

YouthBuild Transfer Act Side-by-Side Comparison

[NOTE: The right column shows in red the main additions made by the YouthBuild Transfer Act to the Cranston-Gonzalez law. Deleted provisions from the Cranston-Gonzalez law (left column) that no longer appear in the enacted bill version are highlighted in red and crossed out in the left hand column.]

Hope of Youth: Youthbuild (Title 42, Chapter 130, Subchapter IV, Part C)	YouthBuild Transfer Act As signed by the President September 22, 2006 Public Law 109-281
	Short Title
	SECTION 1. This Act may be cited as the "YouthBuild Transfer Act".
	YouthBuild Program
	SEC. 2. Establishment of YouthBuild Program in the Department of Labor.—Subtitle D of title I of the Workforce Investment Act of 1998 is amended by inserting before section 174 (29 U.S.C. 2919) the following new section: "SEC. 173A. YOUTHBUILD PROGRAM.
Statement of purpose	Statement of purpose
Sec. 12899. It is the purpose of this part— (1) to expand the supply of permanent affordable housing for homeless individuals and members of low- and very low-income families by utilizing the energies and talents of economically disadvantaged young adults; (2) to provide economically disadvantaged young adults with opportunities for meaningful work and service to their communities in helping to meet the housing needs of homeless individuals and members of low- and very low-families; (3) to enable economically disadvantaged young adults to obtain the education and employment skills necessary to achieve economic self-sufficiency; and (4) to foster the development of leadership skills and commitment to community development among young adults in low-income communities.	Sec. 173A (a) The purposes of this section are— (1) to enable economically disadvantaged youth to obtain the education and employment skills necessary to achieve economic self-sufficiency in occupations in demand and post-secondary education and training opportunities; (2) to provide economically disadvantaged youth with opportunities for meaningful work and service to their communities; (3) to foster the development of employment and leadership skills and commitment to community development among youth in low-income communities; and (4) to expand the supply of permanent affordable housing for homeless individuals and low-income families by utilizing the energies and talents of disadvantaged youth.
Program authority	
Sec. 12899a. The Secretary may make-- (1) planning grants to enable applicants to develop Youthbuild programs; and (2) implementation grants to enable applicants to carry out Youthbuild programs.	[Note: Section 12899a was eliminated because there are no longer two types of grants authorized. All grants for YouthBuild programs are subsumed under the "YouthBuild grants" provision below (sec. 173A(c)).]
Definitions	Definitions
[Note: These definitions appear toward the end of the HUD law, but are placed here for comparison with the new DOL law because the DOL law moved up the definitions near the beginning of the enactment.] Sec. 12899f. For purposes of this part: (1) Adjusted income - The term "adjusted income" has the meaning given the term in section 1437a(b) of this title.	Sec. 173A (b) In this section: (1) ADJUSTED INCOME. —The term "adjusted income" has the meaning given the term in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

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<p>(2) Applicant - The term ``applicant'' means a public or private nonprofit agency, including—</p> <p>(A) a community-based organization; —(B) an administrative entity designated under section 103(b)(1)(B) of the Job Training Partnership Act;</p> <p>(C) a community action agency; (D) a State and local housing development agency;</p> <p>(E) a community development corporation; (F) a State and local youth service and conservation corps; and (G) any other entity eligible to provide education and employment training under other Federal employment training programs.</p> <p>—(3) Community-based organization—The term ``community-based organization'' means a private nonprofit organization that—</p> <p>——(A) maintains, through significant representation on the organization's governing board or otherwise, accountability to low-income community residents and, to the extent practicable, low-income beneficiaries of programs receiving assistance under this part; and</p> <p>——(B) has a history of serving the local community or communities where a program receiving assistance under this part is located.</p> <p>(4) Homeless individual - The term ``homeless individual'' has the meaning given the term in section 11302 of this title.</p> <p>(5) Housing development agency - The term ``housing development agency'' means any agency of a State or local government, or any private nonprofit organization that is engaged in providing housing for homeless or low-income families.</p> <p>(6) Income - The term ``income'' has the meaning given the term in section 1437a(b) of this title.</p> <p>(7) Indian tribe - The term ``Indian tribe'' has the same meaning given such term in section 5302(a)(17) of this title. ——(8) Individual who has dropped out of high school—The term ``individual who has dropped out of high school'' means an individual who is neither attending any school nor subject to a compulsory attendance law and who has not received a secondary school diploma or a certificate of equivalency for such diploma.</p> <p>——(9) Institution of higher education—The term ``institution of higher education'' has the meaning given the term in section 1001 of title 20.</p> <p>(10) Limited-English proficiency - The term ``limited-English proficiency'' has the meaning given the term in</p>	<p>(2) APPLICANT.—The term “applicant” means an eligible entity that has submitted an application under subsection (c).</p> <p>(3) Eligible Entity.—The term “eligible entity” means a public or private nonprofit agency or organization (including a consortium of such agencies or organizations), including—</p> <p>(A) a community-based organization; (B) a faith-based organization; (C) an entity carrying out activities under this title, such as a local board; (D) a community action agency; (E) a State or local housing development agency; (F) an Indian tribe or other agency primarily serving Indians; (G) a community development corporation; (H) a State or local youth service or conservation corps; and (I) any other entity eligible to provide education and employment training under a Federal program (other than the program carried out under this section).</p> <p>(4) HOMELESS INDIVIDUAL. — The term “homeless individual” has the meaning given the term in section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302).</p> <p>(5) HOUSING DEVELOPMENT AGENCY.—The term “housing development agency” means any agency of a State or local government, or any private nonprofit organization that is engaged in providing housing for homeless individuals or low-income families.</p> <p>“(6) INCOME.— The term “income” has the meaning given the term in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).</p> <p>“(7) INDIAN; INDIAN TRIBE.— The terms “Indian” and “Indian tribe” have the meanings given such terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).</p> <p>“(8) INDIVIDUAL OF LIMITED-ENGLISH PROFICIENCY.— The term “individual of limited-English proficiency” means an</p>

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<p>section 7604(8) \1\ of title 20.</p> <p>(11) Low-income family - The term "low-income family" has the meaning given the term in section 1437a(b) of this title.</p> <p>— (12) Offender - The term "offender" means any adult or juvenile with a record of arrest or conviction for a criminal offense.</p> <p>(13) Qualified nonprofit agency - The term "qualified public or private nonprofit agency" means any nonprofit agency that has significant prior experience in the operation of projects similar to the Youthbuild program authorized under this part and that has the capacity to provide effective technical assistance.</p> <p>(14) Related facilities - The term "related facilities" includes cafeterias or dining halls, community rooms or buildings, appropriate recreation facilities, and other essential service facilities.</p> <p>— (15) Secretary - The term "Secretary" means the Secretary of Housing and Urban Development.</p> <p>(16) State - The term "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Trust Territories of the Pacific Islands, or any other territory or possession of the United States.</p> <p>(17) Transitional housing - The term "transitional housing" means a project that has as its purpose facilitating the movement of homeless individuals and families to independent living within a reasonable amount of time. Transitional housing The term includes housing primarily designed to serve deinstitutionalized homeless individuals and other homeless individuals with mental or physical disabilities and homeless families with children.</p> <p>— (18) Very low-income family - The term "very low-income family" has the meaning given the term in section 1437a(b) of this title.</p> <p>(19) Youthbuild program - The term "Youthbuild program" means any program that receives assistance under this part and provides disadvantaged youth with opportunities for employment, education, leadership development, and training in the construction or rehabilitation of housing for homeless individuals and members of low- and very low-income families.</p>	<p>eligible participant under this section who meets the criteria set forth in section 203(10) of the Adult Education and Family Literacy Act (20 U.S.C. 9202(10)).</p> <p>"(9) LOW-INCOME FAMILY.—The term "low-income family" means a family described in section 3(b)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(2)).</p> <p>"(10) QUALIFIED NATIONAL NONPROFIT AGENCY.— The term "qualified national nonprofit agency" means a nonprofit agency that—</p> <p>(A) has significant national experience providing services consisting of training, information, technical assistance, and data management to YouthBuild programs or similar projects; and</p> <p>(B) has the capacity to provide those services.</p> <p>"(11) REGISTERED APPRENTICESHIP.—The term "registered apprenticeship" means an apprenticeship program—</p> <p>(A) registered under the Act of August 16, 1937 (commonly known as the 'National Apprenticeship Act'; 50 Stat. 664, chapter 663; 20 U.S.C. 50 et seq.); and</p> <p>(B) that meets such other criteria as may be established by the Secretary under this section.</p> <p>"(12) TRANSITIONAL HOUSING.— The term "transitional housing" means housing provided for the purpose of facilitating the movement of homeless individuals to independent living within a reasonable amount of time. The term includes housing primarily designed to serve deinstitutionalized homeless individuals and other homeless individuals who are individuals with disabilities or members of families with children.</p> <p>"(15) YOUTHBUILD PROGRAM.—The term "YouthBuild program" means any program that receives assistance under this section and provides disadvantaged youth with opportunities for employment, education, leadership development, and training through the rehabilitation or construction of housing for homeless individuals and low-income families, and of public facilities.</p>
<p align="center">Planning grants</p> <p>Sec. 12899b.</p> <p>(a) Grants - The Secretary is authorized to make planning grants to applicants for the purpose of developing Youthbuild programs under this part. The amount of a planning grant under this section may not exceed \$150,000, except that the Secretary may for good cause approve a</p>	<p>[Note: No similar provision; planning grants were eliminated as stand-alone provision. Planning grants were considered useful during the start-up phase of the program at HUD, but are no longer considered necessary -- especially as several years have elapsed since federal grants began assisting YouthBuild programs. As such, the YouthBuild Transfer Act does not include this provision.</p> <p>The former provision on "implementation grants" has been redesignated as section 173A(c) of WIA (see below) and now</p>

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<p>grant in a higher amount.</p> <p>(b) Eligible activities – Planning grants may be used for activities to develop Youthbuild programs including—</p> <ul style="list-style-type: none"> —— (1) studies of the feasibility of a Youthbuild program; —— (2) establishment of consortia between youth training and education programs and housing owners or developers, including any organizations specified in section 12899(2) of this title, which will participate in the Youthbuild program; —— (3) identification and selection of a site for the Youthbuild program; —— (4) preliminary architectural and engineering work for the Youthbuild program; —— (5) identification and training of staff for the Youthbuild program; —— (6) planning for education, job training, and other services that will be provided as part of the Youthbuild program; —— (7) other planning, training, or technical assistance necessary in advance of commencing the Youthbuild program; and —— (8) preparation of an application for an implementation grant under this part. <p>(c) Application</p> <ul style="list-style-type: none"> —— (1) Form and procedures – An application for a planning grant shall be submitted by an applicant in such form and in accordance with such procedures as the Secretary shall establish. —— (2) Minimum requirements – The Secretary shall require that an application contain at a minimum— <ul style="list-style-type: none"> —— (A) a request for a planning grant, specifying the activities proposed to be carried out, the schedule for completing the activities, the personnel necessary to complete the activities, and the amount of the grant requested; —— (B) a description of the applicant and a statement of its qualifications, including a description of the applicant's past experience with housing rehabilitation or construction and with youth and youth education and employment training programs, and its relationship with local unions and apprenticeship programs, and other community groups; —— (C) identification and description of potential sites for the program and the construction or rehabilitation activities that would be undertaken at such sites; potential methods for identifying and recruiting youth participants; potential educational and job training activities, work opportunities and other services for participants; and potential coordination with other Federal, State, and local housing and youth education and employment training activities including activities conducted by Indian tribes; —— (D) a certification by the public official responsible for submitting the comprehensive housing affordability strategy under section 12705 of this title that the proposed activities are consistent with the approved housing strategy of the State or unit of general local government within which the project is located; and —— (E) a certification that the applicant will comply with the requirements of the Fair Housing Act [42 U.S.C. 3601 et 	<p>authorizes a single “YouthBuild grant.” Since there are no longer distinct grant types (planning vs. implementation), the single “YouthBuild grant” will fund all activities authorized for YouthBuild programs. Examples of authorized activities to be funded by YouthBuild grants are listed in section 173A(c).]</p>

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<p>seq.], title VI of the Civil Rights Act of 1964 [42 U.S.C. 2000d et seq.], section 504 of the Rehabilitation Act of 1973 [29 U.S.C. 794], and the Age Discrimination Act of 1975 [42 U.S.C. 6101 et seq.], and will affirmatively further fair housing.</p> <p>(d) Selection criteria -- The Secretary shall, by regulation, establish selection criteria for a national competition for assistance under this section, which shall include--</p> <p>----- (1) the qualifications or potential capabilities of the applicant;</p> <p>----- (2) the potential of the applicant for developing a successful and affordable Youthbuild program;</p> <p>----- (3) the need for the prospective program, as determined by the degree of economic distress--</p> <p>----- (A) of the community from which participants would be recruited (such as poverty, youth unemployment, and number of individuals who have dropped out of high school); and</p> <p>----- (B) of the community in which the housing proposed to be constructed or rehabilitated would be located (such as incidence of homelessness, shortage of affordable housing, and poverty);</p> <p>----- (4) such other factors that the Secretary shall require that (in the determination of the Secretary) are appropriate for purposes of carrying out the program established by this part in an effective and efficient manner.</p>	
<p style="text-align: center;">Implementation grants</p> <p>Sec. 12899c.</p> <p>(a) Grants - The Secretary is authorized to make implementation grants to applicants for the purpose of carrying out Youthbuild programs approved under this part.</p> <p>(b) Eligible activities - Implementation grants may be used to carry out Youthbuild programs, including which may include the following activities:</p> <p>----- (1) Architectural and engineering work.</p> <p>----- (2) Acquisition, rehabilitation, acquisition and rehabilitation, or construction of housing and related facilities to be used for the purposes of providing homeownership under part A and part B of this subchapter, residential housing for homeless individuals, and low- and very low-income families, or transitional housing for persons who are homeless, have disabilities, are ill, are deinstitutionalized, or have other special needs.</p> <p>(3) Administrative costs of the applicant, which may not exceed 15 percent of the amount of assistance provided under this section, or such higher percentage as the Secretary determines is necessary to support capacity development by a private nonprofit organization.</p> <p>(4) Education and job training services and activities including--</p> <p>(A) work experience and skills training, coordinated, to the maximum extent feasible, with pre-apprenticeship and apprenticeship programs, in the construction and rehabilitation activities described in subsection (b) of this section;</p>	<p style="text-align: center;">YouthBuild Grants</p> <p>Sec. 173A(c)</p> <p>(c) YOUTHBUILD GRANTS.—</p> <p>“(1) AMOUNT OF GRANTS.—The Secretary is authorized to make grants to applicants for the purpose of carrying out YouthBuild programs approved under this section.</p> <p>“(2) ELIGIBLE ACTIVITIES.—An entity that receives a grant under this subsection shall use the funds made available through the grant to carry out a YouthBuild program, which may include the following activities:</p> <p>“(A) Education and workforce investment activities including—</p> <p>“(i) work experience and skills training (coordinated, to the maximum extent feasible, with pre-apprenticeship and registered apprenticeship programs) in the rehabilitation and construction activities described in subparagraphs (B) and (C);</p>

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<p>———— (B) services and activities designed to meet the educational needs of participants, including—</p> <p style="padding-left: 40px;">(i) basic skills instruction and remedial education;</p> <p style="padding-left: 40px;">(ii) bilingual education language instruction for individuals with limited-English proficiency;</p> <p style="padding-left: 40px;">(iii) secondary education services and activities designed to lead to the attainment of a high school diploma or its equivalent; and</p> <p style="padding-left: 40px;">(iv) counseling and assistance in attaining post-secondary education and required financial aid;</p> <p style="padding-left: 40px;">(C) counseling services and related activities;</p> <p style="padding-left: 40px;">(D) activities designed to develop employment and leadership skills, support for youth councils, and</p> <p style="padding-left: 40px;">(E) support services and need-based stipends necessary to enable individuals to participate in the program and, for a period not to exceed 12 months after completion of training, to assist participants through support services in retaining employment.</p>	<p>“(ii) occupational skills training;</p> <p>“(iii) other paid and unpaid work experiences, including internships and job shadowing;</p> <p>“(iv) services and activities designed to meet the educational needs of participants, including—</p> <p style="padding-left: 20px;">“(I) basic skills instruction and remedial education;</p> <p style="padding-left: 20px;">“(II) language instruction educational programs for individuals of limited English proficiency;</p> <p style="padding-left: 20px;">“(III) secondary education services and activities, including tutoring, study skills training, and dropout prevention activities, designed to lead to the attainment of a secondary school diploma, General Education Development (GED) credential, or other State-recognized equivalent (including recognized alternative standards for individuals with disabilities);</p> <p>“(IV) counseling and assistance in obtaining post-secondary education and required financial aid; and</p> <p style="padding-left: 20px;">“(V) alternative secondary school services;</p> <p>“(v) counseling services and related activities, such as comprehensive guidance and counseling on drug and alcohol abuse and referral;</p> <p>“(vi) activities designed to develop employment and leadership skills, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors, and activities related to youth policy committees that participate in decision-making related to the program;</p> <p>“(vii) supportive services and provision of need-based stipends necessary to enable individuals to participate in the program and supportive services to assist individuals , for a period not to exceed 12 months after the completion of training, in obtaining or retaining employment, or applying for and transitioning to postsecondary education; and</p> <p>“(viii) job search and assistance.</p> <p>“(B) Supervision and training for participants in the rehabilitation or construction of housing, including residential housing for homeless individuals or low-income families, or transitional housing for homeless individuals.</p> <p>“(C) Supervision and training for participants in the rehabilitation or construction of community and other public facilities, except that not more than 10 percent of funds appropriated to carry out this section may be used for such supervision and training.</p> <p>“(D) Payment of administrative costs of the applicant, except that not more than 15 percent of the amount of assistance provided under this subsection to the grant recipient may be used for such costs.</p> <p>“(E) Adult mentoring.</p>

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<p>(5) Wage stipends and benefits provided to participants.</p> <p>(6) Funding of operating expenses and replacement reserves of the property covered by the Youthbuild program.</p> <p>(7) Legal fees.</p> <p>(8) Defraying costs for the ongoing training and technical assistance needs of the recipient that are related to developing and carrying out the Youthbuild program.</p> <p>(c) Application</p> <p>(1) Form and procedure - An application for an implementation grant shall be submitted by an applicant in such form and in accordance with such procedures as the Secretary shall establish.</p> <p>(2) Minimum requirements - The Secretary shall require that an application contain at a minimum--</p> <p>(A) a request for an implementation grant, specifying the amount of the grant requested and its proposed uses</p> <p>(B) a description of the applicant and a statement of its qualifications, including a description of the applicant's past experience with housing rehabilitation or construction and with youth and youth education and employment training programs, and its relationship with local unions and apprenticeship programs, and other community groups;</p> <p>(C) a description of the proposed site for the program</p> <p>(D) a description of the educational and job training activities, work opportunities, and other services that will be provided to participants,</p> <p>(E) a description of the proposed construction or rehabilitation activities to be undertaken and the anticipated schedule for carrying out such activities;</p> <p>(F) a description of the manner in which eligible youths will be recruited and selected, including a description of arrangements which will be made with community-based organizations, State and local educational agencies, including agencies of Indian tribes, public assistance agencies, the courts of jurisdiction for status and youth offenders, shelters for homeless individuals and other agencies that serve homeless youth, foster care agencies, and other appropriate public and private agencies;</p>	<p>“(F) Provision of wages, stipends, or benefits to participants in the program.</p> <p>“(G) Ongoing training and technical assistance to grant recipients that are related to developing and carrying out the YouthBuild program.</p> <p>“(H) Follow-up services.</p> <p>(3) Application</p> <p>(A) Form and procedure - To be qualified to receive a grant under this subsection, an eligible entity shall submit an application at such time, in such manner, and containing such information as the Secretary may require.</p> <p>(B) Minimum requirements - The Secretary shall require that the application contain, at a minimum--</p> <p>(i) labor market information for the local area where the proposed program will be implemented, including both current data (as of the date of submission of the application) and projections on career opportunities in growing industries;</p> <p>(ii) a request for a grant, specifying the amount of the grant requested and its proposed uses;</p> <p>(iii) a description of the applicant and a statement of its qualifications, including a description of the applicant’s relationship with local boards, one-stop operators, local unions, entities carrying out registered apprenticeship programs, other community groups, and employers, and the applicant’s past experience, if any, with rehabilitation or construction of housing or public facilities, and with youth education and employment training programs;</p> <p>(iv) a description of the proposed site for the program;</p> <p>(v) a description of the educational and job training activities, work opportunities, post-secondary education and training opportunities, and other services that will be provided to participants, and how those activities will prepare youth for employment in occupations in demand in the labor market area described in clause (i);</p> <p>(vi) a description of the proposed rehabilitation or construction activities to be undertaken under the grant and the anticipated schedule for carrying out such activities;</p> <p>(vii) a description of the manner in which eligible youth will be recruited and selected as participants, including a description of arrangements which will be made with local boards; one-stop operators; community-and faith-based organizations, State educational agencies or local educational agencies (including agencies of Indian tribes), public assistance agencies, the courts of jurisdiction, agencies operating shelters for homeless individuals and other agencies that serve youth who are homeless individuals, foster care agencies, and other appropriate</p>

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<p>(G) a description of the special outreach efforts that will be undertaken to recruit eligible young women (including young women with dependent children);</p> <p>(H) a description of how the proposed program will be coordinated with other Federal, State, and local activities and activities conducted by Indian tribes, including vocational, adult and bilingual education programs, job training provided with funds available under title I of the Workforce Investment Act of 1998 [29 U.S.C.A. § 2801 et seq.] and the Family Support Act of 1988, and housing and community development programs, including programs that receive assistance under section 5306 of this title;</p> <p>(I) assurances that there will be a sufficient number of adequately trained supervisory personnel in the program who have attained the level of journeyman or its equivalent;</p> <p>(J) a description of the applicant's relationship with local building trade unions regarding their involvement in training, and the relationship of the Youthbuild program with established apprenticeship programs;</p> <p>(K) a description of activities that will be undertaken to develop the leadership skills of participants;</p> <p>(L) a detailed budget and a description of the system of fiscal controls and auditing and accountability procedures that will be used to ensure fiscal soundness;</p> <p>(M) a description of the commitments for any additional resources to be made available to the program from the applicant, from recipients of other Federal, State or local housing and community development assistance who will sponsor any part of the construction, rehabilitation, operation and maintenance, or other housing and community development activities undertaken as part of the program, or from other Federal, State or local activities and activities conducted by Indian tribes, including, but not limited to, vocational, adult and bilingual education language instruction educational programs, and job training provided with funds available under this title of the Workforce Investment Act of 1998 [29 U.S.C. 2801 et seq.] and the Family Support Act of 1988;</p> <p>(N) identification and description of the financing proposed for any--</p> <p>(i) rehabilitation;</p>	<p>public and private agencies;</p> <p>(viii) a description of the special outreach efforts that will be undertaken to recruit eligible young women (including young women with dependent children) as participants;</p> <p>(ix) a description of the specific role of employers in the proposed program, such as their role in developing and assisting the proposed program and assisting in service provision and in placement activities;</p> <p>(x) a description of how the proposed program will be coordinated with other Federal, State, and local activities and activities conducted by Indian tribes, such as local workforce investment activities, vocational education programs, adult and language instruction educational programs, activities conducted by public schools, activities conducted by community colleges, national service programs; and other job training provided with funds available under this title;</p> <p>(xi) assurances that there will be a sufficient number of adequately trained supervisory personnel in the proposed program;</p> <p>(xii) a description of results to be achieved with respect to common indicators of performance for youth and lifelong learning, as identified by the Secretary;</p> <p>(xiii) a description of the applicant's relationship with local building trade unions regarding their involvement in training to be provided through the proposed program, the relationship of the proposed program to established registered apprenticeship programs and employers, and the ability of the applicant to grant industry-recognized skill certification through the program;</p> <p>(xiv) a description of activities that will be undertaken to develop the leadership skills of participants;</p> <p>(xv) a detailed budget and a description of the system of fiscal controls, and auditing and accountability procedures, that will be used to ensure fiscal soundness for the proposed program;</p> <p>(xvi) a description of the commitments for any additional resources (in addition to the funds made available through the grant) to be made available to the proposed program from—</p> <p>(I) the applicant;</p> <p>(II) recipients of other Federal, State or local housing and community development assistance who will sponsor any part of the rehabilitation, construction, operation and maintenance, or other housing and community development activities undertaken as part of the proposed program; or</p> <p>(III) entities carrying out other Federal, State or local activities or activities conducted by Indian tribes, including vocational education programs, adult and language instruction educational programs, and job training provided with funds available under this title;</p> <p>(xvii) information identifying, and description of, the financing proposed for any--</p> <p>(I) rehabilitation of the property involved;</p>

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<p>(ii) acquisition of the property; or (iii) construction; (O) identification and description of the entity that will operate and manage the property;</p> <p>(P) a certification by the public official responsible for submitting the comprehensive housing affordability strategy under section 12705 of this title that the proposed activities are consistent with the approved housing strategy of the State or unit of general local government within which the project is located; and</p> <p>(Q) a certification that the applicant will comply with the requirements of the Fair Housing Act [42 U.S.C. 3601 et seq.], title VI of the Civil Rights Act of 1964 [42 U.S.C. 2000d et seq.], section 504 of the Rehabilitation Act of 1973 [29 U.S.C. 794], and the Age Discrimination Act of 1975 [42 U.S.C. 6101 et seq.], and will affirmatively further fair housing.</p> <p>(d) Selection criteria - The Secretary shall establish selection criteria for assistance under this section, which shall include—</p> <p>(1) the qualifications or potential capabilities of the applicant; —(2) the feasibility of the Youthbuild program; (3) the potential for developing a successful Youthbuild program; (4) the need for the prospective project, as determined by the degree of economic distress of the community from which participants would be recruited (such as poverty, youth unemployment, number of individuals who have dropped out of high school) and of the community in which the housing proposed to be constructed or rehabilitated would be located (such as incidence of homelessness, shortage of affordable housing, poverty);</p> <p>(5) the apparent commitment of the applicant to leadership development, education, and training of participants;</p>	<p>(II) acquisition of the property; or (III) construction of the property; (xviii) information identifying, and description of, the entity that will operate and manage the property; (xix) information identifying, and description of, the data collection system to be used; (xx) a certification, by a public official responsible for the housing strategy for the State or unity of general local government within which the proposed program is located, that the proposed program is consistent with the housing strategy; and</p> <p>(xxi) a certification that the applicant will comply with the requirements of the Fair Housing Act and will affirmatively further fair housing.</p> <p>(4) Selection criteria - For an applicant to be eligible to receive a grant under this subsection, the applicant and the applicant's proposed program shall meet such selection criteria as the Secretary shall establish under this section, which shall include criteria relating to—</p> <p>(A) the qualifications or potential capabilities of the applicant;</p> <p>(B) an applicant's potential for developing a successful YouthBuild program;</p> <p>(C) the need for an applicant's proposed program, as determined by the degree of economic distress of the community from which participants would be recruited (measured by indicators such as poverty, youth unemployment, and the number of individuals who have dropped out of secondary school) and of the community in which the housing and public facilities proposed to be rehabilitated or constructed is located (measured by indicators such as incidence of homelessness, shortage of affordable housing, and poverty);</p> <p>“(D) the commitment of an applicant to providing skills training, leadership development, and education to participants;</p> <p>“(E) the focus of a proposed program on preparing youth for occupations in demand or postsecondary education and training opportunities;</p> <p>“(F) the extent of an applicant's coordination of activities to be carried out through the proposed program with local boards, one-stop operators, and one-stop partners participating in the operation of the one-stop delivery system involved, or the extent of the applicant's good faith efforts in achieving such coordination;</p> <p>“(G) the extent of the applicant's coordination of activities with public education, criminal justice, housing and community development, national service, or postsecondary education or other systems that relate to the goals of the proposed program;</p>

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<p>(6) the inclusion of previously homeless tenants in the housing provided;</p> <p>(7) commitment of other resources to the program by the applicant and by recipients of other Federal, State or local housing and community development assistance who will sponsor any part of the construction, rehabilitation, operation and maintenance, or other housing and community development activities undertaken as part of the program, or by other Federal, State or local activities and activities conducted by Indian tribes, including, but not limited to, vocational, adult and bilingual education language instruction educational programs, and job training provided with funds available under title I of the Workforce Investment Act of 1998 [29 U.S.C. 2801 et seq.] and the Family Support Act of 1988; and</p> <p>(8) such other factors as the Secretary determines to be appropriate for purposes of carrying out the program established by this part in an effective and efficient manner.</p> <p>(e) Priority for applicants who obtain housing money from other sources - The Secretary shall give priority in the award of grants under this section to applicants to the extent that they propose to finance activities described in paragraphs (1), (2), and (11) of subsection (b) of this section from funds provided from Federal, State, local, or private sources other than assistance under this part.</p> <p>(f) Approval - The Secretary shall notify each applicant, not later than 4 months after the date of the submission of the application, whether the application is approved or not approved.</p> <p>(g) Combined planning and implementation grant application procedure - The Secretary shall develop a procedure under which an applicant may apply at the same time and in a single application for a planning grant and an implementation grant, with receipt of the implementation grant conditioned on successful completion of the activities funded by the planning grant.</p>	<p>“(H) the extent of an applicant’s coordination of activities with employers in the local area involved; (I) the extent to which a proposed program provided for inclusion of previously homeless individuals in the rental housing provided through the program; (J) the commitment of additional resources to the program (in addition to the funds made available through the grant) to a proposed program by— (i) an applicant; (ii) recipients of other Federal, State, or local housing and community development assistance who will sponsor any part of the rehabilitation, construction, operation and maintenance, or other housing and community development activities undertaken as part of the proposed program; or (iii) entities carrying out other Federal, State, or local activities or activities conducted by Indian tribes, including vocational education programs, adult and language instruction educational programs, and job training provided with funds available under this title; (K) the applicant’s potential to serve different regions, including rural areas and States that have not previously received grants for YouthBuild programs; and (L) such other factors as the Secretary determines to be appropriate for purposes of carrying out the proposed program in an effective and efficient manner.</p> <p>(5) Approval - To the extent practicable, the Secretary shall notify each applicant, not later than 5 months after the date of receipt of the application by the Secretary, whether the application is approved or not approved.</p>
<p align="center">Youthbuild program requirements</p> <p>Sec. 12899d. (a) Residential rental housing - Each residential rental housing project receiving assistance under this part shall meet the following requirements: (1) Occupancy by low- and very low-income families — In the project—</p>	<p align="center">Use of Housing Units</p> <p>Sec. 173A (d) Residential housing units rehabilitated or constructed using funds made available under subsection (c) shall be available solely— (1) for rental by, or sale to, homeless individuals or low-income families; or</p>

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~~(A) at least 90 percent of the units shall be occupied, or available for occupancy, by individuals and families with incomes less than 60 percent of the area median income, adjusted for family size; and~~

~~———— (B) the remaining units shall be occupied, or available for occupancy, by low-income families.~~

~~—(2) Tenant protections~~

~~———— (A) Lease — The lease between a tenant and an owner of residential rental housing assisted under this part shall be for not less than 1 year, unless otherwise mutually agreed to by the tenant and the owner, and shall contain such terms and conditions as the Secretary shall determine to be appropriate.~~

~~———— (B) Termination of tenancy — An owner shall not terminate the tenancy or refuse to renew the lease of a tenant of residential rental housing assisted under this title \1\ except for serious or repeated violation of the terms and conditions of the lease, for violation of applicable Federal, State, or local law, or for other good cause. Any termination or refusal to renew must be preceded by not less than 30 days by the owner's service upon the tenant of a written notice specifying the grounds for the action.~~

~~———— (C) Maintenance and replacement — The owner of residential rental housing assisted under this part shall maintain the premises in compliance with all applicable housing quality standards and local code requirements.~~

~~———— (D) Tenant selection — The owner of residential rental housing assisted under this part shall adopt written tenant selection policies and criteria that —~~

~~———— (i) are consistent with the purpose of providing housing for very low-income and low-income families and individuals;~~

~~———— (ii) are reasonably related to program eligibility and the applicant's ability to perform the obligations of the lease;~~

~~———— (iii) give reasonable consideration to the housing needs of families that would qualify for a preference under any system of preferences established under section 1437d(c)(1) of this title; and~~

~~———— (iv) provide for (I) the selection of tenants from a written waiting list in the chronological order of their application, to the extent practicable, and (II) for the prompt notification in writing of any rejected applicant of the grounds for any rejection.~~

~~—(3) Limitation on rental payments — Tenants in each project shall not be required to pay rent in excess of the amount provided under section 1437a(a) of this title.~~

~~—(4) Tenant participation plan — For each project owned by a nonprofit organization, the organization shall provide a plan for and follow a program of tenant participation in management decisions.~~

~~—(5) Prohibition against discrimination — A unit in a project assisted under this part may not be refused for leasing to a family holding tenant-based assistance under section 1437f of this title because of the status of the prospective tenant as a holder of such assistance.~~

(2) for use as transitional or permanent housing, for the purpose of assisting the movement of homeless individuals to independent living.

[NOTE: The new Act does not include many of the former housing provisions because these are more appropriately enforced by other federal agencies, such as HUD, DOJ, among others and not the DOL. The modified provision above will continue to require that housing associated with YouthBuild funds be will provided as affordable housing to low-income or homeless families and individuals in their respective communities which retains the main feature of the former housing provisions. Further, YouthBuild programs will continue to be required to provide appropriate certifications that they will comply with State or local housing strategies and that they will comply with the applicable Fair Housing requirements. See above subsections 173A(c)(3)(B)(xx)-(xxi).]

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<p>(b) Transitional housing – Each transitional housing project receiving assistance under this part shall adhere to the requirements regarding service delivery, housing standards, and rent limitations applicable to comparable housing receiving assistance under title IV of the McKinney-Vento Homeless Assistance Act [42 U.S.C. 11361 et seq.].</p> <p>(c) Limitations on profits for rental and transitional housing</p> <p>—(1) Monthly rental limitation – The aggregate monthly rental for each eligible project may not exceed the operating costs of the project (including debt service, management, adequate reserves, and other operating costs) plus a 6 percent return on any equity investment of the project owner.</p> <p>—(2) Profit limitations on partners – A nonprofit organization that receives assistance under this part for a project shall agree to use any profit received from the operation, sale, or other disposition of the project for the purpose of providing housing for low- and moderate-income families. Profit-motivated partners in a nonprofit partnership may receive—</p> <p>—(A) not more than a 6 percent return on their equity investment from project operations; and</p> <p>—(B) upon disposition of the project, not more than an amount equal to their initial equity investment plus a return on that investment equal to the increase in the Consumer Price Index for the geographic location of the project since the time of the initial investment of such partner in the project.</p> <p>(d) Homeownership – Each homeownership project that receives assistance under this part shall comply with the requirements of part A or part B of this subchapter.</p> <p>(e) Restrictions on conveyance – The ownership interest in a project that receives assistance under this part may not be conveyed unless the instrument of conveyance requires a subsequent owner to comply with the same restrictions imposed upon the original owner.</p> <p>(f) Conversion of transitional housing – The Secretary may waive the requirements of subsection (b) of this section to permit the conversion of a transitional housing project to a permanent housing project only if such housing would meet the requirements for residential rental housing specified in this section.</p> <p>(g) Period of restrictions – A project that receives assistance under this part shall comply with the requirements of this section for the remaining useful life of the property.</p>	
<p align="center">Additional program requirements (Effective October 21, 1998)</p> <p>Sec. 12899e.</p> <p>(a) Eligible participants</p> <p>(1) In general - Except as provided in paragraph (2), an individual may participate in a Youthbuild program receiving assistance under this part only if such individual is--</p> <p>(A) 16 to 24 years of age, inclusive;</p> <p>(B) a very low-income individual or a member of a very low-income family;</p>	<p align="center">Additional program requirements</p> <p>Sec. 173A (e)</p> <p>(1) Eligible participants. -</p> <p>(A) In general. - Except as provided in subparagraph (B), an individual may participate in a YouthBuild program only if such individual is--</p> <p>(i) not less than age 16 and not more than age 24, on the date of enrollment;</p> <p>(ii) a member of a low-income family, a youth in foster care (including youth aging out of foster care), a youth</p>

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<p>(C) an individual who has dropped out of high school.</p> <p>(2) Exception for individuals not meeting income or educational need requirements</p> <p>Not more than 25 percent of the participants in such program may be individuals who do not meet the requirements of either paragraphs 11 (1)(B) or (C), but who have educational needs despite attainment of a high school diploma or its equivalent.</p> <p>(3) Participation limitation - Any eligible individual selected for full-time participation in a Youthbuild program may be offered full-time participation for a period of not less than 6 months and not more than 24 months.</p> <p>(b) Minimum time devoted to educational services and activities</p> <p>A Youthbuild program receiving assistance under this part shall be structured so that 50 percent of the time spent by participants in the program is devoted to educational services and activities, such as those specified in subparagraphs (B) through (F) \2\ of section 12899c(b)(4) of this title.</p> <p>(c) Authority restriction - No provision of this part may be construed to authorize any agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, school, or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system.</p> <p>(d) State and local standards - All educational programs and activities supported with funds provided under this part shall be consistent with applicable State and local educational standards. Standards and procedures with respect to the awarding of academic credit and certifying educational attainment in such programs shall be consistent with</p>	<p>offender, a youth who is an individual with a disability, a child of incarcerated parents, or a migrant youth; and (iii) a school dropout.</p> <p>(B) Exception for individuals not meeting income or educational need requirements.-</p> <p>Not more than 25 percent of the participants in such program may be individuals who do not meet the requirements of clause (ii) or (iii) of subparagraph (A), but who-</p> <p>(i) are basic skills deficient, despite attainment of a secondary school diploma, GED credential, or other State-recognized equivalent; or</p> <p>(ii) have been referred by a local secondary school for participation in a YouthBuild program leading to the attainment of a secondary school diploma.</p> <p>(2) Participation limitation.- Any eligible individual selected for participation in a Youthbuild program shall be offered full-time participation in the program for a period of not less than 6 months and not more than 24 months.</p> <p>(3) Minimum time devoted to educational services and activities.—</p> <p>A YouthBuild program receiving assistance under subsection (c) shall be structured so that participants in the program are offered—</p> <p>(A) education and related services and activities, designed to meet educational needs, such as those specified in clauses (iv)-(vii) of subsection (c)(2)(A), during at least 50 percent of the time during which the participants participate in the program; and</p> <p>(B) work and skill development activities such as those specified in clauses (i), (ii), (iii), and (viii) of subsection (c)(2)(A), during at least 40 percent of the time during which the participants participate in the program.</p> <p>(4) Authority restriction - No provision of this section may be construed to authorize any agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution (including a school) or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system.</p> <p>(5) State and local standards - All educational programs and activities supported with funds provided under subsection (c) shall be consistent with applicable State and local educational standards. Standards and procedures for the programs and activities that relate to awarding academic credit for and certifying educational</p>

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<p>applicable State and local educational standards.</p> <p>(e) Wages, labor standards, and nondiscrimination—To the extent consistent with the provisions of this part, sections 142, 143 and 167 of the Job Training Partnership Act (as in effect on the day before August 7, 1998), relating to wages and benefits, labor standards, and nondiscrimination, shall apply to the programs conducted under this part as if such programs were conducted under the Job Training Partnership Act (as in effect on the day before August 7, 1998). This section may not be construed to prevent a recipient of a grant under this part from using funds from non-Federal sources to increase wages and benefits under such programs, if appropriate.</p>	<p>attainment in such programs and activities shall be consistent with applicable State and local educational standards.</p>
<p align="center">Management and technical assistance Sec. 12899g.</p> <p>(a) Secretary assistance - The Secretary may enter into contracts with a qualified public or private nonprofit agency to provide assistance to the Secretary in the management, supervision, and coordination of Youthbuild programs receiving assistance under this part.</p> <p>(b) Sponsor Technical assistance - The Secretary shall enter into contracts with a qualified public or private nonprofit agency to provide appropriate training, information, and technical assistance to sponsors of programs assisted under this part.</p> <p>(c) Application preparation—Technical assistance may also be provided in the development of program proposals and the preparation of applications for assistance under this part to eligible entities which intend or desire to submit such applications. Community-based organizations shall be given first priority in the provision of such assistance.</p> <p>(d) Reservation of funds - In each fiscal year, the Secretary shall reserve 5 percent of the amounts available for activities under this part pursuant to section 12870 of this title to carry out subsections (b) and (c) of this section.</p>	<p align="center">Management and technical assistance Sec. 173A (f)</p> <p>“(1) SECRETARY ASSISTANCE.—The Secretary may enter into contracts with 1 or more entities to provide assistance to the Secretary in the management, supervision, and coordination of the program carried out under this section.</p> <p>“(2) TECHNICAL ASSISTANCE.—</p> <p>(A) CONTRACTS AND GRANTS.—The Secretary shall enter into contracts or make grants to 1 or more qualified national nonprofit agencies, in order to provide training, information, technical assistance, and data management to recipients of grants under subsection (c).</p> <p>(B) RESERVATION OF FUNDS.—Of the amounts available under subsection (h) to carry out this section for a fiscal year, the Secretary shall reserve 5 percent to carry out subparagraph (A).</p> <p>“(3) CAPACITY-BUILDING GRANTS.—</p> <p>“(A) IN GENERAL.—In each fiscal year, the Secretary may use not more than 3 percent of the amounts available under subsection (h) to award grants to 1 or more qualified national nonprofit agencies to pay for the Federal share of the cost of capacity building activities.</p> <p>“(B) FEDERAL SHARE.— The Federal share of the cost described in subparagraph (A) shall be 25 percent. The non-Federal share shall be provided from private sources.</p>
<p align="center">Contracts</p> <p>Sec. 12899h. Each Youthbuild program shall carry out the services and activities under this part directly or through arrangements of under contracts with administrative entities designated under section 103(b)(1)(B) of the Job Training Partnership Act, with State and local educational agencies, post-</p>	<p align="center">Subgrants and Contracts</p> <p>Sec. 173A (g) Each recipient of a grant under subsection (c) to carry out a YouthBuild program shall provide the services and activities described in this section directly or through subgrants, contracts, or other arrangements with local educational agencies, postsecondary educational institutions, State or</p>

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<p>secondary educational institutions of higher education, State and local housing development agencies, or with other public agencies, including agencies of Indian tribes, and private organizations.</p>	<p>local housing development agencies, other public agencies, including agencies of Indian tribes, or private organizations.</p>
<p align="center">Ineligibility of Indian tribes Sec. 12899h-1.</p> <p>Effective December 22, 2005 —Indian tribes, Indian housing authorities, and other agencies primarily serving Indians or Indian areas shall not be eligible applicants for amounts made available for assistance under this part for fiscal years 1998 through 2005.</p>	<p>[Note: The former law had been amended at one point to exclude Indian tribes from eligibility for YouthBuild grants. The new law, however, omits this restriction to be consistent with other WIA programs, which are authorized to provide employment training assistance to Indians and Indian tribes.]</p>
<p align="center">Regulations Sec. 12899i.</p> <p>—The Secretary shall issue any regulations necessary to carry out this part.</p>	<p>[NOTE: This provision was omitted from the new Act because title I of WIA already contains authority for the Secretary of Labor to issue rules and regulations to administer WIA programs, which now includes the YouthBuild program under new section 173A. See Administrative Provisions in section 189 of WIA, 29 U.S.C. § 2939.]</p>
	<p align="center">Authorization of Appropriations Sec. 175 (h)</p> <p>“(1) IN GENERAL.—There are authorized to be appropriated for each of fiscal years 2007 through 2012 such sums as may be necessary to carry out this section.</p> <p>“(2) FISCAL YEAR.—Notwithstanding section 189(g), appropriations for any fiscal year for programs and activities carried out under this section shall be available for obligation only on the basis of a fiscal year.”</p>
	<p align="center">Clerical Amendment</p> <p>Section 1(b) of the Workforce Investment Act of 1998 (relating to the table of contents) is amended by inserting before the item relating to section 174 the following:</p> <p>“Sec. 173A. YouthBuild program.”</p>
	<p align="center">Exception to Program Year Appropriation Cycle Requirement</p> <p>Section 189(g)(1)(A) of the Workforce Investment Act of 1998 (29 U.S.C. 2939(g)(1)(A)) is amended by inserting “and section 173A” after “Except as provided in subparagraph (B)”.</p>
	<p align="center">Conforming Amendments</p> <p>(1) Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) is amended in paragraphs (1)(B)(iii) and (2)(B) of subsection (c), and paragraphs (1)(B)(iii) and (2)(B) of subsection (d), by striking “YouthBuild” and all that follows and inserting “YouthBuild programs receiving assistance under section 173A of the Workforce Investment Act of 1998.”</p> <p>(2) Section 507(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4183(b)) is amended by striking “subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act.”</p>

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	<p>(3) Section 402 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12870) is amended by striking the second sentence of subsections (a) and (b).</p> <p>Sec. 173A(e). REPEAL OF PROVISIONS.—Subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act is repealed.</p> <p>Sec. 173A(f). Effective Date.—This section and the amendments made by this section shall take effect on the earlier of--</p> <ol style="list-style-type: none"> (1) the date of enactment of this Act; and (2) September 30, 2006.
	<p style="text-align: center;">Transfer of Functions and Savings Provisions</p> <p>SEC. 3.</p> <p>(a) Definitions.—For purposes of this section, unless otherwise provided or indicated by the context—</p> <ol style="list-style-type: none"> (1) the term “Federal agency” has the meaning given to the term “agency” by section 551(1) of title 5, United States Code; (2) the term “function” means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program; and (3) the term “office” includes any office, administration, agency, institute, unity, organizational entity, or component thereof. <p>(b) Transfer of Functions.—There are transferred to the Department of Labor all functions which the Secretary of Housing and Urban Development exercised before the effective date of this section (including all related functions or any officer or employee of the Department of Housing and Urban Development) relating to subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing (42 U.S.C. 12899 et seq.)</p> <p>(c) Determinations of Certain Functions by OMB.—If necessary, the Office of Management and Budget shall make any determinations of the functions that are transferred under subsection (b).</p> <p>(d) Personnel Provisions.—</p> <ol style="list-style-type: none"> (1) Appointments.—The Secretary of Labor may appoint and fix the compensation of such officers and employees, including investigators, attorneys, and administrative law judges, as may be necessary to carry out the respective functions transferred. Except as otherwise provided by law, such officers and employees shall be appointed in accordance with civil service laws and their compensation fixed in accordance with title 5, U.S.C. (2) Experts and Consultants.—The Secretary of Labor may obtain the services of experts and consultants in accordance with section 3109 of title 5, U.S.C., and compensate such experts and consultants for each day at rates not in excess of the rate of pay for level IV of the Executive Schedule under section 5315 of such title. The Secretary of Labor may pay experts and consultants who are serving away from their homes or regular place of

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	<p>business travel expenses and per diem in lieu of subsistence at rates authorized by sections 5702 and 5703 of such title for persons in Government service employed intermittently.</p> <p>(e) Delegation and Assignment.—Except where otherwise expressly prohibited by law or otherwise provided by this section, the Secretary of Labor may delegate any of the functions transferred to the Secretary of Labor by this section and any function transferred or granted to the Secretary of Labor after the effective date of this section to such officers and employees of the Department of Labor as the Secretary of Labor may designate, and may authorize successive redelegations of such functions as may be necessary or appropriate. No delegation of functions by the Secretary shall relieve the Secretary of responsibility for the administration of such functions.</p> <p>(f) Reorganization.—The Secretary of Labor is authorized to allocate or reallocate any function transferred under subsection (b) among the officers of the Department of Labor, and to establish, consolidate, alter, or discontinue such organizational entities in the Department of Labor as may be necessary or appropriate.</p> <p>(g) Rules.—The Secretary of Labor is authorized to prescribe, in accordance with the provisions of chapters 5 and 6 of title 5, U.S.C., such rules and regulations as the Secretary determines necessary or appropriate to administer and manage the functions of DOL.</p> <p>(h) Transfer and Allocations of Appropriations.—Except as otherwise provided in this section, the assts, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds used, held, arising from, available to, or to be made available in connection with the functions transferred by this section, subject to section 1531 of title 31 U.S.C., shall be transferred to DOL. Unexpended funds transferred pursuant to this subsection shall be used only for the purposes for which the funds were originally authorized and appropriated.</p> <p>(i) Transfers.—The Director of OMB at such time or times as the Director shall provide is authorized to make such determinations as may be necessary with regard to the functions transferred by this section, and to make such dispositions of assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds used, held, arising from, available to, or to be made available to section 1531 of title 31, U.S.C., as may be necessary to carry out the provisions of this section. The Director of OMB shall provide for the termination of the affairs of all entities terminated by this section for such further measures and dispositions as may be necessary.</p> <p>(j) Savings Provisions.— (1) Continuing Effect of Legal Documents.—All orders, determinations, rules, regulations, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions—</p>

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(A) which have been issued, made, granted, or allowed to become effective by the President, any Federal agency or official thereof, or by a court of competent jurisdiction, in the performance of functions which are transferred under this section; and

(B) which are in effect at the time this section takes effect, or were final before the effective date of this section and are to become effective on or after the effective date of this section, shall continue in effect according to the terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, the Secretary of Labor or other authorized official, a court of competent jurisdiction, or by operation of law.

(2) Proceedings Not Affected.—The provisions of this section shall not affect any proceedings, including notices or proposed rulemaking, or any application for any license, permit, certificate, or financial assistance pending before HUD at the time this section takes effect, with respect to functions transferred by this section but such proceedings and applications shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this section had not been enacted, and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law. Nothings in this paragraph shall be deemed to prohibit the discontinuance or modification of any such proceedings under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this section had not been enacted.

(3) Suits Not Affected.—The provisions of this section shall not affect suits commenced before the effective date of this section, and in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this section had not been enacted.

(4) Nonabatement of Actions.—No suit, action, or other proceeding commenced by or against HUD or by against any individual in the official capacity of such individual as an officer of HUD shall abate by reason of the enactment of this section.

(5) Administrative Actions Relating to Promulgation of Regulations.—Any administrative action relating to the preparation or promulgation of a regulation by HUD relating to a function transferred under this section may be continued by DOL with the same effect as if this section had not been enacted.

(k) Separability.—If a provision of this section nor its application to any person or circumstance is held invalid, neither the remainder of this section nor the application of the provision to other person or circumstances shall be affected.

(l) Transition.—The Secretary of Labor is authorize to utilize—

<p align="center">Hope of Youth: Youthbuild (Title 42, Chapter 130, Subchapter IV, Part C)</p>	<p align="center">YouthBuild Transfer Act As signed by the President September 22, 2006 Public Law 109-281</p>
	<p>(1) The services of such officers, employees, and other personnel of HUD with respect to functions transferred to DOL by this section; and</p> <p>(2) Funds appropriated to such functions for such period of time, as may reasonably be needed to facilitate the orderly implementation of this section.</p> <p>(m) Accomplishing Orderly Transfer.—Consistent with the requirements of this section, the Secretary of Labor and the Secretary of HUD shall take actions as the Secretaries determine are appropriate to accomplish the orderly transfer of functions as described in subsection (b).</p> <p>(n) Administration of Prior Grants.—Notwithstanding any provision of this Act, grants awarded under subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12899 et seq.) with funds appropriated for fiscal year 2006 or a preceding fiscal year shall be subject to the continuing authority of HUD, as in effect on the day before the date of enactment of this Act, until the authority to expend applicable funds for the grants, as specified by the Secretary of HUD, has expired and the Secretary has completed the administrative responsibilities associated with the grants.</p> <p>(o) References.—A reference in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or relating to—</p> <p>(1) The Secretary of HUD with regard to functions transferred under subsection (b), shall be deemed to refer to the Secretary of Labor; and</p> <p>(2) HUD with regard to functions transferred under subsection (b), shall be deemed to refer to DOL.</p> <p>(p) Effective Date.—This section takes effect on the earlier of—</p> <p>(1) The date of enactment of this Act;</p> <p>(2) September 30, 2006.</p>