

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

MARCH 25, 2019

Ms. WATERS (for herself, Mr. SCHIFF, Mr. ESPAILLAT, Mr. GREEN of Texas, Mr. LAWSON of Florida, Ms. OCASIO-CORTEZ, Ms. ADAMS, Ms. ESHOO, Ms. PRESSLEY, Mr. THOMPSON of Mississippi, Mr. FOSTER, Mrs. CAROLYN B. MALONEY of New York, Mr. CRIST, Mr. DAVID SCOTT of Georgia, Mr. HECK, Mr. CASE, Ms. NORTON, Mr. CUMMINGS, Ms. MENG, Mrs. NAPOLITANO, Mr. MEEKS, Mr. ROUDA, Ms. OMAR, Mr. HIMES, Ms. SCHAKOWSKY, Mr. MCNERNEY, Mr. GARCÍA of Illinois, Mr. LEWIS, Mr. VARGAS, Ms. CASTOR of Florida, Ms. HILL of California, Ms. DEAN, Ms. KAPTUR, Mrs. TORRES of California, Ms. VELÁZQUEZ, Mr. WELCH, Ms. TLAIB, Mr. GRIJALVA, Ms. JACKSON LEE, Mr. LYNCH, Mr. COHEN, Ms. BONAMICI, Ms. GARCIA of Texas, Ms. GABBARD, Mr. GONZALEZ of Texas, Mr. CLAY, and Ms. CLARKE of New York) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Ending Homelessness
3 Act of 2019”.

4 **SEC. 2. CONGRESSIONAL FINDINGS.**

5 The Congress finds that—

6 (1) although the United States has experienced
7 a reduction in veteran homelessness after a surge of
8 new Federal funding targeted to homeless veterans
9 starting in fiscal year 2008, major progress towards
10 the national goals for ending homelessness in our
11 Nation has virtually stalled in the absence of in-
12 creased funding;

13 (2) according to the Department of Housing
14 and Urban Development’s 2018 point-in-time count,
15 there were 552,830 people experiencing homeless-
16 ness in the United States on any given night, includ-
17 ing nearly 160,000 children and youth;

18 (3) homelessness in many communities has
19 reached crisis proportions and some cities have de-
20 clared that homelessness has reached a state of
21 emergency; and

22 (4) the Federal Government must renew its
23 commitment to the national goals to end homeless-
24 ness.

1 **SEC. 3. EMERGENCY RELIEF FUNDING.**

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

4 (1) by redesignating section 491 (42 U.S.C.
5 11408; relating to rural housing stability grant pro-
6 gram) as section 441;

7 (2) by redesignating section 592 (42 U.S.C.
8 11408a; relating to use of FMHA inventory for
9 transitional housing for homeless persons and for
10 turnkey housing) as section 442; and

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

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

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

16 “(a) DIRECT APPROPRIATIONS.—There is appro-
17 priated out of any money in the Treasury not otherwise
18 appropriated for each of fiscal years 2020 through 2024,
19 \$1,000,000,000, to remain available until expended, for
20 emergency relief grants under this section to address the
21 unmet needs of homeless populations in jurisdictions with
22 the highest need.

23 “(b) FORMULA GRANTS.—

24 “(1) ALLOCATION.—Amounts appropriated
25 under subsection (a) for a fiscal year shall be allo-
26 cated among collaborative applicants that comply

1 with section 402, in accordance with the funding for-
2 mula established under paragraph (2) of this sub-
3 section.

4 “(2) FORMULA.—The Secretary shall, in con-
5 sultation with the United States Interagency Council
6 on Homeless, establish a formula for allocating
7 grant amounts under this section to address the
8 unmet needs of homeless populations in jurisdictions
9 with the highest need, using the best currently avail-
10 able data that targets need based on key structural
11 determinants of homelessness in the geographic area
12 represented by a collaborative applicant, which shall
13 include data providing accurate counts of—

14 “(A) the poverty rate in the geographic
15 area represented by the collaborative applicant;

16 “(B) shortages of affordable housing for
17 low-, very low-, and extremely low-income
18 households in the geographic area represented
19 by the collaborative applicant;

20 “(C) the number of overcrowded housing
21 units in the geographic area represented by the
22 collaborative applicant;

23 “(D) the number of unsheltered homeless
24 individuals and the number of chronically home-
25 less individuals; and

1 “(E) any other factors that the Secretary
2 considers appropriate.

3 “(3) GRANTS.—For each fiscal year for which
4 amounts are made available under subsection (a),
5 the Secretary shall make a grant to each collabora-
6 tive applicant for which an amount is allocated
7 pursuant to application of the formula established
8 pursuant to paragraph (2) of this subsection in an
9 amount that is equal to the formula amount deter-
10 mined for such collaborative applicant.

11 “(4) TIMING.—

12 “(A) FORMULA TO BE DEVISED SWIFT-
13 LY.—The funding formula required under para-
14 graph (2) shall be established not later than 60
15 days after the date of enactment of this section.

16 “(B) DISTRIBUTION.—Amounts appro-
17 priated or otherwise made available under this
18 section shall be distributed according to the
19 funding formula established pursuant to para-
20 graph (2) not later than 30 days after the es-
21 tablishment of such formula.

22 “(c) USE OF GRANTS.—

23 “(1) IN GENERAL.—Subject to paragraphs (2)
24 through (4), a collaborative applicant that receives a
25 grant under this section may use such grant

1 amounts only for eligible activities under section
2 415, 423, or 441(b).

3 “(2) PERMANENT SUPPORTIVE HOUSING RE-
4 QUIREMENT.—

5 “(A) REQUIREMENT.—Except as provided
6 in subparagraph (B), each collaborative appli-
7 cant that receives a grant under this section
8 shall use not less than 75 percent of such grant
9 amount for permanent supportive housing, in-
10 cluding capital costs, rental subsidies, and serv-
11 ices.

12 “(B) EXEMPTION.—The Secretary shall
13 exempt a collaborative applicant from the appli-
14 cability of the requirement under subparagraph
15 (A) if the applicant demonstrates, in accordance
16 with such standards and procedures as the Sec-
17 retary shall establish, that—

18 “(i) chronic homelessness has been
19 functionally eliminated in the geographic
20 area served by the applicant; or

21 “(ii) the permanent supportive hous-
22 ing under development in the geographic
23 area served by the applicant is sufficient to
24 functionally eliminate chronic homelessness

1 once such units are available for occu-
2 pancy.

3 The Secretary shall consider and make a deter-
4 mination regarding each request for an exemp-
5 tion under this subparagraph not later than 60
6 days after receipt of such request.

7 “(3) LIMITATION ON USE FOR ADMINISTRATIVE
8 EXPENSES.—Not more than 5 percent of the total
9 amount of any grant under this section to a collabo-
10 rative applicant may be used for costs of administra-
11 tion.

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

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

22 “(e) REPORTING TO CONGRESS.—

23 “(1) INITIAL REPORT.—Not later than the expi-
24 ration of the 6-month period beginning on the date
25 of the enactment of this subtitle, the Secretary and

1 the United States Interagency Council on Homeless-
2 ness shall submit a report to the Committees on Fi-
3 nancial Services and Appropriations of the House of
4 Representatives and the Committees on Banking,
5 Housing, and Urban Affairs and Appropriations of
6 the Senate describing the design and implementation
7 of the grant program under this section, which shall
8 include the formula required by subsection (b)(2).

9 “(2) SEMIANNUAL STATUS REPORTS.—

10 “(A) REPORTS TO CONGRESS.—The Sec-
11 retary and the United States Interagency Coun-
12 cil on Homelessness shall submit reports to the
13 Committees specified in paragraph (1) semi-
14 annually describing the operation of the grant
15 program under this section during the pre-
16 ceding 6 months, including identification of the
17 grants made and a description of the activities
18 funded with grant amounts.

19 “(B) COLLECTION OF INFORMATION BY
20 SECRETARY.—The Secretary shall require each
21 collaborative applicant that receives a grant
22 under this section to submit such information
23 to the Secretary as may be necessary for the
24 Secretary to comply with the reporting require-
25 ment under subparagraph (A).

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

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 \$500,000,000, to remain available until expended, which
6 shall be used as follows:

7 “(1) RENTAL ASSISTANCE.—Except as provided
8 in paragraph (2), such amount shall be used for in-
9 cremental assistance for rental assistance under sec-
10 tion 8(o) of the United States Housing Act of 1937
11 (42 U.S.C. 1437f(o)) for persons and households
12 who are homeless (as such term is defined in section
13 103 (42 U.S.C. 11302)), which assistance shall be in
14 addition to such assistance provided pursuant to re-
15 newal of expiring contracts for such assistance.

16 “(2) ADMINISTRATIVE FEES.—The Secretary
17 may use not more than 10 percent of such amounts
18 provided for each fiscal year for administrative fees
19 under 8(q) of the United States Housing Act of
20 1937 (42 U.S.C. 1437f(q)). The Secretary shall es-
21 tablish policies and procedures to provide such fees
22 to the extent necessary to assist homeless persons
23 and families on whose behalf rental assistance is
24 provided to find and maintain suitable housing.

25 “(b) ALLOCATION.—The Secretary shall make assist-
26 ance provided under this section available to public hous-

1 ing agencies based on geographical need for such assist-
2 ance by homeless persons and households, as identified by
3 the Secretary, public housing agency administrative per-
4 formance, and other factors as specified by the Secretary.

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

8 “(d) RENEWAL FUNDING.—Renewal of expiring con-
9 tracts for rental assistance provided under subsection (a)
10 and for administrative fees under such subsection shall,
11 to the extent provided in appropriation Acts, be funded
12 under the section 8 tenant-based rental assistance ac-
13 count.

14 “(e) WAIVER AUTHORITY.—Upon a finding by the
15 Secretary that a waiver or alternative requirement pursu-
16 ant to this subsection is necessary to ensure that homeless
17 persons and households can obtain housing using rental
18 assistance made available under this section, the Secretary
19 may waive, or specify alternative requirements for, any
20 provision of any statute or regulation that the Secretary
21 administers in connection with the use of funds made
22 available under this section (except for requirements re-
23 lated to fair housing, nondiscrimination, labor standards,
24 and the environment) that relates to screening of appli-
25 cants for assistance, admission of applicants, and selection

1 of tenants. The Secretary shall require public housing
2 agencies receiving rental assistance funding made avail-
3 able under this section to take all reasonable actions to
4 help assisted persons and families avoid subsequent home-
5 lessness.

6 **“SEC. 453. OUTREACH FUNDING.**

7 “(a) DIRECT APPROPRIATION.—There is appro-
8 priated out of any money in the Treasury not otherwise
9 appropriated for each of fiscal years 2020 through 2024,
10 \$100,000,000, to remain available until expended, to the
11 Secretary for grants under this section to provide outreach
12 and coordinate services for persons and households who
13 are homeless or formerly homeless.

14 “(b) GRANTS.—

15 “(1) IN GENERAL.—The Secretary shall make
16 grants under this section on a competitive basis only
17 to collaborative applicants who comply with section
18 402.

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

24 “(c) USE OF GRANTS.—A collaborative applicant
25 that receives a grant under this section may use such

1 grant amounts only for providing case managers, social
2 workers, or other staff who conduct outreach and coordi-
3 nate services for persons and households who are homeless
4 or formerly homeless.

5 “(d) TIMING.—

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

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

17 **SEC. 4. HOUSING TRUST FUND.**

18 (a) FUNDING.—

19 (1) ANNUAL FUNDING.—There is appropriated,
20 out of any money in the Treasury not otherwise ap-
21 propriated, for fiscal year 2019 and each fiscal year
22 thereafter, \$1,000,000,000, to remain available until
23 expended, which shall be credited to the Housing
24 Trust Fund established pursuant to section 1338 of
25 the Federal Housing Enterprises Financial Safety

1 and Soundness Act of 1992 (12 U.S.C. 4568) for
2 use under such section.

3 (2) RENTAL ASSISTANCE.—There is appro-
4 priated, out of any money in the Treasury not other-
5 wise appropriated, for fiscal year 2019 and each fis-
6 cal year thereafter, \$50,000,000, to remain available
7 until expended, for incremental project-based vouch-
8 er assistance or project-based rental assistance, to
9 be allocated to States pursuant to the formula estab-
10 lished under section 1338 of the Federal Housing
11 Enterprises Financial Safety and Soundness Act of
12 1992 (12 U.S.C. 4568), to be used solely in conjunc-
13 tion with grant funds awarded under such section
14 1338.

15 (3) PRIORITY FOR HOUSING THE HOMELESS.—

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

1 (B) COVERED DWELLING UNITS.—A dwell-
2 ing unit described in this subparagraph is any
3 dwelling unit that—

4 (i) is located in housing that was at
5 any time provided assistance with any
6 amounts from the Housing Trust Fund re-
7 ferred to paragraph (1) that were credited
8 to such Trust Fund by such paragraph; or

9 (ii) is receiving assistance described in
10 paragraph (2) with amounts made avail-
11 able under such paragraph.

12 (b) TENANT RENT CONTRIBUTION.—

13 (1) LIMITATION.—Subparagraph (A) of section
14 1338(c)(7) of the Federal Housing Enterprises Fi-
15 nancial Safety and Soundness Act of 1992 (12
16 U.S.C. 4568(c)(7)(A)) is amended—

17 (A) by striking “except that not less than
18 75 percent” and inserting the following: “except
19 that—

20 “(i) not less than 75 percent”; and

21 (B) by adding at the end the following new
22 clause:

23 “(ii) notwithstanding any other provi-
24 sion of law, all rental housing dwelling
25 units shall be subject to legally binding

1 commitments that ensure that the con-
2 tribution toward rent by a family residing
3 in the dwelling unit shall not exceed 30
4 percent of the adjusted income (as such
5 term is defined in section 3(b) of the
6 United States Housing Act of 1937 (42
7 U.S.C. 1437a(b))) of such family; and”.

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

16 **SEC. 5. TECHNICAL ASSISTANCE FUNDS TO HELP STATES**
17 **AND LOCAL ORGANIZATIONS ALIGN HEALTH**
18 **AND HOUSING SYSTEMS.**

19 (a) FUNDING.—There is hereby made available to the
20 Secretary of Housing and Urban Development
21 \$20,000,000, to remain available until expended, for pro-
22 viding technical assistance under section 405 of the
23 McKinney-Vento Homeless Assistance Act (42 U.S.C.
24 11361(b)) to integrate and coordinate assistance provided
25 under the McKinney-Vento Homeless Assistance Act (42

1 U.S.C. 11301 et seq.) with health care funded by Federal
2 programs, in collaboration with the United States Inter-
3 agency Council on Homelessness and the Secretary of
4 Health and Human Services.

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

7 (1) assist States and localities in integrating
8 and aligning policies and funding between Medicaid
9 programs, behavioral health providers, and housing
10 providers to create supportive housing opportunities;
11 and

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

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

1 **SEC. 6. PERMANENT AUTHORIZATION OF APPROPRIATIONS**
2 **FOR MCKINNEY-VENTO HOMELESS ASSIST-**
3 **ANCE ACT GRANTS.**

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

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

7 “There are authorized to be appropriated to carry out
8 this title such sums as may be necessary for each fiscal
9 year.”.

10 **SEC. 7. PERMANENT EXTENSION OF UNITED STATES**
11 **INTERAGENCY COUNCIL ON HOMELESSNESS.**

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

14 **SEC. 8. EMERGENCY DESIGNATION.**

15 (a) IN GENERAL.—The amounts provided by this
16 Act, and the amendments made by this Act, are des-
17 ignated as an emergency requirement pursuant to section
18 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2
19 U.S.C. 933(g)).

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

○