

.....
(Original Signature of Member)

116TH CONGRESS
1ST SESSION

H. R. 1856

To provide a path to end homelessness in the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. MAXINE WATERS of California introduced the following bill; which was referred to the Committee on _____

A BILL

To provide a path to end homelessness in the United States, 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 “Ending Homelessness
5 Act of 2019”.

6 **SEC. 2. CONGRESSIONAL FINDINGS.**

7 The Congress finds that—

8 (1) although the United States has experienced
9 a reduction in veteran homelessness after a surge of

1 new Federal funding targeted to homeless veterans
2 starting in fiscal year 2008, major progress towards
3 the national goals for ending homelessness in our
4 Nation has virtually stalled in the absence of in-
5 creased funding;

6 (2) according to the Department of Housing
7 and Urban Development's 2018 point-in-time count,
8 there were 552,830 people experiencing homeless-
9 ness in the United States on any given night, includ-
10 ing nearly 160,000 children and youth;

11 (3) homelessness in many communities has
12 reached crisis proportions and some cities have de-
13 clared that homelessness has reached a state of
14 emergency; and

15 (4) the Federal Government must renew its
16 commitment to the national goals to end homeless-
17 ness.

18 **SEC. 3. EMERGENCY RELIEF FUNDING.**

19 Title IV of the McKinney-Vento Homeless Assistance
20 Act (42 U.S.C. 11360 et seq) is amended—

21 (1) by redesignating section 491 (42 U.S.C.
22 11408; relating to rural housing stability grant pro-
23 gram) as section 441;

24 (2) by redesignating section 592 (42 U.S.C.
25 11408a; relating to use of FMHA inventory for

1 transitional housing for homeless persons and for
2 turnkey housing) as section 442; and

3 (3) by adding at the end the following new sub-
4 title:

5 **“Subtitle E—5-Year Path To End**
6 **Homelessness**

7 **“SEC. 451. EMERGENCY RELIEF FUNDING.**

8 “(a) DIRECT APPROPRIATIONS.—There is appro-
9 priated out of any money in the Treasury not otherwise
10 appropriated for each of fiscal years 2020 through 2024,
11 \$1,000,000,000, to remain available until expended, for
12 emergency relief grants under this section to address the
13 unmet needs of homeless populations in jurisdictions with
14 the highest need.

15 “(b) FORMULA GRANTS.—

16 “(1) ALLOCATION.—Amounts appropriated
17 under subsection (a) for a fiscal year shall be allo-
18 cated among collaborative applicants that comply
19 with section 402, in accordance with the funding for-
20 mula established under paragraph (2) of this sub-
21 section.

22 “(2) FORMULA.—The Secretary shall, in con-
23 sultation with the United States Interagency Council
24 on Homeless, establish a formula for allocating
25 grant amounts under this section to address the

1 unmet needs of homeless populations in jurisdictions
2 with the highest need, using the best currently avail-
3 able data that targets need based on key structural
4 determinants of homelessness in the geographic area
5 represented by a collaborative applicant, which shall
6 include data providing accurate counts of—

7 “(A) the poverty rate in the geographic
8 area represented by the collaborative applicant;

9 “(B) shortages of affordable housing for
10 low-, very low-, and extremely low-income
11 households in the geographic area represented
12 by the collaborative applicant;

13 “(C) the number of overcrowded housing
14 units in the geographic area represented by the
15 collaborative applicant;

16 “(D) the number of unsheltered homeless
17 individuals and the number of chronically home-
18 less individuals; and

19 “(E) any other factors that the Secretary
20 considers appropriate.

21 “(3) GRANTS.—For each fiscal year for which
22 amounts are made available under subsection (a),
23 the Secretary shall make a grant to each collabo-
24 rative applicant for which an amount is allocated
25 pursuant to application of the formula established

1 pursuant to paragraph (2) of this subsection in an
2 amount that is equal to the formula amount deter-
3 mined for such collaborative applicant.

4 “(4) TIMING.—

5 “(A) FORMULA TO BE DEvised SWIFT-
6 LY.—The funding formula required under para-
7 graph (2) shall be established not later than 60
8 days after the date of enactment of this section.

9 “(B) DISTRIBUTION.—Amounts appro-
10 priated or otherwise made available under this
11 section shall be distributed according to the
12 funding formula established pursuant to para-
13 graph (2) not later than 30 days after the es-
14 tablishment of such formula.

15 “(c) USE OF GRANTS.—

16 “(1) IN GENERAL.—Subject to paragraphs (2)
17 through (4), a collaborative applicant that receives a
18 grant under this section may use such grant
19 amounts only for eligible activities under section
20 415, 423, or 441(b).

21 “(2) PERMANENT SUPPORTIVE HOUSING RE-
22 QUIREMENT.—

23 “(A) REQUIREMENT.—Except as provided
24 in subparagraph (B), each collaborative appli-
25 cant that receives a grant under this section

1 shall use not less than 75 percent of such grant
2 amount for permanent supportive housing, in-
3 cluding capital costs, rental subsidies, and serv-
4 ices.

5 “(B) EXEMPTION.—The Secretary shall
6 exempt a collaborative applicant from the appli-
7 cability of the requirement under subparagraph
8 (A) if the applicant demonstrates, in accordance
9 with such standards and procedures as the Sec-
10 retary shall establish, that—

11 “(i) chronic homelessness has been
12 functionally eliminated in the geographic
13 area served by the applicant; or

14 “(ii) the permanent supportive hous-
15 ing under development in the geographic
16 area served by the applicant is sufficient to
17 functionally eliminate chronic homelessness
18 once such units are available for occu-
19 pancy.

20 The Secretary shall consider and make a deter-
21 mination regarding each request for an exemp-
22 tion under this subparagraph not later than 60
23 days after receipt of such request.

24 “(3) LIMITATION ON USE FOR ADMINISTRATIVE
25 EXPENSES.—Not more than 5 percent of the total

1 amount of any grant under this section to a collabo-
2 rative applicant may be used for costs of administra-
3 tion.

4 “(4) HOUSING FIRST REQUIREMENT.—The Sec-
5 retary shall ensure that each collaborative applicant
6 that receives a grant under this section is imple-
7 menting, to the extent possible, and will use such
8 grant amounts in accordance with, a Housing First
9 model for assistance for homeless persons.

10 “(d) RENEWAL FUNDING.—Expiring contracts for
11 leasing, rental assistance, or permanent housing shall be
12 treated, for purposes of section 429, as expiring contracts
13 referred to in subsection (a) of such section.

14 “(e) REPORTING TO CONGRESS.—

15 “(1) INITIAL REPORT.—Not later than the expi-
16 ration of the 6-month period beginning on the date
17 of the enactment of this subtitle, the Secretary and
18 the United States Interagency Council on Homeless-
19 ness shall submit a report to the Committees on Fi-
20 nancial Services and Appropriations of the House of
21 Representatives and the Committees on Banking,
22 Housing, and Urban Affairs and Appropriations of
23 the Senate describing the design and implementation
24 of the grant program under this section, which shall
25 include the formula required by subsection (b)(2).

1 “(2) SEMIANNUAL STATUS REPORTS.—

2 “(A) REPORTS TO CONGRESS.—The Sec-
3 retary and the United States Interagency Coun-
4 cil on Homelessness shall submit reports to the
5 Committees specified in paragraph (1) semi-
6 annually describing the operation of the grant
7 program under this section during the pre-
8 ceding 6 months, including identification of the
9 grants made and a description of the activities
10 funded with grant amounts.

11 “(B) COLLECTION OF INFORMATION BY
12 SECRETARY.—The Secretary shall require each
13 collaborative applicant that receives a grant
14 under this section to submit such information
15 to the Secretary as may be necessary for the
16 Secretary to comply with the reporting require-
17 ment under subparagraph (A).

18 **“SEC. 452. SPECIAL PURPOSE VOUCHERS.**

19 “(a) DIRECT APPROPRIATION.—There is appro-
20 priated out of any money in the Treasury not otherwise
21 appropriated for each of fiscal years 2020 through 2024,
22 \$500,000,000, to remain available until expended, which
23 shall be used as follows:

24 “(1) RENTAL ASSISTANCE.—Except as provided
25 in paragraph (2), such amount shall be used for in-

1 cremental assistance for rental assistance under sec-
2 tion 8(o) of the United States Housing Act of 1937
3 (42 U.S.C. 1437f(o)) for persons and households
4 who are homeless (as such term is defined in section
5 103 (42 U.S.C. 11302)), which assistance shall be in
6 addition to such assistance provided pursuant to re-
7 newal of expiring contracts for such assistance.

8 “(2) ADMINISTRATIVE FEES.—The Secretary
9 may use not more than 10 percent of such amounts
10 provided for each fiscal year for administrative fees
11 under 8(q) of the United States Housing Act of
12 1937 (42 U.S.C. 1437f(q)). The Secretary shall es-
13 tablish policies and procedures to provide such fees
14 to the extent necessary to assist homeless persons
15 and families on whose behalf rental assistance is
16 provided to find and maintain suitable housing.

17 “(b) ALLOCATION.—The Secretary shall make assist-
18 ance provided under this section available to public hous-
19 ing agencies based on geographical need for such assist-
20 ance by homeless persons and households, as identified by
21 the Secretary, public housing agency administrative per-
22 formance, and other factors as specified by the Secretary.

23 “(c) AVAILABILITY.—Assistance made available
24 under this section shall continue to remain available only
25 for homeless persons and households upon turn-over.

1 “(d) RENEWAL FUNDING.—Renewal of expiring con-
2 tracts for rental assistance provided under subsection (a)
3 and for administrative fees under such subsection shall,
4 to the extent provided in appropriation Acts, be funded
5 under the section 8 tenant-based rental assistance ac-
6 count.

7 “(e) WAIVER AUTHORITY.—Upon a finding by the
8 Secretary that a waiver or alternative requirement pursu-
9 ant to this subsection is necessary to ensure that homeless
10 persons and households can obtain housing using rental
11 assistance made available under this section, the Secretary
12 may waive, or specify alternative requirements for, any
13 provision of any statute or regulation that the Secretary
14 administers in connection with the use of funds made
15 available under this section (except for requirements re-
16 lated to fair housing, nondiscrimination, labor standards,
17 and the environment) that relates to screening of appli-
18 cants for assistance, admission of applicants, and selection
19 of tenants. The Secretary shall require public housing
20 agencies receiving rental assistance funding made avail-
21 able under this section to take all reasonable actions to
22 help assisted persons and families avoid subsequent home-
23 lessness.

1 **“SEC. 453. OUTREACH FUNDING.**

2 “(a) DIRECT APPROPRIATION.—There is appro-
3 priated out of any money in the Treasury not otherwise
4 appropriated for each of fiscal years 2020 through 2024,
5 \$100,000,000, to remain available until expended, to the
6 Secretary for grants under this section to provide outreach
7 and coordinate services for persons and households who
8 are homeless or formerly homeless.

9 “(b) GRANTS.—

10 “(1) IN GENERAL.—The Secretary shall make
11 grants under this section on a competitive basis only
12 to collaborative applicants who comply with section
13 402.

14 “(2) PRIORITY.—The competition for grants
15 under this section shall provide priority to collabo-
16 rative applicants who submit plans to make innova-
17 tive and effective use of staff funded with grant
18 amounts pursuant to subsection (c).

19 “(c) USE OF GRANTS.—A collaborative applicant
20 that receives a grant under this section may use such
21 grant amounts only for providing case managers, social
22 workers, or other staff who conduct outreach and coordi-
23 nate services for persons and households who are homeless
24 or formerly homeless.

25 “(d) TIMING.—

1 “(1) CRITERIA TO BE ESTABLISHED SWIFT-
2 LY.—The Secretary shall establish the criteria for
3 the competition for grants under this section re-
4 quired under subsection (b) not later than 60 days
5 after the date of enactment of this section.

6 “(2) DISTRIBUTION.—Amounts appropriated or
7 otherwise made available under this section shall be
8 distributed according to the competition established
9 by the Secretary pursuant to subsection (b) not later
10 than 30 days after the establishment of such cri-
11 teria.”.

12 **SEC. 4. HOUSING TRUST FUND.**

13 (a) FUNDING.—

14 (1) ANNUAL FUNDING.—There is appropriated,
15 out of any money in the Treasury not otherwise ap-
16 propriated, for fiscal year 2019 and each fiscal year
17 thereafter, \$1,000,000,000, to remain available until
18 expended, which shall be credited to the Housing
19 Trust Fund established pursuant to section 1338 of
20 the Federal Housing Enterprises Financial Safety
21 and Soundness Act of 1992 (12 U.S.C. 4568) for
22 use under such section.

23 (2) RENTAL ASSISTANCE.—There is appro-
24 priated, out of any money in the Treasury not other-
25 wise appropriated, for fiscal year 2019 and each fis-

1 cal year thereafter, \$50,000,000, to remain available
2 until expended, for incremental project-based vouch-
3 er assistance or project-based rental assistance, to
4 be allocated to States pursuant to the formula estab-
5 lished under section 1338 of the Federal Housing
6 Enterprises Financial Safety and Soundness Act of
7 1992 (12 U.S.C. 4568), to be used solely in conjunc-
8 tion with grant funds awarded under such section
9 1338.

10 (3) PRIORITY FOR HOUSING THE HOMELESS.—

11 (A) PRIORITY.—During the first 5 fiscal
12 years that amounts are made available under
13 this subsection, the Secretary of Housing and
14 Urban Development shall ensure that priority
15 for occupancy in dwelling units described in
16 subparagraph (B) that become available for oc-
17 cupancy shall be given to persons and house-
18 holds who are homeless (as such term is defined
19 in section 103 of the McKinney-Vento Homeless
20 Assistance Act (42 U.S.C. 11302)).

21 (B) COVERED DWELLING UNITS.—A dwell-
22 ing unit described in this subparagraph is any
23 dwelling unit that—

24 (i) is located in housing that was at
25 any time provided assistance with any

1 amounts from the Housing Trust Fund re-
2 ferred to paragraph (1) that were credited
3 to such Trust Fund by such paragraph; or
4 (ii) is receiving assistance described in
5 paragraph (2) with amounts made avail-
6 able under such paragraph.

7 (b) TENANT RENT CONTRIBUTION.—

8 (1) LIMITATION.—Subparagraph (A) of section
9 1338(c)(7) of the Federal Housing Enterprises Fi-
10 nancial Safety and Soundness Act of 1992 (12
11 U.S.C. 4568(c)(7)(A)) is amended—

12 (A) by striking “except that not less than
13 75 percent” and inserting the following: “except
14 that—

15 “(i) not less than 75 percent”;

16 (B) by adding at the end the following new
17 clause:

18 “(ii) notwithstanding any other provi-
19 sion of law, all rental housing dwelling
20 units shall be subject to legally binding
21 commitments that ensure that the con-
22 tribution toward rent by a family residing
23 in the dwelling unit shall not exceed 30
24 percent of the adjusted income (as such
25 term is defined in section 3(b) of the

1 United States Housing Act of 1937 (42
2 U.S.C. 1437a(b)) of such family; and”.

3 (2) REGULATIONS.—The Secretary of Housing
4 and Urban Development shall issue regulations to
5 implement section 1338(e)(7)(A)(ii) of the Federal
6 Housing Enterprises Financial Safety and Sound-
7 ness Act of 1992, as added by the amendment made
8 by paragraph (1)(B) of this section, not later than
9 the expiration of the 90-day period beginning on the
10 date of the enactment of this Act.

11 **SEC. 5. TECHNICAL ASSISTANCE FUNDS TO HELP STATES**
12 **AND LOCAL ORGANIZATIONS ALIGN HEALTH**
13 **AND HOUSING SYSTEMS.**

14 (a) FUNDING.—There is hereby made available to the
15 Secretary of Housing and Urban Development
16 \$20,000,000, to remain available until expended, for pro-
17 viding technical assistance under section 405 of the
18 McKinney-Vento Homeless Assistance Act (42 U.S.C.
19 11361(b)) to integrate and coordinate assistance provided
20 under the McKinney-Vento Homeless Assistance Act (42
21 U.S.C. 11301 et seq.) with health care funded by Federal
22 programs, in collaboration with the United States Inter-
23 agency Council on Homelessness and the Secretary of
24 Health and Human Services.

1 (b) USE.—In allocating amounts made available by
2 subsection (a), the Secretary shall seek to—

3 (1) assist States and localities in integrating
4 and aligning policies and funding between Medicaid
5 programs, behavioral health providers, and housing
6 providers to create supportive housing opportunities;
7 and

8 (2) engages State Medicaid program directors,
9 Governors, State housing and homelessness agencies,
10 any other relevant State offices, and any relevant
11 local government entities, to assist States in increas-
12 ing use of their Medicaid programs to finance sup-
13 portive services for homeless persons.

14 (c) PRIORITY.—In using amounts made available
15 under this section, the Secretary shall give priority to use
16 for States and localities having the highest numbers of
17 chronically homeless persons.

18 **SEC. 6. PERMANENT AUTHORIZATION OF APPROPRIATIONS**
19 **FOR MCKINNEY-VENTO HOMELESS ASSIST-**
20 **ANCE ACT GRANTS.**

21 Section 408 of the McKinney-Vento Homeless Assist-
22 ance Act (42 U.S.C. 11364) is amended to read as follows:

1 **“SEC. 408. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to carry out
3 this title such sums as may be necessary for each fiscal
4 year.”.

5 **SEC. 7. PERMANENT EXTENSION OF UNITED STATES**
6 **INTERAGENCY COUNCIL ON HOMELESSNESS.**

7 Section 209 of the McKinney-Vento Homeless Assist-
8 ance Act (42 U.S.C. 11319) is hereby repealed.

9 **SEC. 8. EMERGENCY DESIGNATION.**

10 (a) **IN GENERAL.**—The amounts provided by this
11 Act, and the amendments made by this Act, are des-
12 ignated as an emergency requirement pursuant to section
13 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2
14 U.S.C. 933(g)).

15 (b) **DESIGNATION IN SENATE.**—In the Senate, this
16 Act and the amendments made by this Act are designated
17 as an emergency requirement pursuant to section 403(a)
18 of S. Con. Res. 13 (111th Congress), the concurrent reso-
19 lution on the budget for fiscal year 2010.