23 “(E) ACCESS TO PHARMACEUTICAL SERV-
24 ICES.—Access to pharmaceutical services.

1 “(2) ALCOHOL AND DRUG ABUSE SERVICES.—
2 Services or activities designed to prevent, deter, re-
3 duce, or eliminate substance abuse or addictive be-
4 haviors, including a comprehensive range of personal
5 and family counseling methods, early interventions,
6 methadone treatment for opiate abusers, or detoxi-
7 fication for alcohol and other drug abusers, and
8 treatment services such as intake and assessment,
9 behavioral therapy and counseling, clinical and case
10 management, pharmacotherapies, and self-help and
11 peer support activities.

12 “(3) MENTAL HEALTH AND COUNSELING SERV-
13 ICES.—Mental health and counseling services, in-
14 cluding services and activities that apply therapeutic
15 processes to personal, family, or situational problems
16 in order to bring about a positive resolution of the
17 problem or improved individual functioning or cir-
18 cumstances, including crisis interventions, individual
19 supportive therapy, and prescription of psychotropic
20 medications or explanations about the use and man-
21 agement of medications.

22 “(4) OUTREACH AND ENGAGEMENT.—Outreach
23 services including extending services or help to
24 homeless persons to develop a relationship of trust

1 and engage such persons into appropriate service
2 programs.

3 “(5) INFORMATION AND REFERRAL.—Services
4 or activities designed to provide information about
5 services and assistance provided through public and
6 private programs, including Federal, State and local
7 non-homeless targeted programs that provide or fi-
8 nancially support the provision of medical, social,
9 educational, or other related services, and a brief as-
10 sessment of client needs to facilitate appropriate re-
11 ferrals.

12 “(6) CASE MANAGEMENT.—Case management
13 services and activities, including the arrangement,
14 coordination, monitoring, and delivery of services to
15 meet the needs of individuals who are homeless, in-
16 cluding individual service plan development, coun-
17 seling, monitoring, securing and coordinating serv-
18 ices.

19 “(7) OTHER SERVICES.—Such other services as
20 the Secretary of Health and Human Services deter-
21 mines appropriate.

22 **“SEC. 495E. VETERANS’ BENEFITS.**

23 “Subject to section 495B, the Secretary of Veterans
24 Affairs is authorized to provide eligible veterans with case
25 management services.

1 **“SEC. 495F. AUTHORITY OF OTHER FEDERAL AGENCIES TO**
2 **PARTICIPATE UNDER THIS SUBTITLE.**

3 “Federal agencies other than the participating Fed-
4 eral agencies may participate in the grant program estab-
5 lished under this subtitle to the extent that funds are ap-
6 propriated for such purpose to each agency.”.

○