

117TH CONGRESS
1ST SESSION

H. R. 4496

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

IN THE HOUSE OF REPRESENTATIVES

JULY 16, 2021

Ms. WATERS (for herself, Mr. CLEAVER, Mr. TORRES of New York, Mrs. CAROLYN B. MALONEY of New York, Ms. VELÁZQUEZ, Mr. GREEN of Texas, Mrs. BEATTY, Mr. LAWSON of Florida, Ms. PRESSLEY, Ms. TLAIB, Ms. OCASIO-CORTEZ, Mr. GARCÍA of Illinois, Ms. GARCIA of Texas, Ms. WILLIAMS of Georgia, Mr. AUCHINCLOSS, Mr. LIEU, Ms. LEE of California, Mr. SIRES, Ms. CLARKE of New York, Mr. EVANS, Mr. ESPAILLAT, Ms. NORTON, Mr. BOWMAN, Ms. MOORE of Wisconsin, Mr. BLUMENAUER, Ms. ROSS, Ms. SCHAKOWSKY, and Mr. VICENTE GONZALEZ of Texas) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on the Judiciary, 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,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Ending Homelessness Act of 2021”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Expansion of housing choice voucher program.
- Sec. 3. Entitlement program for housing choice vouchers.
- Sec. 4. Repeal of ineligibility criteria.
- Sec. 5. Prohibiting housing discrimination based on source of income.
- Sec. 6. Funding to address unmet need.
- Sec. 7. Housing Trust Fund.
- Sec. 8. Technical assistance funds to help States and local organizations align health and housing systems.
- Sec. 9. Permanent authorization of appropriations for McKinney-Vento Homeless Assistance Act grants.
- Sec. 10. Permanent extension of United States Interagency Council on Homelessness.
- Sec. 11. Eligibility of private nonprofit organizations for funding.
- Sec. 12. Eligibility of faith-based organizations.
- Sec. 13. Conforming amendments.

3 **SEC. 2. EXPANSION OF HOUSING CHOICE VOUCHER PRO-**
 4 **GRAM.**

5 (a) FUNDING.—There is appropriated out of any
 6 money in the Treasury not otherwise appropriated, for
 7 providing incremental voucher assistance in accordance
 8 with this section for each of fiscal years 2022 through
 9 2025, the amount necessary to fund—

- 10 (1) the number of incremental vouchers re-
- 11 quired to be allocated under subsection (c);
- 12 (2) annual renewals of the vouchers allocated
- 13 under subsection (c); and
- 14 (3) administrative fees for vouchers allocated
- 15 under subsection (c).

16 (b) ELIGIBLE HOUSEHOLDS.—Amounts made avail-
 17 able under subsection (a) may be used only for providing
 18 rental housing assistance under section 8(o) of the United

1 States Housing Act of 1937 (42 U.S.C. 1437f(o)) for an
2 eligible family who initially—

3 (1) has an income that does not exceed 50 per-
4 cent of the maximum income limitation for ex-
5 tremely low-income families established by the Sec-
6 retary of Housing and Urban Development (in this
7 section referred to as the “Secretary”) pursuant to
8 section 3(b)(2)(C) of the United States Housing Act
9 of 1937; or

10 (2) is an extremely low-income family that in-
11 cludes an individual who is an individual who is a
12 recipient of supplemental security income benefits
13 under title XVI of the Social Security Act.

14 (c) ALLOCATION.—

15 (1) INCREMENTAL VOUCHERS.—The Secretary
16 of Housing and Urban Development shall allocate
17 500,000 incremental vouchers in fiscal year 2022
18 and 1,000,000 incremental vouchers in increments
19 of 500,000 in each calendar year from 2023 through
20 2025 under this section to public housing agencies
21 pursuant to section 213(d) of the Housing and Com-
22 munity Development Act of 1974 (42 U.S.C. 1439).

23 (2) SELECTION CRITERIA.—The Secretary
24 shall, by notice in the Federal Register, establish se-
25 lection criteria under such section 213(d) that

1 prioritizes housing needs among families targeted
2 under subsection (b) and severe housing hardship,
3 such as experiencing homelessness, overcrowding or
4 evictions.

5 (3) RENTAL ASSISTANCE.—Vouchers allocated
6 under this subsection shall be vouchers for rental as-
7 sistance under section 8(o) of the United States
8 Housing Act of 1937.

9 **SEC. 3. ENTITLEMENT PROGRAM FOR HOUSING CHOICE**
10 **VOUCHERS.**

11 (a) ENTITLEMENT.—During fiscal year 2026 and
12 each fiscal year thereafter, any family that is otherwise
13 eligible for tenant-based rental assistance under section
14 8(o) of the United States Housing Act of 1937 (42 U.S.C.
15 1437f(o)) shall be entitled to such rental assistance in ac-
16 cordance with this section during such period that such
17 family meets the requirements under subsection (c) or (d)
18 as a qualified family.

19 (b) FUNDING.—For fiscal year 2026 and each fiscal
20 year thereafter, there is appropriated out of any money
21 in the Treasury not otherwise appropriated the amount
22 necessary—

23 (1) to provide assistance under section 8(o) of
24 the United States Housing Act of 1937 in accord-
25 ance with the entitlement under subsection (a) of

1 this section for each qualified family in the amount
2 determined under such section 8(o); and

3 (2) to provide administrative fees under such
4 section 8(q), as modified pursuant to subsection (i)
5 of this section, in connection with each voucher for
6 assistance provided pursuant to paragraph (1) of
7 this subsection.

8 (c) QUALIFIED FAMILIES.—For purposes of this sec-
9 tion, the term “qualified family” means the following:

10 (1) FISCAL YEAR 2026.—For fiscal year 2026,
11 a family that meets the requirements under section
12 2(b) of this Act.

13 (2) FISCAL YEAR 2027.—For fiscal year 2027,
14 a family having an income that—

15 (A) meets the requirements under section
16 2(b) of this Act; or

17 (B) does not exceed 75 percent of the max-
18 imum income limitation for extremely low-in-
19 come families established by the Secretary pur-
20 suant to section 3(b)(2)(C) of the United States
21 Housing Act of 1937.

22 (3) FISCAL YEAR 2028.—For fiscal year 2028,
23 an extremely low-income family.

24 (4) FISCAL YEAR 2029.—For fiscal year 2029,
25 a very low-income family.

1 (5) FISCAL YEAR 2030 AND AFTER.—For fiscal
2 year 2030 and each fiscal year thereafter, a low-in-
3 come family.

4 (d) CONTINUING ELIGIBILITY.—A family shall meet
5 the requirements under this subsection as a qualifying
6 family if the family—

7 (1) does not meet the requirements under sub-
8 section (c); and

9 (2) was initially assisted under this section or
10 section 2 of this Act and continues to be assisted.

11 (e) REPEAL OF INCOME TARGETING REQUIRE-
12 MENT.—Effective October 1, 2028, section 16 of the
13 United States Housing Act of 1937 (42 U.S.C. 1437n)
14 is amended by striking subsection (b).

15 (f) ADMINISTERING AGENCIES.—

16 (1) REGIONAL CONSORTIA.—The Secretary
17 shall encourage and provide for public housing agen-
18 cies to form regional consortia to administer the pro-
19 gram for rental assistance under this section with
20 respect to geographical areas.

21 (2) PHA DESIGNATION.—The Secretary shall
22 designate a public housing agency to administer as-
23 sistance under this section in any area where no ex-
24 isting public housing agency has jurisdiction or
25 where no agency with jurisdiction is adequately ad-

1 ministering such assistance, subject to public com-
 2 ment and after consultation with States, public
 3 housing agencies, local governments, Indian tribes,
 4 and tribally designated housing agencies.

5 (g) USE OF SMALL AREA FAIR MARKET RENTS.—

6 Paragraph (1) of section 8(o) of the United States Hous-
 7 ing Act of 1937 (42 U.S.C. 1437f(o)(1)) is amended—

8 (1) in subparagraph (B), by striking “subpara-
 9 graph (D)” and inserting “subparagraphs (D) and
 10 (F)”;

11 (2) by adding at the end the following new sub-
 12 paragraph:

13 “(F) USE OF SMALL AREA FAIR MARKET
 14 RENTS.—Effective for fiscal year 2022 and
 15 each fiscal year thereafter, the area fair market
 16 rents used for purposes of subparagraph (B)
 17 shall be established by the Secretary for zip code
 18 areas.”.

19 (h) PROJECT-BASING.—

20 (1) IN GENERAL.—Notwithstanding subpara-
 21 graph (A) of paragraph (13) of section 8(o) of the
 22 United States Housing Act of 1937 (42 U.S.C.
 23 1437f(o)(13)(A)), a public housing agency admin-
 24 istering assistance under this section may enter into

1 agreements to attach such assistance to a project in
2 accordance with such paragraph, except that—

3 (A) a qualified family residing in a dwell-
4 ing unit so assisted may at any time opt to use
5 such assistance on a tenant-based basis for a
6 different dwelling unit and, upon such a move,
7 the public housing agency shall provide the
8 qualified family with tenant-based rental assist-
9 ance under this section; and

10 (B) subparagraph (B) of such section
11 8(o)(13) (relating to percentage limitation)
12 shall not apply with respect to assistance under
13 this section.

14 (2) PERCENTAGE LIMITATION.—For purposes
15 of section 8(o)(13)(B) of the United States Housing
16 Act of 1937, all families assisted by a public housing
17 agency under this section shall be counted as au-
18 thorized units for the agency

19 (i) SECURITY DEPOSITS.—

20 (1) AUTHORITY.—An agency administering as-
21 sistance under this section may authorize a qualified
22 family assisted under this section to use such assist-
23 ance for security deposits and broker and application
24 fees relating to obtaining a dwelling unit, except that
25 the Secretary may establish a limitation on the

1 amount of such assistance used pursuant to this
2 subsection and for each authorized purpose under
3 this subsection.

4 (2) RECAPTURE.—The Secretary shall require
5 the return to the Secretary of any amounts used for
6 a security deposit with respect to a dwelling unit
7 upon the termination of the residence in such unit
8 by an assisted family.

9 (j) ADMINISTRATIVE FEES.—Notwithstanding the
10 administrative fee with respect to tenant-based assistance
11 in effect on October 1, 2021, pursuant section 8(q) of the
12 United States Housing Act of 1937 (42 U.S.C. 1437f(q)),
13 the Secretary shall, by regulation, establish a new admin-
14 istrative fee for such assistance, applicable to fiscal year
15 2022 and thereafter, that reflects local variation in the
16 cost of administering a well-run housing choice voucher
17 program and which encourages public housing agencies to
18 expand housing choice for assisted families and increase
19 the rate at which families issued vouchers use them suc-
20 cessfully to lease housing.

21 (k) PROHIBITION OF USE UNDER MOVING TO WORK
22 PROGRAM.—None of the amounts made available by sub-
23 section (b) of this section or by section 2 of this Act may
24 be used under, to carry out, or otherwise in connection
25 with the Moving to Work demonstration program author-

1 ized by section 204 of the Departments of Veterans Af-
2 fairs and Housing and Urban Development and Inde-
3 pendent Agencies Appropriations Act, 1996 (Public Law
4 104–134; 110 Stat. 1321), as expanded by section 239
5 of the Transportation, Housing and Urban Development,
6 and Related Agencies Appropriations Act, 2016 (division
7 L of Public Law 114–113; 129 Stat. 2897) or any other
8 provision of law.

9 (l) DEFINITIONS.—For purposes of this section, the
10 following definitions shall apply:

11 (1) INDIAN TRIBE; TRIBALLY DESIGNATED
12 HOUSING AGENCY.—The terms “Indian tribe” and
13 “tribally designated housing agency” have the mean-
14 ings given such terms in section 4 of the Native
15 American Housing Assistance and Self-Determina-
16 tion Act of 1996 (25 U.S.C. 4103).

17 (2) LOW-INCOME FAMILY; VERY LOW-INCOME
18 FAMILY; EXTREMELY LOW-INCOME FAMILY.—The
19 terms “low-income family”, “very low-income fam-
20 ily”, and “extremely low-income family” have the
21 meanings given such terms in section 3(b) of the
22 United States Housing Act of 1937 (42 U.S.C.
23 1437a(b)).

24 (3) PUBLIC HOUSING AGENCY.—The term
25 “public housing agency” has the meaning given such

1 term in section 3(b) of the United States Housing
 2 Act of 1937 (42 U.S.C. 1437a(b)).

3 (4) SECRETARY.—The term “Secretary” means
 4 the Secretary of Housing and Urban Development.

5 (5) STATE.—The term “State” has the mean-
 6 ing given such term in section 3(b) of the United
 7 States Housing Act of 1937 (42 U.S.C. 1437a(b)).

8 **SEC. 4. REPEAL OF INELIGIBILITY CRITERIA.**

9 (a) UNITED STATES HOUSING ACT OF 1937.—Effec-
 10 tive October 1, 2025, section 6 of the United States Hous-
 11 ing Act of 1937 (42 U.S.C. 1437d) is amended—

12 (1) in subsection (q)(1), by adding at the end
 13 the following new subparagraph:

14 “(D) INAPPLICABILITY.—This subsection
 15 shall not apply to applicants for, or families as-
 16 sisted under, the entitlement program for hous-
 17 ing choice vouchers under section 3 of the End-
 18 ing Homelessness Act of 2021.”; and

19 (2) in subsection (s), by striking “or assisted
 20 housing program”.

21 (b) QUALITY HOUSING AND WORK RESPONSIBILITY
 22 ACT OF 1998.—The Quality Housing and Work Responsi-
 23 bility Act of 1998 is amended—

24 (1) in section 576 (42 U.S.C. 13661)—

1 (A) by inserting “covered” before “feder-
 2 ally assisted housing” each place such term ap-
 3 pears; and

4 (B) by adding at the end the following new
 5 subsection:

6 “(f) DEFINITION OF COVERED FEDERALLY AS-
 7 SISTED HOUSING.—The term ‘covered federally assisted
 8 housing’ has the meaning given the term ‘federally as-
 9 sisted housing’ in section 579, except that the former term
 10 shall not include housing specified in subsection (a)(2)(B)
 11 of such section.”; and

12 (2) in section 577(a) (42 U.S.C. 13662(a)), by
 13 adding after and below paragraph (2) the following
 14 new flush material:

15 “This subsection shall not apply to applicants for, or fami-
 16 lies assisted under, the entitlement program for housing
 17 choice vouchers under section 3 of the Ending Homeless-
 18 ness Act of 2021.”.

19 **SEC. 5. PROHIBITING HOUSING DISCRIMINATION BASED**
 20 **ON SOURCE OF INCOME.**

21 (a) IN GENERAL.—The Fair Housing Act (42 U.S.C.
 22 3601 et seq.) is amended—

23 (1) in section 802 (42 U.S.C. 3602), by adding
 24 at the end the following:

25 “(p) ‘Source of income’ includes—

1 “(1) current and future use of a tenant- or
2 project-based housing voucher under section 8 of the
3 United States Housing Act of 1937 (42 U.S.C.
4 1437f) and any form of Federal, State, or local
5 housing assistance provided to a person or family or
6 provided to a housing owner on behalf of a person
7 or family, including rental vouchers, rental assist-
8 ance, down payment assistance, other homeowner-
9 ship assistance, assistance to cover housing costs,
10 and other rental and homeownership subsidies, or
11 guarantees or financial assistance provided through
12 government and nongovernment organizations, in-
13 cluding both receipt of such assistance and compli-
14 ance with its terms thereof;

15 “(2) income received as a monthly benefit
16 under title II of the Social Security Act (42 U.S.C.
17 401 et seq.), as a supplemental security income ben-
18 efit under title XVI of the Social Security Act (42
19 U.S.C. 1381 et seq.), or as a benefit under the Rail-
20 road Retirement Act of 1974 (45 U.S.C. 231 et
21 seq.) or income provided through Federal, State, or
22 local governments or nongovernment organizations,
23 or through any public or State-supported general or
24 disability income assistance program or the terms of
25 such income;

1 “(3) income received by court order, including
2 spousal support and child support;

3 “(4) any payment from a trust, guardian, con-
4 servator, co-signer, or relative; and

5 “(5) any other source of income or funds, in-
6 cluding savings accounts and investments.”;

7 (2) in section 804 (42 U.S.C. 3604)—

8 (A) by inserting “source of income,” after
9 “familial status,” each place that term appears;
10 and

11 (3) in section 805 (42 U.S.C. 3605)—

12 (A) in subsection (a), by inserting “source
13 of income,” after “familial status,”; and

14 (B) in subsection (c), by inserting “source
15 of income,” after “handicap,”;

16 (4) in section 806 (42 U.S.C. 3606), by insert-
17 ing “source of income,” after “familial status,”;

18 (5) in section 807 (42 U.S.C. 3607), by adding
19 at the end the following new subsection:

20 “(c) Nothing under this title shall be construed to
21 prohibit any entity from providing a preference for vet-
22 erans or based on veteran status in the sale or rental of
23 a dwelling or in the provision of services or facilities in
24 connection therewith.”;

1 (6) in section 808(e)(6) (42 U.S.C. 3608(e)(6)),
2 by inserting “source of income,” after “handicap,”;
3 and

4 (7) in section 810(f) (42 U.S.C. 3610(f)), by
5 striking paragraph (4) and inserting the following:

6 “(4) During the period beginning on the date of en-
7 actment of the Ending Homelessness Act of 2021 and
8 ending on the date that is 40 months after such date of
9 enactment, each agency certified for purposes of this title
10 on the day before such date of enactment shall, for pur-
11 poses of this subsection, be considered certified under this
12 subsection with respect to those matters for which the
13 agency was certified on that date. If the Secretary deter-
14 mines in an individual case that an agency has not been
15 able to meet the certification requirements within this 40-
16 month period due to exceptional circumstances, such as
17 the infrequency of legislative sessions in that jurisdiction,
18 the Secretary may extend such period by not more than
19 6 months.”.

20 (b) PREVENTION OF INTIMIDATION IN FAIR HOUS-
21 ING CASES.—Section 901 of the Civil Rights Act of 1968
22 (42 U.S.C. 3631) is amended by inserting “source of in-
23 come (as defined in section 802),” before “or national ori-
24 gin” each place that term appears.

1 (c) AUTHORIZATION OF APPROPRIATIONS FOR EN-
2 FORCEMENT.—There is authorized to be appropriated for
3 contracts, grants, and other assistance—

4 (1) \$90,000,000 for each of fiscal years 2022
5 through 2031 for the Fair Housing Initiatives Pro-
6 gram under section 561 of the Housing and Com-
7 munity Development Act of 1987 (42 U.S.C.
8 3616a);

9 (2) \$47,000,000 for each of fiscal years 2022
10 through 2031 for the Fair Housing Assistance Pro-
11 gram under the Fair Housing Act (42 U.S.C. 3601
12 et seq.); and

13 (3) \$3,000,000 for each of fiscal years 2022
14 through 2024 to the Secretary of Housing and
15 Urban Development for a carrying out national
16 media campaign to raise public awareness to help in-
17 dividuals understand their expanded rights under
18 the Fair Housing Act and learn how to report inci-
19 dents of housing discrimination.

20 **SEC. 6. FUNDING TO ADDRESS UNMET NEED.**

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—Emergency Funding**
8 **To Address Unmet Need**

9 **“SEC. 451. FUNDING TO ADDRESS UNMET NEEDS.**

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 2022 through 2026,
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 The formula shall provide priority to (i) collaborative
24 applicants for which the local governments, within
25 the area served by the applicant, have adopted local

1 policies, such as through zoning and regulation, that
2 leverage the private sector’s participation to provide
3 housing that is reserved and affordable to low-, very
4 low-, and extremely low-income households, as de-
5 fined by the Secretary, for a minimum term of 15
6 years, and (ii) collaborative applicants for which the
7 local governments have adopted policies that de-
8 criminalize homelessness. The Secretary shall estab-
9 lish by regulation the process and manner that local
10 governments will be evaluated. The Secretary shall
11 ensure that local governments are not incentivized or
12 otherwise rewarded for eliminating or undermining
13 the intent of zoning regulations or other regulations
14 or policies that establish fair wages for laborers, en-
15 sure health and safety of buildings for residents and
16 the general public, protect fair housing, establish en-
17 vironmental protections, establish standards for re-
18 siliency, prevent tenant displacement, or any other
19 requirements that the Secretary determines it is in
20 the public interest to preserve.

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.—The funding formula required
5 under paragraph (2) shall be established by regula-
6 tions issued, after notice and opportunity for public
7 comment, not later than 6 months after the date of
8 enactment of this section.

9 “(c) USE OF GRANTS.—

10 “(1) IN GENERAL.—Subject to paragraphs (2)
11 through (4), a collaborative applicant that receives a
12 grant under this section may use such grant
13 amounts only for eligible activities under section
14 415, 423, or 441(b).

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

17 “(A) REQUIREMENT.—Except as provided
18 in subparagraph (B), each collaborative appli-
19 cant that receives a grant under this section
20 shall use not less than 75 percent of such grant
21 amount for permanent supportive housing, in-
22 cluding capital costs, rental subsidies, and serv-
23 ices.

24 “(B) EXEMPTION.—The Secretary shall
25 exempt a collaborative applicant from the appli-

1 cability of the requirement under subparagraph
2 (A) if the applicant demonstrates, in accordance
3 with such standards and procedures as the Sec-
4 retary shall establish, that—

5 “(i) chronic homelessness has been
6 functionally eliminated in the geographic
7 area served by the applicant; or

8 “(ii) the permanent supportive hous-
9 ing under development in the geographic
10 area served by the applicant is sufficient to
11 functionally eliminate chronic homelessness
12 once such units are available for occu-
13 pancy.

14 The Secretary shall consider and make a deter-
15 mination regarding each request for an exemp-
16 tion under this subparagraph not later than 60
17 days after receipt of such request.

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

23 “(4) HOUSING FIRST REQUIREMENT.—The Sec-
24 retary shall ensure that each collaborative applicant
25 that receives a grant under this section is imple-

1 menting, to the extent possible, and will use such
2 grant amounts in accordance with, a Housing First
3 model for assistance for homeless persons.

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

8 “(e) REPORTING TO CONGRESS.—

9 “(1) ANNUAL REPORTS.—Not later than the ex-
10 piration of the 12-month period beginning upon the
11 first allocation of amounts made after the date of
12 the enactment of this Act pursuant to subsection
13 (b)(1), and annually thereafter, the Secretary and
14 the United States Interagency Council on Homeless-
15 ness shall submit a report to the Committees on Fi-
16 nancial Services and Appropriations of the House of
17 Representatives and the Committees on Banking,
18 Housing, and Urban Affairs and Appropriations of
19 the Senate providing detailed information regarding
20 the grants made under this section during the pre-
21 ceding year, the activities funded with such grant
22 amounts, and the impact of such activities on the
23 communities where such activities took place.

24 “(2) COLLECTION OF INFORMATION BY SEC-
25 RETARY.—The Secretary shall require each collabo-

1 rative applicant that receives a grant under this sec-
2 tion to submit such information to the Secretary as
3 may be necessary for the Secretary to comply with
4 the reporting requirement under paragraph (1).

5 **“SEC. 452. OUTREACH FUNDING.**

6 “(a) DIRECT APPROPRIATION.—There is appro-
7 priated out of any money in the Treasury not otherwise
8 appropriated for each of fiscal years 2022 through 2026,
9 \$100,000,000, to remain available until expended, to the
10 Secretary for grants under this section to provide outreach
11 and coordinate services for persons and households 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 who comply with section
17 402.

18 “(2) PRIORITY.—The competition for grants
19 under this section shall provide priority—

20 “(A) to collaborative applicants who sub-
21 mit plans to make innovative and effective use
22 of staff funded with grant amounts pursuant to
23 subsection (c);

24 “(B) to collaborative applicants for which
25 the local governments, within the area served by

1 the applicant, have adopted local policies, such
2 as through zoning and regulation, that leverage
3 the private sector’s participation to provide
4 housing that is reserved and affordable to low-
5 , very low-, and extremely low-income house-
6 holds, as defined by Secretary, for a minimum
7 term of 15 years; and

8 “(C) to collaborative applicants for which
9 the local governments have adopted policies that
10 decriminalize homelessness.

11 The Secretary shall establish by regulation the proc-
12 ess and manner that local governments will be evalu-
13 ated. The Secretary shall ensure that local govern-
14 ments are not incentivized or otherwise rewarded for
15 eliminating or undermining the intent of zoning reg-
16 ulations or other regulations or policies that estab-
17 lish fair wages for laborers, ensure health and safety
18 of buildings for residents and the general public,
19 protect fair housing, establish environmental protec-
20 tions, establish standards for resiliency, prevent ten-
21 ant displacement, or any other requirements that the
22 Secretary determines it is in the public interest to
23 preserve.

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

1 “(1) may use such grant amounts only for pro-
2 viding case managers, social workers, or other staff
3 who conduct outreach and coordinate services for
4 persons and households who are homeless or for-
5 merly homeless; and

6 “(2) shall not use grant amounts for any law
7 enforcement purposes.

8 “(d) TIMING.—The Secretary shall establish the cri-
9 teria for the competition for grants under this section re-
10 quired under subsection (b) by regulations issued, after
11 notice and opportunity for public comment, not later than
12 6 months after the date of enactment of this section.”.

13 **SEC. 7. HOUSING TRUST FUND.**

14 (a) FUNDING.—

15 (1) ANNUAL FUNDING.—There is appropriated,
16 out of any money in the Treasury not otherwise ap-
17 propriated, for each of fiscal years 2022 through
18 2026, \$1,000,000,000, to remain available until ex-
19 pended, which shall be credited to the Housing
20 Trust Fund established pursuant to section 1338 of
21 the Federal Housing Enterprises Financial Safety
22 and Soundness Act of 1992 (12 U.S.C. 4568) for
23 use under such section.

24 (2) PRIORITY FOR HOUSING THE HOMELESS.—

1 (A) PRIORITY.—During the first 5 fiscal
2 years that amounts are made available under
3 this subsection, the Secretary of Housing and
4 Urban Development shall ensure that priority
5 for occupancy in dwelling units described in
6 subparagraph (B) that become available for oc-
7 cupancy shall be given to persons and house-
8 holds who are homeless (as such term is defined
9 in section 103 of the McKinney-Vento Homeless
10 Assistance Act (42 U.S.C. 11302)).

11 (B) COVERED DWELLING UNITS.—A dwell-
12 ing unit described in this subparagraph is any
13 dwelling unit that—

14 (i) is located in housing that was at
15 any time provided assistance with any
16 amounts from the Housing Trust Fund re-
17 ferred to paragraph (1) that were credited
18 to such Trust Fund by such paragraph; or

19 (ii) is receiving assistance described in
20 paragraph (2) with amounts made avail-
21 able under such paragraph.

22 (b) TENANT RENT CONTRIBUTION.—

23 (1) LIMITATION.—Subparagraph (A) of section
24 1338(c)(7) of the Federal Housing Enterprises Fi-

1 nancial Safety and Soundness Act of 1992 (12
2 U.S.C. 4568(c)(7)(A)) is amended—

3 (A) by striking “except that not less than
4 75 percent” and inserting the following: “except
5 that—

6 “(i) not less than 75 percent”;

7 (B) by adding at the end the following new
8 clause:

9 “(ii) notwithstanding any other provi-
10 sion of law, all rental housing dwelling
11 units shall be subject to legally binding
12 commitments that ensure that the con-
13 tribution toward rent by a family residing
14 in the dwelling unit shall not exceed 30
15 percent of the adjusted income (as such
16 term is defined in section 3(b) of the
17 United States Housing Act of 1937 (42
18 U.S.C. 1437a(b))) of such family; and”.

19 (2) REGULATIONS.—The Secretary of Housing
20 and Urban Development shall issue regulations to
21 implement section 1338(c)(7)(A)(ii) of the Federal
22 Housing Enterprises Financial Safety and Sound-
23 ness Act of 1992, as added by the amendment made
24 by paragraph (1)(B) of this section, not later than

1 the expiration of the 90-day period beginning on the
2 date of the enactment of this Act.

3 **SEC. 8. TECHNICAL ASSISTANCE FUNDS TO HELP STATES**
4 **AND LOCAL ORGANIZATIONS ALIGN HEALTH**
5 **AND HOUSING SYSTEMS.**

6 (a) FUNDING.—There is hereby made available to the
7 Secretary of Housing and Urban Development
8 \$20,000,000, to remain available until expended, for pro-
9 viding technical assistance under section 405 of the
10 McKinney-Vento Homeless Assistance Act (42 U.S.C.
11 11361(b)) to integrate and coordinate assistance provided
12 under the McKinney-Vento Homeless Assistance Act (42
13 U.S.C. 11301 et seq.) with health care funded by Federal
14 programs, in collaboration with the United States Inter-
15 agency Council on Homelessness and the Secretary of
16 Health and Human Services.

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

19 (1) assist States and localities in integrating
20 and aligning policies and funding between Medicaid
21 programs, behavioral health providers, and housing
22 providers to create supportive housing opportunities;
23 and

24 (2) engage State Medicaid program directors,
25 Governors, State housing and homelessness agencies,

1 any other relevant State offices, and any relevant
2 local government entities, to assist States in increas-
3 ing use of their Medicaid programs to finance sup-
4 portive services for homeless persons.

5 (c) PRIORITY.—In using amounts made available
6 under this section, the Secretary shall give priority—

7 (1) to use for States and localities having the
8 highest numbers of chronically homeless persons;
9 and

10 (2) to assist localities that have adopted local
11 policies, such as through zoning and regulation, that
12 leverage the private sector's participation to provide
13 and make housing affordable for low-, very low-, and
14 extremely low-income household, as defined by the
15 Secretary, for a minimum of 15 years. The Sec-
16 retary shall establish by regulation the process and
17 manner that local governments will be evaluated.
18 The Secretary shall ensure that local governments
19 are not incentivized or otherwise rewarded for elimi-
20 nating or undermining the intent of zoning regula-
21 tions or other regulations or policies that establish
22 fair wages for laborers, ensure health and safety of
23 buildings for residents and the general public, pro-
24 tect fair housing, establish environmental protec-
25 tions, establish standards for resiliency, prevent ten-

1 ant displacement, or any other requirements that the
 2 Secretary determines it is in the public interest to
 3 preserve.

4 **SEC. 9. PERMANENT AUTHORIZATION OF APPROPRIATIONS**
 5 **FOR MCKINNEY-VENTO HOMELESS ASSIST-**
 6 **ANCE ACT GRANTS.**

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

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

10 “There are authorized to be appropriated to carry out
 11 this title such sums as may be necessary for each fiscal
 12 year.”.

13 **SEC. 10. PERMANENT EXTENSION OF UNITED STATES**
 14 **INTERAGENCY COUNCIL ON HOMELESSNESS.**

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

17 **SEC. 11. ELIGIBILITY OF PRIVATE NONPROFIT ORGANIZA-**
 18 **TIONS FOR FUNDING.**

19 Notwithstanding any other provision of law, the Sec-
 20 retary of Housing and Urban Development shall provide
 21 that private nonprofit organizations (as such term is de-
 22 fined in section 401 of the McKinney-Vento Homeless As-
 23 sistance Act (42 U.S.C. 11360)) that are eligible entities
 24 (as such term is defined in such section 401), including
 25 faith-based such organizations that are eligible entities,

1 shall be eligible for assistance made available or author-
 2 ized by this Act or by the amendments made by this Act
 3 (but not including assistance under section 452 of the
 4 McKinney-Vento Homeless Assistance Act, as added by
 5 section 3 of this Act), and shall be eligible to be sub-
 6 grantees for entities receiving amounts made available or
 7 authorized by this Act or by the amendments made by
 8 this Act.

9 **SEC. 12. ELIGIBILITY OF FAITH-BASED ORGANIZATIONS.**

10 Notwithstanding any other provision of law, in deter-
 11 mining eligibility for assistance made available by this Act
 12 or the amendments made by this Act or for which appro-
 13 priations are authorized by this Act or the amendments
 14 made by this Act, the status of an entity as faith-based
 15 or the possibility that an entity may be faith-based may
 16 not be a basis for any discrimination against such entity
 17 in any manner or for any purpose.

18 **SEC. 13. CONFORMING AMENDMENTS.**

19 The table of sections in section 101(b) of the McKin-
 20 ney-Vento Homeless Assistance Act is amended—

21 (1) in the item relating to title II, by striking
 22 “INTERAGENCY COUNCIL ON THE HOME-
 23 LESS” and inserting “UNITED STATES INTER-
 24 AGENCY COUNCIL ON HOMELESSNESS”;

25 (2) by striking the item relating to section 209;

- 1 (3) in the item relating to section 491, by strik-
2 ing “491” and inserting “441”;
3 (4) in the item relating to section 492, by strik-
4 ing “492” and inserting “442”; and
5 (5) by inserting before the item relating to title
6 V the following:

“Subtitle E—Emergency Funding To Address Unmet Need

“Sec. 451. Funding to address unmet needs.

“Sec. 452. Outreach funding.”.

