

115TH CONGRESS  
1ST SESSION

# H. R. 2076

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

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 2017

Ms. MAXINE WATERS of California (for herself, Mr. AL GREEN of Texas, Ms. MOORE, Mr. VARGAS, Mr. SMITH of Washington, Mr. MCNERNEY, Ms. SLAUGHTER, Mrs. TORRES, Mr. ELLISON, Ms. SCHAKOWSKY, Ms. VELÁZQUEZ, Mr. LYNCH, Mrs. NAPOLITANO, Mr. DANNY K. DAVIS of Illinois, and Ms. LEE) 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

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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 2017”.

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

7 The Congress finds that—

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

8           (2) according to the Department of Housing  
9 and Urban Development's 2016 point-in-time count,  
10 there were 549,928 people experiencing homeless-  
11 ness in the United States on any given night, includ-  
12 ing over 120,000 children;

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

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

20 **SEC. 3. EMERGENCY RELIEF FUNDING.**

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

23           (1) by redesignating section 491 (42 U.S.C.  
24 11408; relating to rural housing stability grant pro-  
25 gram) as section 441;

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

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

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

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

10          “(a) DIRECT APPROPRIATIONS.—There is appro-  
11          priated out of any money in the Treasury not otherwise  
12          appropriated for each of fiscal years 2018 through 2022,  
13          \$1,000,000,000, to remain available until expended, for  
14          emergency relief grants under this section to address the  
15          unmet needs of homeless populations in jurisdictions with  
16          the highest need.

17          “(b) FORMULA GRANTS.—

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

24                 “(2) FORMULA.—The Secretary shall, in con-  
25                 sultation with the United States Interagency Council

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

9 “(A) the poverty rate in the geographic  
10 area represented by the collaborative applicant;

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

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

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

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

23 “(3) GRANTS.—For each fiscal year for which  
24 amounts are made available under subsection (a),  
25 the Secretary shall make a grant to each collabo-

1 rative applicant for which an amount is allocated  
2 pursuant to application of the formula established  
3 pursuant to paragraph (2) of this subsection in an  
4 amount that is equal to the formula amount deter-  
5 mined for such collaborative applicant.

6 “(4) TIMING.—

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

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

17 “(c) USE OF GRANTS.—

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

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

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

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

14                   “(i) chronic homelessness has been  
15 functionally eliminated in the geographic  
16 area served by the applicant; or

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

23           The Secretary shall consider and make a deter-  
24 mination regarding each request for an exemp-

1           tion under this subparagraph not later than 60  
2           days after receipt of such request.

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

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

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

18          “(e) REPORTING TO CONGRESS.—

19                  “(1) INITIAL REPORT.—Not later than Sep-  
20                  tember 1, 2017, the Secretary and the United States  
21                  Interagency Council on Homelessness shall submit a  
22                  report to the Committees on Financial Services and  
23                  Appropriations of the House of Representatives and  
24                  the Committees on Banking, Housing, and Urban  
25                  Affairs and Appropriations of the Senate describing

1 the design and implementation of the grant program  
2 under this section, which shall include the formula  
3 required by subsection (b)(2).

4 “(2) SEMIANNUAL STATUS REPORTS.—

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

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

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

22 “(a) DIRECT APPROPRIATION.—There is appro-  
23 priated out of any money in the Treasury not otherwise  
24 appropriated for each of fiscal years 2018 through 2022,



1 \$500,000,000, to remain available until expended, which  
2 shall be used as follows:

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

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

21          “(b) ALLOCATION.—The Secretary shall make assist-  
22          ance provided under this section available to public hous-  
23          ing agencies based on geographical need for such assist-  
24          ance by homeless persons and households, as identified by

1 the Secretary, public housing agency administrative per-  
2 formance, and other factors as specified by the Secretary.

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

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

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

1 able under this section to take all reasonable actions to  
2 help assisted persons and families avoid subsequent home-  
3 lessness.

4 **“SEC. 453. OUTREACH FUNDING.**

5       “(a) DIRECT APPROPRIATION.—There is appro-  
6 priated out of any money in the Treasury not otherwise  
7 appropriated for each of fiscal years 2018 through 2022,  
8 \$100,000,000, to remain available until expended, to the  
9 Secretary for grants under this section to provide outreach  
10 and coordinate services for persons and households who  
11 are homeless or formerly homeless.

12       “(b) GRANTS.—

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

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

22       “(c) USE OF GRANTS.—A collaborative applicant  
23 that receives a grant under this section may use such  
24 grant amounts only for providing case managers, social  
25 workers, or other staff who conduct outreach and coordi-

1 nate services for persons and households who are homeless  
2 or formerly homeless.

3 “(d) TIMING.—

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

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

15 **SEC. 4. HOUSING TRUST FUND.**

16 (a) FUNDING.—

17 (1) ANNUAL FUNDING.—There is appropriated,  
18 out of any money in the Treasury not otherwise ap-  
19 propriated, for fiscal year 2018 and each fiscal year  
20 thereafter, \$1,000,000,000, to remain available until  
21 expended, which shall be credited to the Housing  
22 Trust Fund established pursuant to section 1338 of  
23 the Federal Housing Enterprises Financial Safety  
24 and Soundness Act of 1992 (12 U.S.C. 4568) for  
25 use under such section.

1           (2) RENTAL ASSISTANCE.—There is appro-  
2           priated, out of any money in the Treasury not other-  
3           wise appropriated, for fiscal year 2018 and each fis-  
4           cal year thereafter, \$50,000,000, to remain available  
5           until expended, for incremental project-based vouch-  
6           er assistance or project-based rental assistance, to  
7           be allocated to States pursuant to the formula estab-  
8           lished under section 1338 of the Federal Housing  
9           Enterprises Financial Safety and Soundness Act of  
10          1992 (12 U.S.C. 4568), to be used solely in conjunc-  
11          tion with grant funds awarded under such section  
12          1338.

13           (3) PRIORITY FOR HOUSING THE HOMELESS.—

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

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(e)(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)) in connection with expanding the Healthcare  
25 and Housing (H2) Systems Integration Initiative of the

1 Secretary of Housing and Urban Development, in collabo-  
2 ration with the United States Interagency Council on  
3 Homelessness and the Secretary of Health and Human  
4 Services.

5 (b) USE.—In expanding the Initiative referred to in  
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) engages 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.

○