

Federal Legislation Update

BUDGET & FUNDING-RELATED ITEMS - Updates

Debt ceiling & Proposed Federal Budget Cuts – No New Update – UPDATE: Pre NLIHC, U.S. House of Representatives’ Committee on the Budget Chair Jodey Arrington (R-TX) released a [list](#) of potential federal spending cuts, totaling almost \$1.3 trillion. The list was released the day after President Biden delivered his State of the Union address, in which the President repeatedly pledged to fight against any Republican attempt to make dramatic spending cuts a condition for raising the debt ceiling. *PREVIOUS: On 1/19, per NLIHC U.S. Department of the Treasury Secretary Janet Yellen announced that the federal government had reached its statutory debt limit and that Treasury would begin implementing “extraordinary measures” to avoid a default. Negotiations about the raising of the debt limit that play out in Congress over the next year are likely to involve questions about federal funding for domestic programs, including housing and homelessness services.*

➡ **President Biden’s FY 24 Budget – New** – President Biden is expected to unveil a topline summary of his FY 24 budget request on Thursday, 3/9, with more details to follow during the week of 3/13.

➡ **Senate Appropriations Committee Begins work on FY 24 budget process – New** – The Senate Committee on Appropriations, led by Chair Patty Murray (D-WA) and Ranking Member Susan Collins (R-ME), held its first full committee meeting on 3/2 to begin planning a path towards a fiscal year (FY) 2024 budget agreement. Appropriations season will officially kick off after President Joe Biden releases a topline summary of his FY24 budget request on 3/9.

Anticipated Budget Resolution & FY 24 Budget – No New Update – Per CBPP, House Republicans are expected to release an annual budget resolution that calls for large health care cuts, and Medicaid and the Affordable Care Act’s (ACA) marketplace coverage are likely to be prime targets. House Republican leaders are calling for cutting the deficit and making the Trump tax cuts permanent, while saying they will shield certain areas of the budget (Medicare, Social Security, and military spending) from cuts. To do all these things at once, it is highly likely they will propose cuts in health programs that provide coverage to millions of people. And per NLIHC, there are reports suggesting that House Speaker Kevin McCarthy (R-CA) has committed to slashing federal spending by capping FY 24 appropriations at FY 22 levels. Speaker McCarthy and many of his Republican colleagues in the House have vowed that the roughly \$130 billion in anticipated cuts will focus entirely on non-defense spending. In response to this Representative Rosa DeLauro (D-CT), ranking member of the House Committee on Appropriations, sent letters to several federal agencies on 1/19 requesting information about the impacts of budget cuts on crucial federal programs, including affordable housing and homelessness services programs managed by HUD and the U.S. Department of Agriculture (USDA).

Biden calls for ending Veteran Homelessness in State of the Union Address – No New Update – President Biden delivered the State of the Union address before a joint session of the U.S. House of Representatives and Senate on February 7. President Biden called for increased investments in quality and affordable housing and additional resources to end veteran homelessness.

Biden Administration Releases Blueprint for a Renters Bill of Rights – No New Update – On 1/25, the Administration announced new actions to protect renters and promote rental affordability, as well as a [Blueprint](#) for a Renters Bill of Rights. Among the new actions the White House announced are:

- The Federal Housing Finance Agency (FHFA) will launch a public process to examine proposed renter protections and anti-rent gouging measures for new federally-backed mortgages.
- The administration will hold quarterly meetings with renters and advocates to continue the conversation on renter protections, and will launch a Resident-Centered Housing Challenge, a call to action to housing providers and other stakeholders to commit to renter protections.
- The Federal Trade Commission (FTC) and Consumer Financial Protection Bureau (CFPB) will collect information to identify unfair practices that prevent tenants from accessing or staying in housing, informing each agency’s enforcement actions. This is the first time the FTC has acted on renter protections.
- The CFPB will issue guidance and coordinate with the FTC on enforcement to ensure accurate credit reporting.
- HUD will publish a notice of proposed rulemaking to implement the 30-day-notice requirement enacted by Congress through the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020.

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

End to Medicaid “Continuous Coverage” Requirement – No New Update – Per NLIHC, Medicaid’s “continuous coverage” requirement, which prevents states from disenrolling anyone from Medicaid even if their income or household size has changed, will end on March 31. This change could threaten healthcare access for people with low incomes and people experiencing homelessness.

HR 773 Homelessness and Behavioral Health Care Coordination Act– No New Update – On 2/2 Rep. Madeleine Dean reintroduced HR 773, the Homelessness and Behavioral Health Care Coordination Act, co-sponsored by Rep. Sylvia Garcia. This bill would help

people experiencing homelessness and behavioral health issues, including substance use disorder, access critical supportive services by authorizing a grant program within HUD to help state and local governments, tribal entities, public housing agencies, and Continuums of Care better coordinate services for behavioral health, including substance use disorder and homelessness.

Asylum Seekers Work Authorization Act of 2023 – No New Update – On 2/3 Senators Collins and Sinema reintroduced the Asylum Seekers Work Authorization Act of 2023, which would make asylum seekers eligible to receive work authorizations starting 30 days after filing an asylum application. Senator King is an original co-sponsor.

HR 9587 Tenants’ Right to organize Act – No new update – On 12/19 Rep. Andy Levin introduced the Tenant’s Right to Organize Act. Per NLIHC, the bill would “protect the organizing rights of tenants with Housing Choice Vouchers (HCVs) and tenants living in Low-Income Housing Tax Credit (LIHTC) properties. Currently, only public housing tenants have a legally recognized right to organize. In extending the right to organize to HCV and LIHTC tenants, the bill recognizes that all tenants have the right to decent, safe, stable, and sanitary housing.”

RULES/Other Federal Items of Note

Congressional Caucus on Homelessness – New – Representatives Suzanne Bonamici (D-OR), Nanette Diaz Barragán (D-CA), Cori Bush (D-MO), and Sylvia Garcia (D-TX) [announced](#) the reestablishment of the Congressional Caucus on Homelessness on 2/28. The caucus will provide a dedicated forum for members of Congress to work toward the common goal of ending homelessness in the U.S.

HUD Releases Violence Against Women Act Reauthorization Act of 2022: Overview of Applicability to HUD Programs – No New Update – On 2/4 HUD published a [notice in the Federal Register](#) providing interim guidance to HUD’s covered housing providers on implementing VAWA 2022. The notice includes a 60-day notice-and-comment period so that the public can comment. The deadline for comments is March 6, 2023. VAWA’s housing protections for survivors include but are not limited to:

- Prohibition Against Denial of Admission and Eviction: Survivors cannot be denied or evicted from CoC- or ESG-assisted rental assistance projects solely due to their status as survivors of domestic violence, dating violence, sexual assault, or stalking. This includes reasons related to the violence that they have experienced, such as bad rental or credit history and criminal history.
- Lease Addendum: Units receiving CoC or ESG rental assistance must have leases or rental agreements that incorporate VAWA protections including prohibition of denial or eviction, lease bifurcation, and emergency transfers.
- Change to Category 4 McKinney-Vento Homeless Definition: VAWA 2022 changes the Category 4 definition of homelessness to the following: Any individual or family who
 - (i) is experiencing trauma or lack of safety related to, or fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous, traumatic, or life-threatening conditions related to the violence against the individual or a family member in the individual’s or family’s current housing situation, including where the health and safety of children are jeopardized;
 - (ii) Has no other safe residence; and
 - (iii) Lacks the resources to obtain other safe permanent housing.
- Changes to VAWA’s Definition of “Domestic Violence”: VAWA 2022 expands the definition of “domestic violence” to include “technological abuse” and “economic abuse” as forms of domestic violence

Final HOTMA Rule – Update – From CBPP: The [final rule](#) implementing all but one of the remaining provisions of the “Housing Opportunity Through Modernization Act of 2016” (HOTMA) was published in the *Federal Register* on February 14. The publication follows the posting by HUD of a preview version on January 31 (see *Memo*, [2/6](#)). While other HOTMA provisions had previously been implemented (see *Memo*, [10/13/20](#)), Sections 102, 103, and 104 still required formal public review and comment prior to implementation. A [proposed rule](#) to implement these provisions was published on September 17, 2019 (see *Memo*, [9/23/19](#)). Most of the provisions will not take effect until January 1, 2024.

Affirmatively Furthering Fair Housing Rule – No New Update – A proposed Affirmatively Furthering Fair Housing (AFFH) rule providing “a more effective means to affirmatively further the purposes and policies of the ‘Fair Housing Act’” was cleared by the Office of Information and Regulatory Affairs (OIRA) of the Office of Management and Budget (OMB) on December 27, 2022. HUD’s Office of Fair Housing and Equal Opportunity (FHEO) has submitted the proposed rule for publication in the [Federal Register](#), initiating a 60-day public comment period. [Comments are due April 10, 2023, and can be submitted online.](#)

State Update: The First regular Session of the 131st 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.**