

14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PRICE  
OF NORTH CAROLINA OR HIS DESIGNEE, DEBATABLE FOR 10  
MINUTES

10

**AMENDMENT TO COMMITTEE PRINT 114-42  
OFFERED BY MR. PRICE OF NORTH CAROLINA  
[H.R. 3700]**

At the end of the bill, add the following new title:

1 **TITLE VI—HOUSING OPPORTU-**  
2 **NITIES FOR PERSONS WITH**  
3 **AIDS**

4 **SEC. 601. FORMULA AND TERMS FOR ALLOCATIONS TO**  
5 **PREVENT HOMELESSNESS FOR INDIVIDUALS**  
6 **LIVING WITH HIV OR AIDS.**

7 (a) IN GENERAL.—Subsection (c) of section 854 of  
8 the AIDS Housing Opportunity Act (42 U.S.C. 12903(c))  
9 is amended by—

10 (1) redesignating paragraph (3) as paragraph  
11 (5); and

12 (2) striking paragraphs (1) and (2) and insert-  
13 ing the following:

14 “(1) ALLOCATION OF RESOURCES.—

15 “(A) ALLOCATION FORMULA.—The Sec-  
16 retary shall allocate 90 percent of the amount  
17 approved in appropriations Acts under section  
18 863 among States and metropolitan statistical  
19 areas as follows:

1                   “(I) 75 percent of such amounts  
2                   among—

3                   “(I) cities that are the most pop-  
4                   ulous unit of general local government  
5                   in a metropolitan statistical area with  
6                   a population greater than 500,000, as  
7                   determined on the basis of the most  
8                   recent census, and with more than  
9                   2,000 individuals living with HIV or  
10                  AIDS, using the data specified in sub-  
11                  paragraph (B); and

12                  “(II) States with more than  
13                  2,000 individuals living with HIV or  
14                  AIDS outside of metropolitan statis-  
15                  tical areas.

16                  “(ii) 25 percent of such amounts  
17                  among States and metropolitan statistical  
18                  areas based on the method described in  
19                  subparagraph (C).

20                  “(B) SOURCE OF DATA.—For purposes of  
21                  allocating amounts under this paragraph for  
22                  any fiscal year, the number of individuals living  
23                  with HIV or AIDS shall be the number of such  
24                  individuals as confirmed by the Director of the  
25                  Centers for Disease Control and Prevention, as

1 of December 31 of the most recent calendar  
2 year for which such data is available.

3 “(C) ALLOCATION UNDER SUBPARAGRAPH  
4 (A)(ii).—For purposes of allocating amounts  
5 under subparagraph (A)(ii), the Secretary shall  
6 develop a method that accounts for—

7 “(I) differences in housing costs  
8 among States and metropolitan statistical  
9 areas based on the fair market rental es-  
10 tablished pursuant to section 8(c) of the  
11 United States Housing Act of 1937 (42  
12 U.S.C. 1437f(c)) or another methodology  
13 established by the Secretary through regu-  
14 lation; and

15 “(ii) differences in poverty rates  
16 among States and metropolitan statistical  
17 areas based on area poverty indexes or an-  
18 other methodology established by the Sec-  
19 retary through regulation.

20 “(2) MAINTAINING GRANTS.—

21 “(A) CONTINUED ELIGIBILITY OF FISCAL  
22 YEAR 2016 GRANTEEES.—A grantee that received  
23 an allocation in fiscal year 2016 shall continue  
24 to be eligible for allocations under paragraph  
25 (1) in subsequent fiscal years, subject to—

1           “(I) the amounts available from ap-  
2           propriations Acts under section 863;

3           “(ii) approval by the Secretary of the  
4           most recent comprehensive housing afford-  
5           ability strategy for the grantee approved  
6           under section 105; and

7           “(iii) the requirements of subpara-  
8           graph (C).

9           “(B) ADJUSTMENTS.—Allocations to  
10          grantees described in subparagraph (A) shall be  
11          adjusted annually based on the administrative  
12          provisions included in fiscal year 2016 appro-  
13          priations Acts.

14          “(C) REDETERMINATION OF CONTINUED  
15          ELIGIBILITY.—The Secretary shall redetermine  
16          the continued eligibility of a grantee that re-  
17          ceived an allocation in fiscal year 2016 at least  
18          once during the 10-year period following fiscal  
19          year 2016.

20          “(D) ADJUSTMENT TO GRANTS.—For each  
21          of fiscal years 2017, 2018, 2019, 2020, and  
22          2021, the Secretary shall ensure that a grantee  
23          that received an allocation in the prior fiscal  
24          year does not receive an allocation that is 5 per-  
25          cent less than or 10 percent greater than the

1 amount allocated to such grantee in the pre-  
2 ceding fiscal year.

3 “(3) ALTERNATIVE GRANTEES.—

4 “(A) REQUIREMENTS.—The Secretary may  
5 award funds reserved for a grantee eligible  
6 under paragraph (1) to an alternative grantee  
7 if—

8 “(I) the grantee submits to the Sec-  
9 retary a written agreement between the  
10 grantee and the alternative grantee that  
11 describes how the alternative grantee will  
12 take actions consistent with the applicable  
13 comprehensive housing affordability strat-  
14 egy approved under section 105 of this  
15 Act;

16 “(ii) the Secretary approves the writ-  
17 ten agreement described in clause (I) and  
18 agrees to award funds to the alternative  
19 grantee; and

20 “(iii) the written agreement does not  
21 exceed a term of 10 years.

22 “(B) RENEWAL.—An agreement approved  
23 pursuant to subparagraph (A) may be renewed  
24 by the parties with the approval of the Sec-  
25 retary.

1           “(C) DEFINITION.—In this paragraph, the  
2           term ‘alternative grantee’ means a public hous-  
3           ing agency (as defined in section 3(b) of the  
4           United States Housing Act of 1937 (42 U.S.C.  
5           1437a(b))), a unified funding agency (as de-  
6           fined in section 401 of the McKinney-Vento  
7           Homeless Assistance Act (42 U.S.C. 11360)), a  
8           State, a unit of general local government, or an  
9           instrumentality of State or local government.

10          “(4) REALLOCATIONS.—If a State or metropoli-  
11          tan statistical area declines an allocation under  
12          paragraph (1)(A), or the Secretary determines, in  
13          accordance with criteria specified in regulation, that  
14          a State or metropolitan statistical area that is eligi-  
15          ble for an allocation under paragraph (1)(A) is un-  
16          able to properly administer such allocation, the Sec-  
17          retary shall reallocate any funds reserved for such  
18          State or metropolitan statistical area as follows:

19                 “(A) For funds reserved for a State—

20                         “(I) to eligible metropolitan statistical  
21                         areas within the State on a pro rata basis;  
22                         or

23                         “(ii) if there is no eligible metropoli-  
24                         tan statistical areas within a State, to met-  
25                         ropolitan cities and urban counties within

1 the State that are eligible for grant under  
2 section 106 of the Housing and Commu-  
3 nity Development Act of 1974 (42 U.S.C.  
4 5306), on a pro rata basis.

5 “(B) For funds reserved for a metropolitan  
6 statistical area, to the State in which the metro-  
7 politan statistical area is located.

8 “(C) If the Secretary is unable to make a  
9 reallocation under subparagraph (A) or (B), the  
10 Secretary shall make such funds available on a  
11 pro rata basis under the formula in paragraph  
12 (1)(A).”.

13 (b) AMENDMENT TO DEFINITIONS.—Section 853 of  
14 the AIDS Housing Opportunity Act (42 U.S.C. 12902)  
15 is amended—

16 (1) in paragraph (1), by inserting “or ‘AIDS’”  
17 before “means”; and

18 (2) by inserting at the end the following new  
19 paragraphs:

20 “(15) The term ‘HIV’ means infection with the  
21 human immunodeficiency virus.

22 “(16) The term ‘individuals living with HIV or  
23 AIDS’ means, with respect to the counting of cases  
24 in a geographic area during a period of time, the  
25 sum of—

1                   “(A) the number of living non-AIDS cases  
2                   of HIV in the area; and  
3                   “(B) the number of living cases of AIDS  
4                   in the area.”.

