AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. ______
OFFERED BY MS. WATERS OF CALIFORNIA

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.
2 This Act may be cited as the "Ending Homelessness
3 Act of 2019".

4 SEC. 2. CONGRESSIONAL FINDINGS.
5 The Congress finds that—
6 (1) although the United States has experienced
7 a reduction in veteran homelessness after a surge of
8 new Federal funding targeted to homeless veterans
9 starting in fiscal year 2008, major progress towards
10 the national goals for ending homelessness in our
11 Nation has virtually stalled in the absence of in-
12 creased funding;
13 (2) according to the Department of Housing
14 and Urban Development’s 2018 point-in-time count,
15 there were 552,830 people experiencing homeles-
16 sness in the United States on any given night, includ-
17 ing nearly 160,000 children and youth;
(3) homelessness in many communities has reached crisis proportions and some cities have declared that homelessness has reached a state of emergency; and

(4) the Federal Government must renew its commitment to the national goals to end homelessness.

SEC. 3. FUNDING TO ADDRESS UNMET NEEDS.

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

(1) by redesignating section 491 (42 U.S.C. 11408; relating to rural housing stability grant program) as section 441;

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

(3) by adding at the end the following new subtitle:

“Subtitle E—5-Year Path to End Homelessness

SEC. 451. FUNDING TO ADDRESS UNMET NEEDS.

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

“(b) FORMULA GRANTS.—

“(1) ALLOCATION.—Amounts appropriated under subsection (a) for a fiscal year shall be allocated among collaborative applicants that comply with section 402, in accordance with the funding formula established under paragraph (2) of this subsection.

“(2) FORMULA.—The Secretary shall, in consultation with the United States Interagency Council on Homeless, establish a formula for allocating grant amounts under this section to address the unmet needs of homeless populations in jurisdictions with the highest need, using the best currently available data that targets need based on key structural determinants of homelessness in the geographic area represented by a collaborative applicant, which shall include data providing accurate counts of—

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

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

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

“(D) the number of unsheltered homeless individuals and the number of chronically homeless individuals; and

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

“(3) GRANTS.—For each fiscal year for which amounts are made available under subsection (a), the Secretary shall make a grant to each collaborative applicant for which an amount is allocated pursuant to application of the formula established pursuant to paragraph (2) of this subsection in an amount that is equal to the formula amount determined for such collaborative applicant.

“(4) TIMING.—The funding formula required under paragraph (2) shall be established by regulations issued, after notice and opportunity for public comment, not later than 6 months after the date of enactment of this section.

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

“(2) PERMANENT SUPPORTIVE HOUSING REQUIREMENT.—

“(A) REQUIREMENT.—Except as provided in subparagraph (B), each collaborative applicant that receives a grant under this section shall use not less than 75 percent of such grant amount for permanent supportive housing, including capital costs, rental subsidies, and services.

“(B) EXEMPTION.—The Secretary shall exempt a collaborative applicant from the applicability of the requirement under subparagraph (A) if the applicant demonstrates, in accordance with such standards and procedures as the Secretary shall establish, that—

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

“(ii) the permanent supportive housing under development in the geographic
area served by the applicant is sufficient to functionally eliminate chronic homelessness once such units are available for occupancy.

The Secretary shall consider and make a determination regarding each request for an exemption under this subparagraph not later than 60 days after receipt of such request.

“(3) Limitation on use for administrative expenses.—Not more than 5 percent of the total amount of any grant under this section to a collaborative applicant may be used for costs of administration.

“(4) Housing First requirement.—The Secretary shall ensure that each collaborative applicant that receives a grant under this section is implementing, to the extent possible, and will use such grant amounts in accordance with, a Housing First model for assistance for homeless persons.

“(d) Renewal Funding.—Expanding contracts for leasing, rental assistance, or permanent housing shall be treated, for purposes of section 429, as expiring contracts referred to in subsection (a) of such section.

“(e) Reporting to Congress.—
“(1) Annual Reports.—Not later than the expiration of the 12-month period beginning upon the first allocation of amounts made after the date of the enactment of this Act pursuant to subsection (b)(1), and annually thereafter, the Secretary and the United States Interagency Council on Homelessness shall submit a report to the Committees on Financial Services and Appropriations of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Appropriations of the Senate providing detailed information regarding the grants made under this section during the preceding year, the activities funded with such grant amounts, and the impact of such activities on the communities where such activities took place.

“(2) Collection of Information by Secretary.—The Secretary shall require each collaborative applicant that receives a grant under this section to submit such information to the Secretary as may be necessary for the Secretary to comply with the reporting requirement under paragraph (1).

“Sec. 452. Special Purpose Vouchers.

“(a) Direct Appropriation.—There is appropriated out of any money in the Treasury not otherwise appropriated for each of fiscal years 2020 through 2024,
$500,000,000, to remain available until expended, which shall be used as follows:

“(1) Rental Assistance.—Except as provided in paragraph (2), such amount shall be used for incremental assistance for rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) for persons and households who are homeless (as such term is defined in section 103 (42 U.S.C. 11302)), which assistance shall be in addition to such assistance provided pursuant to renewal of expiring contracts for such assistance.

“(2) Administrative Fees.—The Secretary may use not more than 10 percent of such amounts provided for each fiscal year for administrative fees under 8(q) of the United States Housing Act of 1937 (42 U.S.C. 1437f(q)). The Secretary shall establish policies and procedures to provide such fees to the extent necessary to assist homeless persons and families on whose behalf rental assistance is provided to find and maintain suitable housing.

“(b) Allocation.—The Secretary shall make assistance provided under this section available to public housing agencies based on geographical need for such assistance by homeless persons and households, as identified by
the Secretary, public housing agency administrative performance, and other factors as specified by the Secretary.

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

“(d) RENEWAL FUNDING.—Renewal of expiring contracts for rental assistance provided under subsection (a) and for administrative fees under such subsection shall, to the extent provided in appropriation Acts, be funded under the section 8 tenant-based rental assistance account.

“(e) WAIVER AUTHORITY.—Upon a finding by the Secretary that a waiver or alternative requirement pursuant to this subsection is necessary to ensure that homeless persons and households can obtain housing using rental assistance made available under this section, the Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the use of funds made available under this section (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment) that relates to screening of applicants for assistance, admission of applicants, and selection of tenants. The Secretary shall require public housing agencies receiving rental assistance funding made avail-
able under this section to take all reasonable actions to
help assisted persons and families avoid subsequent home-
lessness.

“SEC. 453. OUTREACH FUNDING.

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

“(b) GRANTS.—

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

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

“(c) USE OF GRANTS.—A collaborative applicant
that receives a grant under this section may use such
grant amounts only for providing case managers, social
workers, or other staff who conduct outreach and coordi-
nate services for persons and households who are homeless or formerly homeless.

“(d) TIMING.—The Secretary shall establish the criteria for the competition for grants under this section required under subsection (b) by regulations issued, after notice and opportunity for public comment, not later than 6 months after the date of enactment of this section.”.

SEC. 4. HOUSING TRUST FUND.

(a) FUNDING.—

(1) ANNUAL FUNDING.—There is appropriated, out of any money in the Treasury not otherwise appropriated, for each of fiscal years 2020 through 2024, $1,000,000,000, to remain available until expended, which shall be credited to the Housing Trust Fund established pursuant to section 1338 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4568) for use under such section.

(2) RENTAL ASSISTANCE.—There is appropriated, out of any money in the Treasury not otherwise appropriated, for each of fiscal years 2020 through 2024, $50,000,000, to remain available until expended, for incremental project-based voucher assistance or project-based rental assistance, to be allocated to States pursuant to the formula estab-
lished under section 1338 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4568), to be used solely in conjunction with grant funds awarded under such section 1338.

(3) PRIORITY FOR HOUSING THE HOMELESS.—

   (A) PRIORITY.—During the first 5 fiscal years that amounts are made available under this subsection, the Secretary of Housing and Urban Development shall ensure that priority for occupancy in dwelling units described in subparagraph (B) that become available for occupancy shall be given to persons and households who are homeless (as such term is defined in section 103 of the McKinney-Vento Homeless 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 was at any time provided assistance with any amounts from the Housing Trust Fund referred to paragraph (1) that were credited to such Trust Fund by such paragraph; or
(ii) is receiving assistance described in
paragraph (2) with amounts made avail-
able under such paragraph.

(b) TENANT RENT CONTRIBUTION.—

(1) LIMITATION.—Subparagraph (A) of section
1338(c)(7) of the Federal Housing Enterprises Fi-
nancial 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 new
clause:

“(ii) notwithstanding any other provi-
sion of law, all rental housing dwelling
units shall be subject to legally binding
commitments that ensure that the con-
tribution toward rent by a family residing
in the dwelling unit shall not exceed 30
percent of the adjusted income (as such
term is defined in section 3(b) of the
United States Housing Act of 1937 (42
U.S.C. 1437a(b))) of such family; and”.
(2) REGULATIONS.—The Secretary of Housing and Urban Development shall issue regulations to implement section 1338(c)(7)(A)(ii) of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, as added by the amendment made by paragraph (1)(B) of this section, not later than the expiration of the 90-day period beginning on the date of the enactment of this Act.

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

(a) FUNDING.—There is hereby made available to the Secretary of Housing and Urban Development $20,000,000, to remain available until expended, for providing technical assistance under section 405 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11361(b)) to integrate and coordinate assistance provided under the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.) with health care funded by Federal programs, in collaboration with the United States Interagency Council on Homelessness and the Secretary of Health and Human Services.

(b) USE.—In allocating amounts made available by subsection (a), the Secretary shall seek to—
(1) assist States and localities in integrating and aligning policies and funding between Medicaid programs, behavioral health providers, and housing providers to create supportive housing opportunities; and

(2) engages State Medicaid program directors, Governors, State housing and homelessness agencies, any other relevant State offices, and any relevant local government entities, to assist States in increasing use of their Medicaid programs to finance supportive services for homeless persons.

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

SEC. 6. PERMANENT AUTHORIZATION OF APPROPRIATIONS FOR MCKINNEY-VENTO HOMELESS ASSISTANCE ACT GRANTS.

Section 408 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11364) is amended to read as follows: “SEC. 408. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this title such sums as may be necessary for each fiscal year.”
SEC. 7. PERMANENT EXTENSION OF UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS.

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

SEC. 8. EMERGENCY DESIGNATION.

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

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