

Federal Legislation Update

BUDGET & FUNDING-RELATED ITEMS - Updates

➔ **Tax Package – Update** – The House passed its tax package, the Tax Relief for American Families and Workers Act of 2024 (H.R. 7024), at the end of January. The bill now faces a full vote in the Senate. The tax bill includes provisions to expand the Child Tax Credit (CTC), as well as top two top legislative priorities related to affordable housing (also included in the bipartisan Affordable Housing Credit Improvement Act that has widespread bipartisan support). The tax bill would do the following for affordable housing:

- Restore the 12.5 percent allocation increase for nine percent LIHTCs for 2023 to 2025; and
- Lower the 50 percent bond financing test to 30 percent for 2024 to 2025.

➔ **FY 24 Budget – Update** – Congress passed, and the President signed, another short-term two-tier, short-term continuing resolution (CR) to extend federal funding. THUD and three other federal spending bills are now funded through 3/1. Congress is likely to pass multiple mini-bus spending bills (vs. one large omnibus bill). As Congress finalizes the T-HUD budget for FY 24, it will need to provide a significant funding increase over 2023 levels for Housing Choice Vouchers (HCVs) to avoid a reduction in the number of families receiving HCVs. Based on CBPP figures, 600 fewer families in Maine would be assisted with HCVs in the House T HUD bill, and 400 fewer families with the Senate bill.

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) – No New 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.

BILLS – Updates

HR 6696 / S 3463 Eviction Prevention Act – No New Update – 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 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 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** – Senators Collins and 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 – No New 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.

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 680 / HR 6970 DASH Act – 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. On 1/11/24, Representatives Val Hoyle (D-OR) and Salud Carbajal (D-CA) introduced a companion bill in the House. 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.

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

➡ **Supreme Court Case Re. Homelessness – New** – The U.S. Supreme Court announced on 1/12 that it will hear [Johnson v. City of Grants Pass](#), a case that will determine whether people experiencing homelessness have a constitutional right to camp on public property when they do not have a place to sleep. The Supreme Court will decide whether laws regulating camping on public property constitute "cruel and unusual punishment" prohibited by the Eighth Amendment.

➡ **Proposed Rule to Provide 30-Day Notice before Initiating Eviction Proceedings for Non-Payment of Rent – New** – HUD will hold a listening session for tenants regarding a [proposed rule](#) that would require a public housing agency (PHA) or owner of a property assisted with Project-Based Rental Assistance (PBRA) to provide a 30-day notice to a household before starting a formal judicial eviction procedure to terminate a lease for non-payment of rent. The listening session is scheduled for 12:30 pm ET on January 23. Register for the session [here](#).

State Update: Please see the [Bill Tracking](#) document for the State legislature Update.