

**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 homeless-  
16 ness in the United States on any given night, includ-  
17 ing nearly 160,000 children and youth;

1           (3) homelessness in many communities has  
2           reached crisis proportions and some cities have de-  
3           clared that homelessness has reached a state of  
4           emergency; and

5           (4) the Federal Government must renew its  
6           commitment to the national goals to end homeles-  
7           ness.

8   **SEC. 3. FUNDING TO ADDRESS UNMET NEEDS.**

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

11           (1) by redesignating section 491 (42 U.S.C.  
12           11408; relating to rural housing stability grant pro-  
13           gram) as section 441;

14           (2) by redesignating section 592 (42 U.S.C.  
15           11408a; relating to use of FMHA inventory for  
16           transitional housing for homeless persons and for  
17           turnkey housing) as section 442; and

18           (3) by adding at the end the following new sub-  
19           title:

20           **“Subtitle E—5-Year Path to End**  
21           **Homelessness**

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

23           “(a) DIRECT APPROPRIATIONS.—There is appro-  
24           priated out of any money in the Treasury not otherwise  
25           appropriated for each of fiscal years 2020 through 2024,

1 \$1,000,000,000, to remain available until expended, for  
2 emergency relief grants under this section to address the  
3 unmet needs of homeless populations in jurisdictions with  
4 the highest need.

5 “(b) FORMULA GRANTS.—

6 “(1) ALLOCATION.—Amounts appropriated  
7 under subsection (a) for a fiscal year shall be allo-  
8 cated among collaborative applicants that comply  
9 with section 402, in accordance with the funding for-  
10 mula established under paragraph (2) of this sub-  
11 section.

12 “(2) FORMULA.—The Secretary shall, in con-  
13 sultation with the United States Interagency Council  
14 on Homeless, establish a formula for allocating  
15 grant amounts under this section to address the  
16 unmet needs of homeless populations in jurisdictions  
17 with the highest need, using the best currently avail-  
18 able data that targets need based on key structural  
19 determinants of homelessness in the geographic area  
20 represented by a collaborative applicant, which shall  
21 include data providing accurate counts of—

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

24 “(B) shortages of affordable housing for  
25 low-, very low-, and extremely low-income

1 households in the geographic area represented  
2 by the collaborative applicant;

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

6 “(D) the number of unsheltered homeless  
7 individuals and the number of chronically home-  
8 less individuals; and

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

11 “(3) GRANTS.—For each fiscal year for which  
12 amounts are made available under subsection (a),  
13 the Secretary shall make a grant to each collabo-  
14 rative applicant for which an amount is allocated  
15 pursuant to application of the formula established  
16 pursuant to paragraph (2) of this subsection in an  
17 amount that is equal to the formula amount deter-  
18 mined for such collaborative applicant.

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

24 “(c) USE OF GRANTS.—

1           “(1) IN GENERAL.—Subject to paragraphs (2)  
2 through (4), a collaborative applicant that receives a  
3 grant under this section may use such grant  
4 amounts only for eligible activities under section  
5 415, 423, or 441(b).

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

8           “(A) REQUIREMENT.—Except as provided  
9 in subparagraph (B), each collaborative appli-  
10 cant that receives a grant under this section  
11 shall use not less than 75 percent of such grant  
12 amount for permanent supportive housing, in-  
13 cluding capital costs, rental subsidies, and serv-  
14 ices.

15           “(B) EXEMPTION.—The Secretary shall  
16 exempt a collaborative applicant from the appli-  
17 cability of the requirement under subparagraph  
18 (A) if the applicant demonstrates, in accordance  
19 with such standards and procedures as the Sec-  
20 retary shall establish, that—

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

24           “(ii) the permanent supportive hous-  
25 ing under development in the geographic

1 area served by the applicant is sufficient to  
2 functionally eliminate chronic homelessness  
3 once such units are available for occu-  
4 pancy.

5 The Secretary shall consider and make a deter-  
6 mination regarding each request for an exemp-  
7 tion under this subparagraph not later than 60  
8 days after receipt of such request.

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

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

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

24 “(e) REPORTING TO CONGRESS.—

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

16           “(2) COLLECTION OF INFORMATION BY SEC-  
17          RETARY.—The Secretary shall require each collabo-  
18          rative applicant that receives a grant under this sec-  
19          tion to submit such information to the Secretary as  
20          may be necessary for the Secretary to comply with  
21          the reporting requirement under paragraph (1).

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

23           “(a) DIRECT APPROPRIATION.—There is appro-  
24          priated out of any money in the Treasury not otherwise  
25          appropriated for each of fiscal years 2020 through 2024,

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 2020 through 2024,  
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.**—The Secretary shall establish the cri-  
4 teria for the competition for grants under this section re-  
5 quired under subsection (b) by regulations issued, after  
6 notice and opportunity for public comment, not later than  
7 6 months after the date of enactment of this section.”.

8 **SEC. 4. HOUSING TRUST FUND.**

9 (a) **FUNDING.**—

10 (1) **ANNUAL FUNDING.**—There is appropriated,  
11 out of any money in the Treasury not otherwise ap-  
12 propriated, for each of fiscal years 2020 through  
13 2024, \$1,000,000,000, to remain available until ex-  
14 pended, which shall be credited to the Housing  
15 Trust Fund established pursuant to section 1338 of  
16 the Federal Housing Enterprises Financial Safety  
17 and Soundness Act of 1992 (12 U.S.C. 4568) for  
18 use under such section.

19 (2) **RENTAL ASSISTANCE.**—There is appro-  
20 priated, out of any money in the Treasury not other-  
21 wise appropriated, for each of fiscal years 2020  
22 through 2024, \$50,000,000, to remain available  
23 until expended, for incremental project-based vouch-  
24 er assistance or project-based rental assistance, to  
25 be allocated to States pursuant to the formula estab-

1 lished under section 1338 of the Federal Housing  
2 Enterprises Financial Safety and Soundness Act of  
3 1992 (12 U.S.C. 4568), to be used solely in conjunc-  
4 tion with grant funds awarded under such section  
5 1338.

6 (3) PRIORITY FOR HOUSING THE HOMELESS.—

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

17 (B) COVERED DWELLING UNITS.—A dwell-  
18 ing unit described in this subparagraph is any  
19 dwelling unit that—

20 (i) is located in housing that was at  
21 any time provided assistance with any  
22 amounts from the Housing Trust Fund re-  
23 ferred to paragraph (1) that were credited  
24 to such Trust Fund by such paragraph; or

1 (ii) is receiving assistance described in  
2 paragraph (2) with amounts made avail-  
3 able under such paragraph.

4 (b) TENANT RENT CONTRIBUTION.—

5 (1) LIMITATION.—Subparagraph (A) of section  
6 1338(c)(7) of the Federal Housing Enterprises Fi-  
7 nancial Safety and Soundness Act of 1992 (12  
8 U.S.C. 4568(c)(7)(A)) is amended—

9 (A) by striking “except that not less than  
10 75 percent” and inserting the following: “except  
11 that—

12 “(i) not less than 75 percent”;

13 (B) by adding at the end the following new  
14 clause:

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

1           (2) REGULATIONS.—The Secretary of Housing  
2           and Urban Development shall issue regulations to  
3           implement section 1338(c)(7)(A)(ii) of the Federal  
4           Housing Enterprises Financial Safety and Sound-  
5           ness Act of 1992, as added by the amendment made  
6           by paragraph (1)(B) of this section, not later than  
7           the expiration of the 90-day period beginning on the  
8           date of the enactment of this Act.

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

12           (a) FUNDING.—There is hereby made available to the  
13           Secretary of Housing and Urban Development  
14           \$20,000,000, to remain available until expended, for pro-  
15           viding technical assistance under section 405 of the  
16           McKinney-Vento Homeless Assistance Act (42 U.S.C.  
17           11361(b)) to integrate and coordinate assistance provided  
18           under the McKinney-Vento Homeless Assistance Act (42  
19           U.S.C. 11301 et seq.) with health care funded by Federal  
20           programs, in collaboration with the United States Inter-  
21           agency Council on Homelessness and the Secretary of  
22           Health and Human Services.

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

1           (1) assist States and localities in integrating  
2           and aligning policies and funding between Medicaid  
3           programs, behavioral health providers, and housing  
4           providers to create supportive housing opportunities;  
5           and

6           (2) engages State Medicaid program directors,  
7           Governors, State housing and homelessness agencies,  
8           any other relevant State offices, and any relevant  
9           local government entities, to assist States in increas-  
10          ing use of their Medicaid programs to finance sup-  
11          portive services for homeless persons.

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

16       **SEC. 6. PERMANENT AUTHORIZATION OF APPROPRIATIONS**  
17                       **FOR MCKINNEY-VENTO HOMELESS ASSIST-**  
18                       **ANCE ACT GRANTS.**

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

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

22           “There are authorized to be appropriated to carry out  
23          this title such sums as may be necessary for each fiscal  
24          year.”.

1 **SEC. 7. PERMANENT EXTENSION OF UNITED STATES**  
2 **INTERAGENCY COUNCIL ON HOMELESSNESS.**

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

5 **SEC. 8. EMERGENCY DESIGNATION.**

6 (a) **IN GENERAL.**—The amounts provided by this  
7 Act, and the amendments made by this Act, are des-  
8 ignated as an emergency requirement pursuant to section  
9 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2  
10 U.S.C. 933(g)).

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

