

116TH CONGRESS
1ST SESSION

S. 2613

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

IN THE SENATE OF THE UNITED STATES

OCTOBER 16, 2019

Mr. SCHUMER (for Ms. HARRIS (for herself, Ms. HIRONO, Mrs. GILLIBRAND, Mrs. MURRAY, Mr. BLUMENTHAL, and Ms. KLOBUCHAR)) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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 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 the
4 United States has virtually stalled in the absence of
5 increased funding;

6 (2) according to the point-in-time count con-
7 ducted by the Department of Housing and Urban
8 Development in 2016, 549,928 people were experi-
9 encing homelessness in the United States on any
10 given night during that year, including more than
11 120,000 children;

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

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

19 **SEC. 3. DEFINITION.**

20 In this Act, the term “Secretary” means the Sec-
21 retary of Housing and Urban Development.

22 **SEC. 4. EMERGENCY RELIEF FUNDING.**

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

1 (1) by redesignating section 491 (42 U.S.C.
2 11408) as section 441;

3 (2) by redesignating section 592 (42 U.S.C.
4 11408a) as section 442; and

5 (3) by adding at the end the following:

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

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

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

16 “(b) FORMULA GRANTS.—

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

23 “(2) FORMULA.—The Secretary shall, in con-
24 sultation with the United States Interagency Council
25 on Homelessness, establish a formula for allocating

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

8 “(A) the poverty rate;

9 “(B) shortages of affordable housing for
10 low-income families, very low-income families,
11 and extremely low-income families, as those
12 terms are defined in section 3(b)(2) of the
13 United States Housing Act of 1937 (42 U.S.C.
14 1437a(b)(2));

15 “(C) the number of overcrowded housing
16 units;

17 “(D) the number of—

18 “(i) unsheltered homeless individuals;

19 and

20 “(ii) chronically homeless individuals;

21 and

22 “(E) any other factors that the Secretary
23 considers appropriate.

24 “(3) GRANTS.—For each fiscal year for which
25 amounts are appropriated under subsection (a) or

1 otherwise made available under this section, and for
2 each collaborative applicant for which an amount is
3 allocated using the formula established under para-
4 graph (2) of this subsection, the Secretary shall
5 make a grant to the collaborative applicant in the
6 amount allocated.

7 “(4) TIMING.—

8 “(A) FORMULA TO BE DEVISED SWIFT-
9 LY.—Not later than 60 days after the date of
10 enactment of this section, the Secretary shall
11 establish the funding formula required under
12 paragraph (2).

13 “(B) INITIAL DISTRIBUTION.—Not later
14 than 30 days after the date on which the Sec-
15 retary establishes the formula required under
16 paragraph (2), the Secretary shall distribute
17 amounts appropriated under subsection (a) or
18 otherwise made available under this section for
19 fiscal year 2020.

20 “(c) USE OF GRANTS.—

21 “(1) IN GENERAL.—Subject to paragraphs (2)
22 through (4), a collaborative applicant that receives a
23 grant under this section may use the grant amounts
24 only for eligible activities under section 415, 423, or
25 441(b).

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

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

10 “(B) EXEMPTION.—

11 “(i) IN GENERAL.—The Secretary
12 shall exempt a collaborative applicant from
13 the requirement under subparagraph (A) if
14 the applicant demonstrates, in accordance
15 with any standards and procedures estab-
16 lished by the Secretary, that—

17 “(I) chronic homelessness has
18 been functionally eliminated in the ge-
19 ographic area served by the applicant;
20 or

21 “(II) the permanent supportive
22 housing under development in the geo-
23 graphic area served by the applicant
24 will be sufficient to functionally elimi-
25 nate chronic homelessness once the

1 permanent supportive housing is avail-
2 able for occupancy.

3 “(ii) TIMING.—Not later than 60 days
4 after the Secretary receives a request for
5 an exemption under clause (i), the Sec-
6 retary shall make a determination regard-
7 ing the request.

8 “(3) LIMITATION ON USE FOR ADMINISTRATIVE
9 EXPENSES.—Not more than 5 percent of the total
10 amount of a grant provided under this section to a
11 collaborative applicant may be used for costs of ad-
12 ministration.

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

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

23 “(e) REPORTING TO CONGRESS.—

24 “(1) INITIAL REPORT.—Not later than Sep-
25 tember 1, 2020, the Secretary and the United States

1 Interagency Council on Homelessness shall submit a
 2 report that describes the design and implementation
 3 of the grant program under this section, including
 4 the formula required under subsection (b)(2), to—

5 “(A) the Committee on Banking, Housing,
 6 and Urban Affairs of the Senate;

7 “(B) the Committee on Appropriations of
 8 the Senate;

9 “(C) the Committee on Financial Services
 10 of the House of Representatives; and

11 “(D) the Committee on Appropriations of
 12 the House of Representatives.

13 “(2) SEMIANNUAL STATUS REPORTS.—

14 “(A) REPORTS TO CONGRESS.—The Sec-
 15 retary and the United States Interagency Coun-
 16 cil on Homelessness shall submit a semiannual
 17 report to the committees specified in paragraph
 18 (1) that describes the operation of the grant
 19 program under this section during the pre-
 20 ceding 6 months, including—

21 “(i) identification of the grants made;
 22 and

23 “(ii) a description of the activities
 24 funded with grant amounts.

1 “(B) COLLECTION OF INFORMATION BY
 2 SECRETARY.—The Secretary shall require a col-
 3 laborative applicant that receives a grant under
 4 this section to submit any information to the
 5 Secretary that is necessary for the Secretary to
 6 comply with the reporting requirement under
 7 subparagraph (A).

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

9 “(a) DIRECT APPROPRIATION.—

10 “(1) IN GENERAL.—There is appropriated to
 11 the Secretary, out of any money in the Treasury not
 12 otherwise appropriated, \$500,000,000 for each of
 13 fiscal years 2020 through 2024, to remain available
 14 until expended, which shall be used in accordance
 15 with paragraphs (2) and (3).

16 “(2) RENTAL ASSISTANCE.—Except as provided
 17 in paragraph (3), the Secretary shall use amounts
 18 appropriated under paragraph (1) for incremental
 19 rental voucher assistance under section 8(o) of the
 20 United States Housing Act of 1937 (42 U.S.C.
 21 1437f(o)) for individuals and families who are home-
 22 less (as defined in section 103 of this Act), which
 23 shall be in addition to incremental rental voucher as-
 24 sistance provided under that section pursuant to re-
 25 newal of expiring contracts for such assistance.

1 “(3) ADMINISTRATIVE FEES.—

2 “(A) CAP.—The Secretary may use not
3 more than 10 percent of amounts appropriated
4 for a fiscal year under paragraph (1) for ad-
5 ministrative fees under section 8(q) of the
6 United States Housing Act of 1937 (42 U.S.C.
7 1437f(q)).

8 “(B) POLICIES AND PROCEDURES.—The
9 Secretary shall establish policies and procedures
10 to provide the fees described in subparagraph
11 (A) to the extent necessary to assist homeless
12 individuals and families on whose behalf rental
13 assistance is provided to find and maintain suit-
14 able housing.

15 “(b) ALLOCATION.—The Secretary shall make assist-
16 ance provided under this section available to public hous-
17 ing agencies based on—

18 “(1) geographical need for the assistance by
19 homeless individuals and families, as identified by
20 the Secretary;

21 “(2) the administrative performance of public
22 housing agencies; and

23 “(3) other factors as specified by the Secretary.

1 “(c) AVAILABILITY.—Assistance made available
2 under this section shall continue to remain available only
3 for homeless individuals and families upon turnover.

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

10 “(e) WAIVER AUTHORITY.—

11 “(1) IN GENERAL.—If the Secretary finds that
12 a waiver or alternative requirement is necessary to
13 ensure that homeless individuals and families can
14 obtain housing using rental assistance made avail-
15 able under this section, the Secretary may waive, or
16 specify alternative requirements for, any provision of
17 any statute or regulation that the Secretary admin-
18 isters in connection with the use of funds made
19 available under this section (except for requirements
20 related to fair housing, nondiscrimination, labor
21 standards, and the environment) that relates to
22 screening of applicants for assistance, admission of
23 applicants, and selection of tenants.

24 “(2) DUTY OF PUBLIC HOUSING AGENCIES.—

25 The Secretary shall require public housing agencies

1 receiving rental assistance funding made available
2 under this section to take all reasonable actions to
3 help assisted individuals and families avoid subse-
4 quent homelessness.

5 **“SEC. 453. OUTREACH FUNDING.**

6 “(a) DIRECT APPROPRIATION.—There is appro-
7 priated to the Secretary, out of any money in the Treasury
8 not otherwise appropriated, \$100,000,000 for each of fis-
9 cal years 2022 through 2024, to remain available until ex-
10 pended, for grants under this section to provide outreach
11 and coordinate services for individuals and families who
12 are homeless or formerly homeless.

13 “(b) GRANTS.—

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

18 “(2) PRIORITY.—In awarding grants under this
19 section, the Secretary shall give priority to collabo-
20 rative applicants that submit plans to make innova-
21 tive and effective use of staff funded with grant
22 amounts in accordance with subsection (c).

23 “(c) USE OF GRANTS.—A collaborative applicant
24 that receives a grant under this section may use the grant
25 amounts only for providing case managers, social workers,

1 or other staff who conduct outreach and coordinate serv-
 2 ices for individuals and families who are homeless or for-
 3 merly homeless.

4 “(d) TIMING.—

5 “(1) CRITERIA TO BE ESTABLISHED SWIFT-
 6 LY.—Not later than 60 days after the date of enact-
 7 ment of this section, the Secretary shall establish the
 8 criteria for awarding grants under this section, in-
 9 cluding the priority system required under sub-
 10 section (b).

11 “(2) INITIAL DISTRIBUTION.—Not later than
 12 30 days after the date on which the Secretary estab-
 13 lishes criteria under paragraph (1), the Secretary
 14 shall distribute amounts appropriated under sub-
 15 section (a) or otherwise made available under this
 16 section for fiscal year 2020.”.

17 **SEC. 5. 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, \$1,000,000,000 for fiscal year 2020 and
 22 each fiscal year thereafter, to remain available until
 23 expended, which shall be credited to the Housing
 24 Trust Fund established under 1338 of the Federal
 25 Housing Enterprises Financial Safety and Sound-

1 ness Act of 1992 (12 U.S.C. 4568) for use under
2 that section.

3 (2) RENTAL ASSISTANCE.—There is appro-
4 priated, out of any money in the Treasury not other-
5 wise appropriated, \$50,000,000 for fiscal year 2020
6 and each fiscal year thereafter, 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 in accordance with the for-
10 mula established under section 1338 of the Federal
11 Housing Enterprises Financial Safety and Sound-
12 ness Act of 1992 (12 U.S.C. 4568), to be used solely
13 in conjunction with grant funds awarded under that
14 section.

15 (3) PRIORITY FOR HOUSING THE HOMELESS.—

16 (A) PRIORITY.—During the first 5 fiscal
17 years for which amounts are made available
18 under this subsection, the Secretary shall en-
19 sure that priority for occupancy in dwelling
20 units described in subparagraph (B) that be-
21 come available for occupancy is given to individ-
22 uals and families who are homeless (as defined
23 in section 103 of the McKinney-Vento Homeless
24 Assistance Act (42 U.S.C. 11302)).

(B) COVERED DWELLING UNITS.—A dwelling unit described in this subparagraph is any dwelling unit that—

(i) is located in housing that has received assistance using amounts that were credited to the Housing Trust Fund under paragraph (1); or

(ii) is receiving assistance using amounts made available under paragraph (2).

(b) TENANT RENT CONTRIBUTION.—

(1) LIMITATION.—Section 1338(c)(7)(A) of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4568(c)(7)(A)) is amended—

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

“(i) not less than 75 percent”;

(B) by adding at the end the following:

“(ii) notwithstanding any other provision of law, all rental housing dwelling units shall be subject to legally binding commitments that ensure that the contribution toward rent by a family residing

1 in the dwelling unit shall not exceed 30
 2 percent of the adjusted income (as that
 3 term is defined in section 3(b) of the
 4 United States Housing Act of 1937 (42
 5 U.S.C. 1437a(b))) of the family; and”.

6 (2) REGULATIONS.—Not later than 90 days
 7 after the date of enactment of this Act, the Sec-
 8 retary shall promulgate regulations to implement
 9 clause (ii) of section 1338(c)(7)(A) of the Federal
 10 Housing Enterprises Financial Safety and Sound-
 11 ness Act of 1992 (12 U.S.C. 4568(c)(7)(A)), as
 12 added by paragraph (1)(B).

13 **SEC. 6. TECHNICAL ASSISTANCE FUNDS TO HELP STATES**
 14 **AND LOCAL ORGANIZATIONS ALIGN HEALTH**
 15 **AND HOUSING SYSTEMS.**

16 (a) FUNDING.—There is appropriated to the Sec-
 17 retary, out of any money in the Treasury not otherwise
 18 appropriated, \$20,000,000 for fiscal year 2020, to remain
 19 available until expended, for providing technical assistance
 20 under section 405 of the McKinney-Vento Homeless As-
 21 sistance Act (42 U.S.C. 11361b) in connection with ex-
 22 panding the Healthcare and Housing (H2) Systems Inte-
 23 gration Initiative of the Secretary, in collaboration with
 24 the United States Interagency Council on Homelessness
 25 and the Secretary of Health and Human Services.

1 (b) USE.—In expanding the Initiative described in
 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) engage 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 individuals.

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 individuals.

18 **SEC. 7. 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. 8. PERMANENT EXTENSION OF UNITED STATES**
6 **INTERAGENCY COUNCIL ON HOMELESSNESS.**

7 Title II of the McKinney-Vento Homeless Assistance
8 Act (42 U.S.C. 11311 et seq.) is amended—

9 (1) by striking section 209 (42 U.S.C. 11319);
10 and

11 (2) by redesignating section 210 (42 U.S.C.
12 11320) as section 209.

13 **SEC. 9. EMERGENCY DESIGNATION.**

14 (a) STATUTORY PAYGO.—This Act is designated as
15 an emergency requirement pursuant to section 4(g) of the
16 Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

17 (b) SENATE DESIGNATION.—In the Senate, this Act
18 is designated as an emergency requirement pursuant to
19 section 4112(a) of H. Con. Res. 71 (115th Congress), the
20 concurrent resolution on the budget for fiscal year 2018.

○