

## Federal Legislation Update

## BUDGET &amp; FUNDING-RELATED ITEMS - Updates

➔ **FY 23 Budget – Update** – On 12/23 Congress passed and the President signed a final FY 23 Omnibus spending package. Congressional leaders announced a final FY 23 omnibus spending bill that includes increased HUD funding. Unfortunately, the final FY23 appropriations bill did not include important changes to the Earned Income Tax Credit, the Child Tax Credit, or the Low-Income Housing Tax Credit.

➔ **FY 23 T-HUD Budget – Update** – On 12/23 Congress passed and the President signed a final FY 23 Omnibus spending package. Congressional leaders announced a final FY 23 omnibus spending bill that includes increased HUD funding. Per NLIHC, the final spending bill provides HUD programs with **\$61.8 billion, or \$8.1 billion more than FY22-enacted levels**. At this amount, the final bill provides approximately \$745 million more than the amount provided in the Senate proposal, and nearly \$1 billion less than the amount provided in the House proposal. The final spending bill does not include a tax extenders package. Advocates had urged Congress to include a tax extenders package with an extension of the Child Tax Credit and provisions related to the Low-Income Housing Tax Credit (LIHTC). **The final FY 23 T-HUD bill provides increases to some HUD programs:**

- \$30.253 billion for Housing Choice Vouchers including \$26.4 billion to renew existing contracts and
- \$50 million to expand rental assistance vouchers targeted to individuals and families experiencing or at risk of homelessness. When combined with funding for new vouchers through HUD-VASH (\$50 million) and Family Unification Program (\$30 million), the bill will provide assistance to about 11,700 additional households
- \$607 million for Section 811 mainstream vouchers – \$459 increase from FY 22
- \$14.9 billion for Project-based Section 8 – enough to renew all existing contracts
- \$3.63 billion for Homeless Assistance Grants – \$420 million increase from FY 22
  - Funding for homelessness includes \$75 million for the construction, acquisition, or rehabilitation of new permanent supportive housing to expand housing options for people experiencing homelessness.
- \$125 million for the Family Self Sufficiency program, a \$16 million increase, to help families receiving rental assistance build assets.
- \$129 million for the McKinney-Vento Act’s Education for Homeless Children and Youth (EHCY) program – 13% increase from the FY 22 level.
- \$5.1 billion for the Public Housing Operating Funds
- \$787 million for Native American housing block grants
- \$499 million for Housing for Persons with AIDS (HOPWA)
- \$1.08 billion for Section 202 Housing for the Elderly
- \$360 million for Section 811 Housing for People with Disabilities
- \$86 million for fair housing programs

**Some HUD programs received level funding:**

- \$30 million for Family Unification Program vouchers
- \$3.3 billion for CDBG
- \$1.5 billion for Fed HOME
- \$350 million for the Choice Neighborhood Program

**Other provisions included in the final FY 23 Budget:**

- \$129 million for the McKinney-Vento Act’s Education for Homeless Children and Youth (EHCY) program – a 13% increase from the FY 22 level.
- In addition to these funding levels, the bill also instructs the U.S. Department of Education (ED) to provide technical assistance to state and local Title I directors on the requirements and uses of Title I funds to effectively support students experiencing homelessness.

**HUD MAKES \$174.6 MILLION IN GRANT FUNDING AVAILABLE FOR CONSTRUCTION AND ONGOING PROJECT-BASED RENTAL ASSISTANCE FOR LOW-INCOME SENIORS – No new update**

– On 9/15 HUD announced the availability of up to \$174.6 million in grant funding opportunities through a [Notice of Funding Opportunity](#) (NOFO) to support the development of new affordable multifamily rental homes for low-income seniors along with ongoing project rental assistance and supportive services. The grants are offered under HUD’s Section 202 Supportive Housing for the Elderly program and will be awarded to non-profit organizations across the country. HUD will award Section 202 grant funds to non-profit organizations in two forms:

- **Capital Advances:** This funding covers the cost of developing, acquiring, or rehabilitating an eligible property. Repayment is not required if the housing remains available for occupancy by very low-income elderly persons for at least 40 years.
- **Project Rental Assistance Contracts:** This renewable project-based funding covers the difference between residents’ contributions toward rent and the cost of operating the project. Section 202 program eligibility requires residents to be very low-income or earning less than 50 percent of the area median income. Most households in the Section 202 program earn less than 30 percent of the median income for their area.

**President Biden’s National Strategy on Hunger, Nutrition, and Health – No new update** – On 9/27 the Biden Administration announced its [plan to end hunger](#) in the US by 2030. Under the Plan, SNAP eligibility would be expanded, children would get better access to free meals, and summer benefits would be extended to more school-aged children. These changes would require congressional approval.

#### **BILLS - Updates**

**S 98 / HR 2143 Neighborhood Homes Investment Act – No New Update**– This bill establishes a new business-related tax credit to finance home building and rehabilitation in neighborhoods that meet certain eligibility criteria relating to poverty rates, income, and home values. The credit is limited to 35% of the lesser of the qualified development cost (i.e., the cost of construction, substantial rehabilitation, demolition, and environmental remediation of residential properties) or 80% of the national median sale price for new homes. The credit applies to single family homes containing four or fewer residential units, condominiums, or houses or apartments owned by cooperative housing corporations.

**S 4916 / HR 8948 Runaway and Homeless Youth and Trafficking Prevention Act (RHYTPA) of 2022– No new update**– Senators Collins (R-ME) and Leahy (D-VT) and Representatives Yarmuth (D-KY) and Bacon (R-NE) introduced the bipartisan, bicameral [Runaway and Homeless Youth and Trafficking Prevention Act \(RHYTPA\) of 2022](#). This legislation will fully reauthorize, update, and expand the vital Runaway and Homeless Youth Act (RHYA) (42 U.S.C. 5701 et. seq.) program. This bill makes critical updates to the existing program, which include:

- Comprehensively addresses the needs of youth experiencing homelessness and youth survivors of trafficking human.
- Prevents human trafficking and chronic adult homelessness.
- Enshrines into law mandatory nondiscrimination practices.
- Authorizes waivers to program requirements in extraordinary circumstances, such as natural disasters, public health emergencies, or financial crisis.
- Requires grantees to assist youth in completing the Free Application for Federal Student Aid.
- Authorizes over \$350M per year for RHYA services.

**S 4482 / HR 7716 Coordinating Substance Use and Homelessness Care Act of 2022– No new update** – On 5/11 Congresswoman Madeleine Dean introduced the Coordinating Substance Use and Homelessness Care Act of 2022. On 5/17 the House ordered to be Reported in the Nature of a Substitute by the Yeas and Nays: 27 – 22. This bill would establish a grant program through HUD to award competitive grants to eligible entities to build or increase their capacities for the better coordination of health care and homelessness services for people who are experiencing homelessness and significant behavioral health issues, including substance use disorders, and are voluntarily seeking assistance.

**S 2182, The Eviction Crisis Act – No new update**– In 2021, Senators Michael Bennet (D-CO), Rob Portman (R-OH), Sherrod Brown (D-OH) and Todd Young (R-IN) introduced the Eviction Crisis Act. Opportunity Starts at Home, a coalition of national organizations seeking a solution to the eviction crisis have also endorsed this legislation. The bill would provide \$3 billion annually to fund the Emergency Assistance Fund to help low-income households who experience a catastrophic unexpected event that threatens their ability to remain stably housed and potentially fall into homelessness. Examples are fluctuation in income, car repairs, or medical bills. Work is underway to have Senator Collins and Senator King co-sponsor this legislation.

**HR 7191 Homes for All Act – No new update** – On 3/24 Congresswoman Omar reintroduced the Homes for All Act. The bill would invest \$1 trillion in dramatically expanding public housing and the national Housing Trust Fund and would guarantee housing as a human right. The Homes for All Act would invest \$800 billion over 10 years to build 8.5 million new units of public housing. The bill would also invest an additional \$200 billion over 10 years in the national Housing Trust Fund to build 3.5 million new permanently affordable homes for extremely low-income families. The bill would repeal the Faircloth Amendment (which currently prohibits the creation of additional public housing), make ongoing public housing operating and capital expenses mandatory, and create a new program to help protect families from gentrification and displacement.

**S 3665 / HR 6693 Asylum Seeker Work Authorization Act – No new update** – On 2/10 Congresswoman Pingree reintroduced her Asylum Seeker Work Authorization Act, which would reduce the 365-day waiting period for Asylum seekers to obtain work authorization to 30 days. The bill makes no changes to law or regulation relating to the asylum process. Senator Collins and Senator Sinema introduced a companion bill in the Senate (co-sponsored by Senator King).

**S 1469/HR 6287 Homeless Children and Youth Act – No New Update**– On 12/14 the Homeless Children and Youth Act was introduced in the House by Congresswoman Sherrill and Congressman Van Taylor, and co-signed by nine other members of Congress. It was previously introduced in the Senate on 4/29 by Senators Feinstein, Portman, and Baldwin. HCYA corrects flaws in the HUD homeless assistance system. It aligns the HUD definition of homelessness with the definitions utilized by other federal agencies, increases data transparency within the current system, and allows localities to prioritize program models that best meet the needs of their communities.

**S 3350 Helping Foster and Homeless Youth Achieve Act – No New Update** – On 12/9 the Helping Foster and Homeless Youth Achieve Act was introduced in the U.S. Senate by Senators Jacky Rosen (D-NV) and Rob Portman (R-OH). This bipartisan legislation removes barriers to higher education for youth experiencing homelessness and youth formerly in foster care by requiring federally

funded institutions of higher education waive application fees for foster and homeless youth. Waiving the barrier of application fees will increase access to postsecondary education for homeless and foster youth.

**RULES – No New Updates**

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**State Update:** The First regular Session of the 131<sup>st</sup> Legislature convened on Wednesday, 12/7/22, and per statute will adjourn on 6/21/23. Cloture occurred at 4pm on 12/30. **Please see the Bill Tracking document for specific bills.**