

116TH CONGRESS  
1ST SESSION

# S. 2613

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

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## 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

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## 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 homeles-  
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 ceeding 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)).

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 has re-  
 5 ceived assistance using amounts that were  
 6 credited to the Housing Trust Fund under  
 7 paragraph (1); or

8 (ii) is receiving assistance using  
 9 amounts made available under paragraph  
 10 (2).

11 (b) TENANT RENT CONTRIBUTION.—

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

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

19 “(i) not less than 75 percent”;

20 (B) by adding at the end the following:

21 “(ii) notwithstanding any other provi-  
 22 sion of law, all rental housing dwelling  
 23 units shall be subject to legally binding  
 24 commitments that ensure that the con-  
 25 tribution 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.

○