

Federal Legislation Update

BUDGET & FUNDING-RELATED ITEMS - Updates

➔ **Tax Extenders – Update** – Congressional leaders were working quickly to reach a bipartisan agreement before the end of the year to expand the Child Tax Credit and revive several expired business tax incentives. It is unclear what if any tax extenders passed. If a deal is reached in early 2024, the tax package could include resources to expand and reform the Low-Income Housing Tax Credit (LIHTC). Advocates are working to ensure that any new LIHTC resources included in a tax package serve the millions of households experiencing or at risk of homelessness. Members of Congress, including Congresswoman Chellie Pingree have urged House leadership to include S 1557/ HR 3238, the Affordable Housing Credit Improvement Act in a Tax Bill (see below for info on the bill). The bill would expand the LIHTC and has very strong bipartisan support.

➔ **FY 24 Budget – Update** – Congress passed, and the President signed a two-step continuing resolution (CR) bill extending appropriations dealing with veteran’s programs, transportation, housing, agriculture and energy until 1/19/24. Funding for eight other appropriations bills, including defense, would be extended until 2/2/24. This is intended to give Congress more time to reach a final agreement on FY 24 spending bills.

-Based on new data from HUD, CBPP estimates that the Housing Choice Voucher funding level in the House appropriations bill would cause about 112,000 fewer households to receive help in 2024, and the Senate bill would mean 80,000 fewer families are served. These cuts are substantially deeper than we’d estimated based on the data previously available. Even though both bills include increased funding for housing vouchers compared to 2023, neither provides enough to cover higher costs as the program continues to catch up with steep rent increases.

*About 2 Million Parents and Young Children Could Be Turned Away From WIC by September Without Full Funding in the FY 24 Budget. WIC’s funding needs have grown due to higher-than-expected participation and food costs. Inadequate funding would force states to put eligible new and expecting parents and young children on waiting lists for nutrition assistance, jeopardizing access to this highly effective program during an important window for child development. Congress, on a bipartisan basis, has fully funded WIC for more than 25 years. As lawmakers work to finalize full-year funding bills, it is critical that they honor that long-standing commitment and give WIC the funding it needs to serve every low-income family who seeks assistance and to provide participants with the full science-based benefit.

➔ **Senate FY 24 THUD Bill – No New Update** – On 7/20 the Senate T-HUD Appropriations Committee released its FY 24 spending bill. Overall, the bill provides \$70.06 billion for HUD’s affordable housing, homelessness, and community development programs, an increase of \$8.26 billion (or slightly more than 13%) over FY23-enacted levels. However, HUD needs to increase funding by approximately \$13 billion just to maintain existing levels of assistance. Though, the Senate draft proposes \$1.86 billion more in funding for HUD’s vital affordable housing and homelessness programs than the draft spending bill released by the U.S. House of Representatives on 7/11. The Senate THUD bill provides increased funding for key HUD programs, particularly those vital to getting or keeping people with the lowest incomes housed. The bill proposes:

- \$31.7 billion for the Tenant-Based Rental Assistance (TBRA) program (\$1.48 billion more than FY 23).
 - Expected to be sufficient to renew existing contracts and provides funding for an additional 4,000 vouchers targeted to Veterans at risk of or experiencing homelessness and youth aging out of foster care – including \$30 million for VASH (\$20 million decrease from FY 23) and \$30 million for the Family Unification Program (FUP)
- \$15.7 billion for Project-Based Rental Assistance (PBRA) program (\$884 million more than FY 23).
- \$686 for Section 811 Mainstream vouchers (\$78 million increase from FY 23).
- \$3.9 billion for Homeless Assistance Grants (HAG) program (\$275 million increase from FY 23). Within this is:
 - \$100 million for the construction, preservation, and operation of permanent supportive housing, and \$31 million for capacity-building grants and technical assistance.
 - Language that would allow HUD to complete funds every other year, cut down on time and resources spent on paperwork, and allow service providers to focus on delivering assistance (aka 2-year NOFOs).
- \$1.5 billion for the Housing Opportunities for Persons with AIDS (HOPWA) and the recently authorized Grants to Identify and Remove Barriers to Affordable Housing program.
- \$1.5 billion for the HOME Investment Partnership Program (HOME) (same as FY 23).
- \$4.5 billion for CDBG (decrease of \$1.9 billion from FY 23). of that amount \$3.3 billion is allocated for formula funding, while approximately \$1.06 billion is earmarked for specific community development projects. The Senate proposal would also provide \$100 million in funding for grants to identify and remove barriers to affordable housing – a \$15 million increase from FY23. The program is zeroed out in the House draft.
- Level funding for Section 202 Housing for the Elderly, Section 811 Housing for Persons with Disabilities, Housing Counseling Assistance, and fair housing programs.

➔ **House FY 24 Appropriation Bills (including THUD) – Update** – The House has yet to vote on the T-HUD; though a vote is expected in the near future. However, three amendments that would have reduced funding for HUD programs and affected access to housing failed.

The House FY24 THUD spending bill proposes funding HUD at \$68.2 billion, a \$6.4 billion (or roughly 10%) increase to HUD programs over previously enacted levels. HUD needs an approximately \$13 billion increase in funding over current levels just to maintain

existing assistance. The spending bill proposes deep cuts to or even elimination of some HUD programs but appears to adequately fund most rental assistance programs. The bill would:

- Fund Tenant-Based Rental Assistance (TBRA) and Project-Based Rental Assistance (PBRA) programs at levels that may be sufficient to renew existing contracts.
- Provide a slight increase for HUD's Homeless Assistance Grants (HAG) program.

Other HUD programs would face funding cuts, including:

- The Public Housing Capital Fund, Public Housing Operating Fund, Section 811 Housing for Persons with Disabilities, and Section 202 Housing for the Elderly.
- The HOME Investments Partnership Program would be cut by more than half.
- Funding for several other programs – including the Family Unification Program, Incremental Vouchers, Choice Neighborhoods Initiative, and Housing Mobility Services – would be zeroed out completely.

House FY 24 Agriculture Appropriations Bill – No New Update – The House FY 24 Agriculture Appropriations bill includes three amendments that would take SNAP benefits away from more than 1.3 million individuals with low incomes, based on Congressional Budget Office (CBO) estimates. This includes Amendment #27, which would eliminate the bipartisan agreement to exclude people experiencing homelessness from the work requirement for the Supplemental Nutrition Assistance Program (SNAP). The Fiscal Responsibility Act's (PL 118-5) exemptions for veterans and young people exiting foster homes would also be eliminated by Amendment #27. Other amendments would limit or eliminate waivers from the work-reporting requirement to counties with unemployment rates over 10 percent. Advocates are urging Members of the House to oppose these amendments.

House Republican's FY 24 Agriculture Appropriations bill – No New Update – On 5/17 House Republicans released their FY 24 agriculture appropriations bill which proposes policy changes and funding cuts to the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) and the Supplemental Nutrition Assistance Program (SNAP), that would result in benefit cuts or loss of eligibility for millions of people. To adhere to the funding caps on annual appropriations proposed under House Republicans' debt-ceiling-and-cuts bill, the proposal would cut WIC benefits for 5 million pregnant and postpartum participants and young children under 5. The bill also proposes including an expansion of SNAP's existing work-reporting requirement to include older adults aged 50 to 55. These changes would put approximately 1 million older adults at risk of losing their SNAP benefits.

BILLS – Updates

➡ **HR 6696 / S 3463 Eviction Prevention Act – New** – On 12/11 Representative Rosa DeLauro (D-CT) and Senator Bob Casey (D-PA) introduced the "[Eviction Prevention Act](#)" ([H.R.6696](#), [S.3463](#)) in the House and Senate, respectively. The bill would authorize new grants to provide legal representation to tenants, create the country's first federal evictions database, and mandate a government report on evictions in the U.S.

➡ **S 2932 Housing ACCESS Act – No New Update** – On 9/26 Senator Markey introduced the Housing ACCESS Act, which would align housing and services resources and address the barriers providers face when seeking Medicaid reimbursement for housing-related services and support. It also requires a national study to determine rates that allow providers to pay living wages, reduce staff turnover, and ensure evidence-based case ratios. A companion bill is expected in the House.

Farm Bill – No New Update – The US Farm Bill is a critical piece of legislation that sets agricultural policies nationwide for the next five years. The current Farm Bill is set to expire on 9/30 if not reauthorized by Congress. Throughout the August recess congressional leaders held roundtable discussions to gather input from the agricultural industry/farmers on what ought to be included in the bill. However, currently a draft bill does not yet exist. Most of the provisions in the farm bill will keep going even after 9/30, and Congress can pass legislation keeping additional provisions going until Congress passes a new Farm Bill. The majority of spending in the farm bill goes toward nutrition programs including SNAP. The Farm Bill offers an opportunity to expand/enhance SNAP benefits for low-income households across the country. Some lawmakers wish to make changes to SNAP through the Farm bill which would reduce eligibility for and availability of SNAP benefits for households.

HR 3957 PUPP Act of 2023 – No New Update – Introduced in the House by Reps. Jason Crow, Adam Schiff, Brian Fitzpatrick, and Nancy Maze, the Providing for Unhoused People with Pets Act of 2023 (PUPP Act) would provide funding for shelters to retrofit their facilities to better accommodate pets. The idea is to ensure people don't have to decide between seeking shelter or keeping their pet.

HR 5221 Homeless Children and Youth Act – No New Update – On 8/15 Representatives Mikie Sherrill, Bill Posey, Delia Ramirez, and Don Bacon reintroduced the bipartisan Homeless Children and Youth Act. This bill remedies the issue of most children, youth, and families experiencing homelessness being ineligible for homeless assistance because they do not meet the U.S. Department of Housing and Urban Development (HUD) definition of homelessness by aligning federal definitions of homelessness for children and youth, streamlining assistance, leveraging resources, and bringing greater visibility to the reality of family and youth homelessness.

S 2701/HR 5254 Housing for All Act of 2023 – No New Update – Introduced by Senator Alex Padilla on 7/27 in the Senate (and by Rep Ted Lieu in the House on 8/22), this bill would address the homelessness and housing crises, moving towards the goal of providing for a home for all Americans.

➡ **S 1557/ HR 3238 The Affordable Housing Credit Improvement Act – No New Update** – Senator Angus King cosponsored bipartisan legislation to create nearly two million new affordable homes across the country – including thousands in Maine. The Affordable Housing Credit Improvement Act would expand the Low-Income Housing Tax Credit (LIHTC) to provide more homes for low-income

people, support small businesses trying to attract workers, and fill the state's gap of more than 20,000 affordable housing units. The bill would:

- Increase the number of credits available to states by 50 percent for the next two years and make the temporary 12.5 percent increase secured in 2018 permanent—which has already helped build more than 59,000 additional affordable housing units nationwide.
- Stabilize financing for workforce housing projects built using private activity bonds by decreasing the amount of private activity bonds needed to secure Housing Credit funding. As a result, projects would have to carry less debt, and more projects would be eligible to receive funding.

S 1436, CHARGE Act of 2023 – No New Update – Introduced on 5/3 by Senator Jon Tester, this bill would permanently authorize additional services for Veterans experiencing homelessness that were authorized at the beginning of the pandemic. These services include: Basic essentials like food, shelter, clothing, blankets, and hygiene items; Transportation to appointments with service providers and conducting housing searches; and ways to stay in touch with providers and landlords, such as tablets, smartphones, and data plans.

HR 3848, Housing Our Military Veterans Effectively Act of 2023 – Update – *This bill passed the House on 12/5 and was sent to the Senate for consideration.* Introduced on 7/26 by Rep. Lori Chavez-DeRemer, this bill would revive crucial services authorized during the pandemic to provide lifesaving services under the Grant and Per Diem Program (GPD), which funds transitional housing programs for homeless veterans. These services include transportation to doctor appointments and food banks, communications devices for hearing impaired veterans, personal care products along with a dearth of other vital services and resources. that have led to a significant increase in the housing stability and improved the lives of veterans across the country.

HR 645, the Healthy Foundations for Homeless Veterans Act, introduced in the House would authorize these additional services for an additional two years.

S 1257 / HR 3776, Family Stability and Opportunity Vouchers Act – No new update – This bill was reintroduced in the Senate on 4/25 by Senators Van Hollen and Young. This bipartisan bill would create 250,000 new housing vouchers, paired with mobility-related services, to help low-income families with young children move to communities of their choice, including neighborhoods with high-performing schools and high-quality childcare and early education programs.

S 24 / HR 516 Fighting Homelessness Through Services and Housing Act – No New Update – Introduced by Senator Feinstein in the Senate and Congressman Lieu in the House, this bill would authorize a grant program within the Health Resources and Services Administration for housing programs that offer comprehensive services and intensive case management for homeless individuals and families. The program would include five-year implementation grants to assist such entities in carrying out activities and paying capital building costs associated with the provision of housing and services to homeless individuals and families.

S 680 DASH Act – No New Update – Reintroduced by Senator Wyden on 3/7, the [DASH Act](#) would make a generational investment to house all people experiencing homelessness, tackle the housing affordability crisis, and expand homeownership opportunities for young people by creating a new down payment tax credit for first-time homebuyers. The DASH Act would make stable, safe and decent housing available for all by:

- Housing everyone experiencing homelessness within five years, and prioritizing children and families for placement, by issuing them a Housing Choice Voucher, because young children are heavily impacted by housing instability, and because housing is a chief determinant of health;
- Expanding health, child care, financial and nutrition services for families and individuals to stay on a path to unassisted housing stability, because the climb out of housing poverty is nearly impossible to complete alone;
- Greatly increasing the production of deeply affordable housing for families exiting homelessness and for low-income households by investing in effective, efficient existing programs and reforming the tax code to strengthen the Low-Income Housing Tax Credit (LIHTC) to weather the economic fallout from the pandemic, as well as establish a Renter's Tax Credit and Middle-Income Housing Tax Credit (MIHTC);
- Investing in homeownership in underserved communities and for low income Americans with new tax credits and down payment assistance, including a down payment tax credit for first-time homebuyers; and
- Incentivizing environmentally-friendly development strategies and land use policies.
- Permanent authorization of appropriations for McKinney-Vento Homeless Assistance Act grants.

HR 1708 Housing is a Human Right Act of 2023 – No New Update – On 3/22 Rep. Pramila Jayapal introduced the Housing is a Human Right Act of 2023, which would address root causes of homelessness, meet the needs of community members experiencing harms from homelessness, transition communities towards providing housing for all, end penalization of homelessness, and ensure full democratic participation and inclusion of persons experiencing homelessness, and for other purposes.

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.

S 255 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. On 3/1, Congresswoman Chellie Pingree reintroduced the Asylum Seeker Work Authorization Act in the House.

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 – No Update

State Update: Please see the Bill Tracking document for the State legislature Update.