

116TH CONGRESS
2D SESSION

H. R. 6308

To address root causes of homelessness, meet the needs of community members experiencing harms from homelessness, transition communities towards providing housing for all, and ensure full democratic participation and inclusion of persons experiencing homelessness, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2020

Ms. JAYAPAL (for herself, Ms. MENG, Mr. GARCÍA of Illinois, Ms. OMAR, Ms. PRESSLEY, Ms. TLAIB, Mr. BLUMENAUER, and Ms. OCASIO-CORTEZ) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committees on House Administration, Education and Labor, Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To address root causes of homelessness, meet the needs of community members experiencing harms from homelessness, transition communities towards providing housing for all, and ensure full democratic participation and inclusion of persons experiencing homelessness, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Housing is a Human Right Act of 2020”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—FUNDING

Sec. 101. Treatment of revenue generated.

Sec. 102. Emergency solutions grant program.

Sec. 103. Continuum of care grant program.

Sec. 104. Federal Emergency Management Agency emergency food and shelter
grant program.

Sec. 105. Requirements.

Sec. 106. GAO study of requirements regarding participation and involvement
of homeless individuals.

TITLE II—ACCESS TO PERSONAL DOCUMENTS

Sec. 201. Access to certain essential documents.

**TITLE III—UNITED STATES INTERAGENCY COUNCIL ON
HOMELESSNESS**

Sec. 301. Permanent authorization.

Sec. 302. Functions.

Sec. 303. Advisory board.

Sec. 304. Director.

Sec. 305. Conforming amendment.

TITLE IV—ACCESS TO VOTING

Sec. 401. Study of factors adversely affecting ability of homeless and housing-
unstable individuals to vote.

Sec. 402. Grants to facilitate voting by homeless and housing-unstable individ-
uals.

**TITLE V—HUMANE INFRASTRUCTURE TO ADDRESS PUBLIC
NEEDS**

Sec. 501. Library pilot grants.

Sec. 502. CDBG Plus program.

**TITLE VI—REVENUE RELATED TO HOUSING SPECULATION AND
DISPLACEMENT**

Sec. 601. Amendments to the tax code.

Sec. 602. Phase down of mortgage interest deduction.

**TITLE VII—SUPPORTED ALTERNATIVES TO PENALIZATION OF
PERSONS EXPERIENCING HOMELESSNESS**

Sec. 701. Grant authorization.
Sec. 702. Application.
Sec. 703. Use of funds.
Sec. 704. Authorization of appropriations.

1 **SEC. 2. DEFINITIONS.**

2 For purposes of this Act, the following definitions
3 shall apply:

4 (1) AT RISK OF HOMELESSNESS.—The term
5 “at risk of homelessness” means, with respect to an
6 individual or family, that the individual or family—

7 (A) has an annual income that is less than
8 30 percent of median family income for the
9 area, as determined by the Secretary;

10 (B) does not have sufficient resources or
11 support networks, including family, friends,
12 faith-based organizations, and other social net-
13 works, immediately available to prevent the in-
14 dividual or family from moving to an emergency
15 shelter or other place described in paragraph
16 (3)(A) of this subsection; and

17 (C)(i) has moved because of economic
18 hardship two or more times during the 60 days
19 immediately preceding the application for home-
20 lessness prevention assistance under this Act;

21 (ii) is living in the home of another be-
22 cause of economic hardship;

1 (iii) has been notified in writing that their
2 right to occupy their current housing or living
3 situation will be terminated within 21 days of
4 the date of application for assistance under this
5 Act;

6 (iv) lives in a hotel or motel and the cost
7 of the hotel or motel stay is not paid by chari-
8 table organizations or by Federal, State, or
9 local government programs for low-income indi-
10 viduals;

11 (v) lives in a single-room occupancy or effi-
12 ciency apartment unit in which there reside
13 more than two persons, or lives in a larger
14 housing unit in which there reside more than
15 1.5 people per room, as defined by the United
16 States Census Bureau;

17 (vi) is exiting a publicly funded institution,
18 or system of care, including health-care facili-
19 ties, mental health facilities, foster care and
20 other youth facilities, and correction programs
21 and institutions; or

22 (vii) otherwise lives in housing that has
23 characteristics associated with instability and
24 an increased risk of homelessness, including

1 those characteristics identified in the approved
2 consolidated plan for the applicable jurisdiction.

3 (2) COST-BURDENED.—The term “cost-bur-
4 dened” means, with respect to an individual or fam-
5 ily, that the individual or family—

6 (A) spends more than 22 percent of their
7 income on rent, or other housing-related costs,
8 including property taxes, utility bills, and mort-
9 gage payments, or both; or

10 (B) otherwise compromises other basic
11 needs in order to pay for housing.

12 (3) GOVERNMENTAL UNIT; MUNICIPALITY.—
13 The terms “governmental unit” and “municipality”
14 have the meanings given such terms in section 101
15 of title 31, United States Code.

16 (4) HOMELESS.—The term “homeless” means,
17 with respect to an individual or family—

18 (A) an individual or family who lacks a
19 fixed, regular, and adequate nighttime resi-
20 dence;

21 (B) an individual or family with a primary
22 nighttime residence that is a public or private
23 place not designed for or ordinarily used as a
24 regular sleeping accommodation for human
25 beings, including a car, park, abandoned build-

1 ing, bus or train station, airport, or camping
2 ground;

3 (C) an individual or family living in a su-
4 pervised publicly or privately operated shelter
5 designated to provide temporary living arrange-
6 ments (including hotels and motels paid for by
7 Federal, State, or local government programs
8 for low-income individuals or by charitable or-
9 ganizations, congregate shelters, and transi-
10 tional housing);

11 (D) an individual who resided in a shelter
12 or place not meant for human habitation and
13 who is exiting an institution where he or she
14 temporarily resided; and

15 (E) an individual or family who will immi-
16 nently lose their housing, including housing
17 they own, rent, or live in without paying rent,
18 are sharing with others, and rooms in hotels or
19 motels not paid for by Federal, State, or local
20 government programs for low-income individ-
21 uals or by charitable organizations.

22 (5) HOUSING FIRST.—The term “Housing
23 First” means, with respect to addressing homeless-
24 ness, an approach to quickly and successfully con-
25 nect individuals and families experiencing homeless-

1 ness to permanent and affordable housing opportuni-
2 ties and appropriate services without preconditions
3 and low or no barriers to entry, including barriers
4 relating to sobriety, treatment, work requirements,
5 and service participation requirements.

6 (6) HOUSING-UNSTABLE.—

7 (A) IN GENERAL.—The term “housing-un-
8 stable” means, with respect to an individual or
9 family that the individual or family—

10 (i) lacks a fixed, regular, and ade-
11 quate nighttime residence;

12 (ii) shares housing with other persons
13 due to loss of housing or economic hard-
14 ship;

15 (iii) lives in hotels or motels, trailer
16 parks, or campgrounds due to lack of al-
17 ternative arrangements;

18 (iv) is awaiting foster care placement;

19 (v) lives in substandard housing;

20 (vi) is a child of migrant worker;

21 (vii) has moved more than three times
22 in the past year due to economic insta-
23 bility;

24 (viii) would be unable to pay for hous-
25 ing if their income decreased by \$100 or

1 more or if they experienced a financial
2 hardship;

3 (ix) is paying for housing or shelter
4 with labor or sex;

5 (x) has housing that is dependent on
6 their employer;

7 (xi) is exiting from incarceration (in-
8 cluding pre-trial and pre-conviction deten-
9 tion; immigration detention; and juvenile
10 detention) or who will be exiting from in-
11 carceration (including conditional release
12 on bail or parole) in the next six months,
13 or, with respect to youth, who is or has
14 been held in the custody of the Office of
15 Refugee Resettlement of the Department
16 of Health and Human Services;

17 (xii) has an income is does not exceed
18 50 percent of median income for the area
19 in which they reside;

20 (xiii) has a primary income that is
21 fixed and derived solely from Federal or
22 State benefits; or

23 (xiv) is a survivor of domestic violence
24 or trafficking residing with a perpetrator
25 of domestic violence or trafficking.

1 (B) INCLUDED POPULATIONS.—Such term
2 includes an individual or family who is—

3 (i) at risk of homelessness, as such
4 term in defined in this subsection;

5 (ii) not consistently or safely housed,
6 including individuals and families at immi-
7 nent risk of eviction, who are couch-hop-
8 ping, have had to move into the dwelling
9 unit of another individual or family; or

10 (iii) homeless in a rural area.

11 (7) JUSTICE SYSTEM-INVOLVED.—The term
12 “justice system-involved” includes persons who are
13 or have been incarcerated or held in municipal,
14 State, or Federal jails, prisons, juvenile facilities, or
15 other types of detention facilities, who have been
16 held in pre-trial or post-conviction detention, who
17 have an arrest or conviction regardless of whether
18 they were detained or incarcerated, who have been
19 held in immigration detention, or, with respect to
20 youth, who are or have been held in the custody of
21 the Office of Refugee Resettlement of the Depart-
22 ment of Health and Human Services.

23 (8) PENALIZE HOMELESSNESS.—The term “pe-
24 nalize homelessness” means to impose, by a govern-
25 mental unit, criminal or civil penalties on persons

1 who are homeless or housing unstable in a manner
2 that is related to those persons' engagement in nec-
3 essary human activities, including sleeping, resting,
4 and eating.

5 (9) PERMANENT SUPPORTIVE HOUSING.—The
6 term “permanent supportive housing” means hous-
7 ing that provides—

8 (A) indefinite leasing or rental assistance;
9 and

10 (B) non-mandatory, culturally competent
11 supportive services to assist persons to achieve
12 housing stability and maintain their health and
13 well-being.

14 (10) POPULATION AT HIGHER RISK OF HOME-
15 LESSNESS.—

16 (A) IN GENERAL.—The term “population
17 at higher risk of homelessness” means a group
18 of persons that is defined by a common char-
19 acteristic and that has been found to experience
20 homelessness, housing instability, or to be cost-
21 burdened at a rate higher than that of the gen-
22 eral public.

23 (B) HIGHER RATE.—Information that may
24 be used in demonstrating such a higher rate in-
25 cludes data generated by the Federal Govern-

1 ment, by State or municipal governments, by
2 peer-reviewed research, and by organizations
3 having expertise in working with or advocating
4 on behalf of homeless, housing unstable, or
5 cost-burdened groups.

6 (C) INCLUDED POPULATIONS.—Such term
7 shall include populations for which such higher
8 rate has already been demonstrated, including
9 Asian, Black, Latino, Native American, Native
10 Hawaiian, Pacific Islander and other commu-
11 nities of color; persons with disabilities, includ-
12 ing mental health disabilities, elderly persons,
13 foster and former foster youth; LGBTQ per-
14 sons, gender non-binary and gender non-con-
15 forming persons, justice system-involved per-
16 sons, and veterans.

17 **TITLE I—FUNDING**

18 **SEC. 101. TREATMENT OF REVENUE GENERATED.**

19 For each fiscal year, the Secretary of the Treasury
20 shall determine the amount of revenues accruing to the
21 general fund of the Treasury by reason of the enactment
22 of title VI of this Act and shall credit an amount equal
23 to such revenues to the Secretary of Housing and Urban
24 Development as follows:

1 (1) The Secretary shall credit 40 percent of
2 such revenues for assistance under the emergency
3 solutions grant program authorized under subtitle B
4 of title IV of the McKinney-Vento Homeless Assist-
5 ance Act (42 U.S.C. 11371 et seq.).

6 (2) The Secretary shall credit 40 percent of
7 such revenues for assistance under the continuum of
8 care program authorized under subtitle C of the
9 McKinney-Vento Homeless Assistance Act (42
10 U.S.C. 11381 et seq.).

11 (3) The Secretary shall credit 20 percent of
12 such revenues for assistance under the Community
13 Development Block Grant Plus Program, authorized
14 under section 496 of the McKinney-Vento Homeless
15 Assistance Act (as added by section 502 of this Act).

16 **SEC. 102. EMERGENCY SOLUTIONS GRANT PROGRAM.**

17 There is authorized to be appropriated to the Sec-
18 retary of Housing and Urban Development, for the first
19 fiscal year commencing after the date of the enactment
20 of this Act and each of the next nine succeeding fiscal
21 years thereafter, to make grants under the emergency so-
22 lutions grant program authorized under subtitle B of title
23 IV of the McKinney-Vento Homeless Assistance Act (42
24 U.S.C. 11371 et seq.), an amount equal to the difference
25 between \$10,000,000,000 and the amount credited for

1 such use for such fiscal year pursuant to section 101(1)
2 of this Act.

3 **SEC. 103. CONTINUUM OF CARE GRANT PROGRAM.**

4 There is authorized to be appropriated to the Sec-
5 retary of Housing and Urban Development, for the first
6 fiscal year commencing after the date of the enactment
7 of this Act and each of the next nine succeeding fiscal
8 years thereafter, to make grants under the continuum of
9 care program authorized under subtitle C of the McKin-
10 ney-Vento Homeless Assistance Act (42 U.S.C. 11381 et
11 seq.), an amount equal to the difference between
12 \$10,000,000,000 and the amount credited for such use for
13 such fiscal year pursuant to section 101(2) of this Act.

14 **SEC. 104. FEDERAL EMERGENCY MANAGEMENT AGENCY**
15 **EMERGENCY FOOD AND SHELTER GRANT**
16 **PROGRAM.**

17 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
18 authorized to be appropriated, for the first fiscal year com-
19 mencing after the date of the enactment of this Act and
20 each of the next nine succeeding fiscal years thereafter,
21 \$1,000,000,000 for emergency food and shelter grants
22 under subtitle B of title III of the McKinney-Vento Home-
23 less Assistance Act (42 U.S.C. 11341 et seq.).

1 (b) NATIONAL BOARD MEMBERSHIP.—Subsection
2 (b) of section 301 of the McKinney-Vento Homeless As-
3 sistance Act (42 U.S.C. 11331(b)) is amended—

4 (1) in the first sentence, by striking “6 mem-
5 bers” and inserting “ at least 8 members”;

6 (2) in the third sentence by striking “Each
7 such member” and inserting “Four members”; and

8 (3) by inserting after and below paragraph (6)
9 the following flush matter:

10 “At least 4 members shall be appointed from among indi-
11 viduals nominated by national organizations identified by
12 the Director, in consultation with the United States Inter-
13 agency Council on Homelessness, that represent a popu-
14 lation at higher risk of homelessness (as such term is de-
15 fined in section 3 of the Housing is a Human Right Act
16 of 2020).”.

17 (c) ELIGIBLE ACTIVITIES.—Subsection (a) of section
18 313 of the McKinney-Vento Homeless Assistance Act (42
19 U.S.C. 11343(a)) is amended—

20 (1) in paragraph (1), by inserting “hygiene,”
21 after “food,”;

22 (2) in paragraph (2), by striking “and” at the
23 end; and

24 (3) by striking paragraph (3) and inserting the
25 following new paragraphs:

1 “(3) to conduct rehabilitation of existing shelter
2 or feeding facilities to ensure such facilities are safe,
3 sanitary, and in compliance with local building
4 codes;

5 “(4) to provide flexible and appropriate access
6 to temporary shelter;

7 “(5) to build and maintain new forms of safe
8 and sanitary shelters, including tiny homes; and

9 “(6) to provide supports, including shelter,
10 transitional housing, and specialized medical respite
11 shelter and associated services to homeless or hous-
12 ing-unstable (as such term is defined in section 3 of
13 the Housing is a Human Right Act of 2020) elderly
14 persons, persons with disabilities, and persons who
15 are or have been sick or injured, and to persons are
16 who are being discharged or who have recently been
17 discharged from hospitals, nursing facilities or simi-
18 lar facilities”.

19 (d) DISTRIBUTION OF AMOUNTS.—Paragraph (2) of
20 section 316(a) of the McKinney-Vento Homeless Assist-
21 ance Act (42 U.S.C. 11346(a)(2)) is amended by inserting
22 before the semicolon the following: “, which shall provide
23 for consideration of regional variation in housing costs and
24 costs of living, rates of homelessness and housing insta-
25 bility, and income inequality”.

1 (e) APPROPRIATE NON-DISCRIMINATION POLICY.—

2 (1) NATIONAL AND LOCAL BOARDS.—Section
3 301 of the McKinney-Vento Homeless Assistance
4 Act (42 U.S.C. 11331) is amended by adding at the
5 end the following new subsection:

6 “(f) APPROPRIATE NON-DISCRIMINATION POLICY.—

7 The National Board shall—

8 “(1) at all times having in effect a policy that
9 prohibits discrimination against persons in all class-
10 es provided protection against discrimination under
11 Federal law and explicitly prohibits discrimination
12 based on the gender-related identity, appearance,
13 mannerisms, or other gender-related characteristics
14 of an individual, regardless of the individual’s des-
15 ignated sex at birth; and

16 “(2) require each local board designated pursu-
17 ant to section 302 to have in effect a policy de-
18 scribed in paragraph (1) of this subsection.”.

19 (2) SERVICE PROVIDERS.—Subsection (a) of
20 section 316 of the McKinney-Vento Homeless Assist-
21 ance Act (42 U.S.C. 11346(a)) is amended—

22 (A) in paragraph (5), by striking “and” at
23 the end;

24 (B) in paragraph (6), by striking the pe-
25 riod at the end and inserting “; and”; and

1 (C) by adding at the end the following new
2 paragraph:

3 “(7) guidelines requiring each private nonprofit
4 organization and local government carrying out a
5 local emergency food and shelter program with
6 amounts provided under this subtitle to have in ef-
7 fect, with respect to such program, a policy de-
8 scribed in section 301(f)(1).”.

9 (f) GAO STUDY OF ALLOCATION FORMULA.—The
10 Comptroller General of the United States shall conduct
11 a study to identify and analyze the methods in effect on
12 the date of the enactment of this Act for determining the
13 amount and distribution of assistance under the Emer-
14 gency Food and Shelter Grants Program of the Federal
15 Emergency Management Agency under subtitle B of title
16 III of the McKinney-Vento Homeless Assistance Act (42
17 U.S.C. 11341 et seq.) to determine whether such current
18 methods adequately address the needs of homeless persons
19 and the communities that serve them. Not later than the
20 expiration of the 12-month period beginning on the date
21 of the enactment of this Act, the Comptroller General shall
22 submit a report to the Congress detailing the findings of
23 such study and making recommendations as to how the
24 Emergency Food and Shelter Program National Board

1 should revise such methods to more adequately and accu-
2 rately meet such needs.

3 (g) GAO STUDY OF COMPLIANCE WITH PARTICIPA-
4 TION REQUIREMENTS.—The Comptroller General of the
5 United States shall conduct a study to identify and ana-
6 lyze the extent to which recipient service providers under
7 the Emergency Food and Shelter Grants Program of the
8 Federal Emergency Management Agency under subtitle B
9 of title III of the McKinney-Vento Homeless Assistance
10 Act (42 U.S.C. 11341 et seq.) comply with the provisions
11 of the guidelines for such Program required under para-
12 graphs (5) and (6) of section 316(a) of such Act (42
13 U.S.C. 11346(a); relating to involvement and participation
14 of homeless individuals). Not later than the expiration of
15 the 24-month period beginning on the date of the enact-
16 ment of this Act, the Comptroller General shall submit
17 a report to the Congress detailing the findings of such
18 study, including identifying any barriers to compliance
19 and the level of compliance and recommending models for
20 compliance (including specific models used by such recipi-
21 ent service providers) and suggested support methods to
22 assist recipients to comply.

23 **SEC. 105. REQUIREMENTS.**

24 (a) LIMITATION ON MATCHING FUNDS REQUIRE-
25 MENTS.—Notwithstanding any other provision of law, in

1 the case of any grant made using amounts made available
2 by this Act to any recipient that is a governmental unit,
3 non-Federal supplemental or matching funding shall not
4 be required for such grant if such recipient demonstrates
5 to the satisfaction of the Secretary that—

6 (1) assistance using such grant amounts will be
7 provided in accordance with a Housing First strat-
8 egy for addressing homelessness in the area in which
9 the assistance is used;

10 (2) the recipient has created and implemented
11 a formal plan to cease to penalize homelessness;

12 (3) the recipient has established a formal plan
13 to identify and address structural and implicit bias
14 in implementation of programs funded under this
15 Act that specifically addresses potential bias towards
16 members of groups identified a population at higher
17 risk of homelessness, as such term is defined in sec-
18 tion 3 of this Act;

19 (4) the recipient has established a formal plan
20 to facilitate issuance and replacement of personal
21 identification documents issued by the recipient for
22 persons who are homeless or housing-unstable;

23 (5) in the case of any recipient that administers
24 elections, the recipient has established a plan to en-
25 sure that persons who are homeless or housing-un-

1 stable are not prevented from voting due to irregular
2 or non-existent addresses or other similar barriers;
3 and

4 (6) the recipient has procedures in effect for
5 interacting with the property of homeless persons
6 that—

7 (A) require a minimum of three days prior
8 notice shall be given before property is moved
9 or disposed of;

10 (B) provide a plan that safeguards any
11 item that is not clearly trash for a minimum of
12 30 days; and

13 (C) allow persons experiencing homeless-
14 ness to easily retrieve their possessions.

15 (b) REQUIREMENT FOR ONGOING EFFORTS.—Assist-
16 ance made available under this Act may not be provided
17 to any governmental unit unless such unit demonstrates,
18 to the satisfaction of the Secretary, that such entity has
19 in effect, or is actively working toward implementing, poli-
20 cies, regulations, or other requirements sufficient to en-
21 sure the following within the jurisdiction of such entity:

22 (1) Any law that imposes a criminal punish-
23 ment on a person or groups of persons who are
24 homeless, or who has no other place to go, for sleep-

1 ing outside or on public property is not being en-
2 forced.

3 (2) Effective procedures are in effect for inter-
4 acting with the property of homeless persons that
5 comply with due process protections of the 14th
6 Amendment to the Constitution of the United
7 States.

8 (c) NON-GOVERNMENTAL ENTITIES.—Assistance
9 made available under this Act may not be provided to any
10 entity that is not a governmental unit unless such entity
11 demonstrates to the satisfaction of the Secretary that—

12 (1) such entity has in effect, or is actively work-
13 ing toward implementing, a procedure that provides
14 for regular community participation, comment, feed-
15 back, and guidance on the activities and perform-
16 ance in serving homeless, housing-unstable, and
17 cost-burdened individuals and households; and

18 (2) in the case of any entity that in any fiscal
19 year receives more than \$1,000,000 from amounts
20 made available under this Act, all personnel carrying
21 out activities assisted with amounts made available
22 under this Act whose responsibilities involve regular
23 contact with homeless, housing-unstable, or cost-bur-
24 dened individuals or households, or who have man-
25 agement positions overseeing personnel in regular

1 contact with homeless, housing-unstable, or cost-bur-
2 dened individuals or households, are adequately
3 trained regarding harm reduction, de-escalation
4 techniques, trauma-informed care, implicit bias, cul-
5 tural competency, and disability rights.

6 (d) ALL ENTITIES.—Assistance made available under
7 this Act may not be provided to any entity, whether a gov-
8 ernmental unit or a non-governmental entity, unless such
9 entity demonstrates to the satisfaction of the Secretary
10 that such entity has in effect a written non-discrimination
11 policy that—

12 (1) prohibits discrimination against persons in
13 all classes provided protection against discrimination
14 under Federal law; and

15 (2) explicitly prohibits discrimination based on
16 the gender-related identity, appearance, mannerisms,
17 or other gender-related characteristics of an indi-
18 vidual, regardless of the individual's designated sex
19 at birth.

20 **SEC. 106. GAO STUDY OF REQUIREMENTS REGARDING PAR-**
21 **TICIPATION AND INVOLVEMENT OF HOME-**
22 **LESS INDIVIDUALS.**

23 (a) STUDY.—The Comptroller General of the United
24 States shall conduct a study to identify and analyze the
25 extent to which—

1 (1) recipient service providers under the Emer-
2 gency Food and Shelter Grants Program of the Fed-
3 eral Emergency Management Agency under subtitle
4 B of title III of the McKinney-Vento Homeless As-
5 sistance Act (42 U.S.C. 11341 et seq.) comply with
6 the provisions of the guidelines for such Program re-
7 quired under paragraphs (5) and (6) of section
8 316(a) of such Act (42 U.S.C. 11346(a); relating to
9 involvement and participation of homeless individ-
10 uals); and

11 (2) recipients under the Emergency Solutions
12 Grant Program under subtitle B of title IV of the
13 McKinney-Vento Homeless Assistance Act (42
14 U.S.C. 11371 et seq.) comply with the requirements
15 under section 416(d) of such Act (42 U.S.C.
16 11375(d); relating to participation of homeless indi-
17 viduals).

18 (b) REPORT.—Not later than the expiration of the
19 36-month period beginning on the date of the enactment
20 of this Act, the Comptroller General shall submit a report
21 to the Congress detailing the findings of such study, in-
22 cluding identifying the level of such compliance and any
23 barriers to compliance with such requirements, and recom-
24 mending models for compliance (including any effective

1 specific models used by such recipients) and suggested
2 support methods to assist recipients to comply.

3 **TITLE II—ACCESS TO PERSONAL** 4 **DOCUMENTS**

5 **SEC. 201. ACCESS TO CERTAIN ESSENTIAL DOCUMENTS.**

6 (a) REPORT.—

7 (1) IN GENERAL.—The Comptroller General of
8 the United States shall publish a report that identi-
9 fies—

10 (A) each essential document issued to per-
11 sons who are homeless or housing-unstable by—

12 (i) the Secretary of Health and
13 Human Services;

14 (ii) the Secretary of Housing and
15 Urban Development;

16 (iii) the Administrator of Veterans Af-
17 fairs;

18 (iv) the Attorney General of the
19 United States;

20 (v) the Commissioner of the Social Se-
21 curity Administration;

22 (vi) the Commissioner of Internal
23 Revenue;

24 (vii) the Director of National Park
25 Service;

1 (viii) the Director of United States
2 Citizenship and Immigration Services;

3 (ix) the Bureau of Indian Affairs; and

4 (x) any other agency identified by the
5 Comptroller General;

6 (B) any barrier, including any financial
7 barrier, persons who are homeless or housing-
8 unstable face in—

9 (i) requesting any essential document
10 identified under paragraph (1); or

11 (ii) replacing any such essential docu-
12 ment if lost, misplaced, stolen, expired, de-
13 stroyed, or otherwise inaccessible;

14 (C) any barrier created by the require-
15 ments of title II of the REAL ID Act of 2005
16 (Public Law 109–18; 49 U.S.C. 30301 note), or
17 implementation thereof, persons who are home-
18 less or housing-unstable face in—

19 (i) requesting a driver’s license or
20 identification card issued by a State; or

21 (ii) replacing such driver’s license or
22 identification card if lost, misplaced, sto-
23 len, expired, destroyed, or otherwise inac-
24 cessible; and

25 (D) recommendations for—

1 (i) each agency listed under para-
2 graph (1) on how to reduce or eliminate
3 any barrier identified under paragraph (2);
4 and

5 (ii) the Federal Government, State
6 governments, and local governments on
7 how to reduce or eliminate any barrier
8 identified under paragraph (3).

9 (2) TIMING OF REPORT.—The Comptroller
10 General shall submit the report required by sub-
11 section (a) to the relevant committees of Congress
12 and the United States Interagency Council on
13 Homelessness at a time agreed upon by the Comp-
14 troller General and such Committees.

15 (b) BRIEFING REQUIREMENT.—Not later than 180
16 days after the date of the enactment of this Act, the
17 Comptroller General shall brief the relevant committees of
18 Congress and the United States Interagency Council on
19 Homelessness on any preliminary observations of the
20 Comptroller General with respect to the contents of the
21 report required by subsection (a).

22 (c) DEFINITIONS.—In this section:

23 (1) ESSENTIAL DOCUMENT.—The term “essen-
24 tial document” means a document that is essential
25 to the health, safety, or stability of a person who is

1 homeless or housing-unstable, including a document
2 that is essential to—

3 (A) verifying the identity or immigration
4 status of such person; or

5 (B) assisting such person—

6 (i) in providing for basic needs such
7 as shelter, housing, nutrition, and
8 healthcare; or

9 (ii) show eligibility for employment,
10 healthcare, or public benefit.

11 (2) RELEVANT COMMITTEES OF CONGRESS.—

12 The term “relevant committees of Congress” means
13 the committees of Congress with jurisdiction over
14 the agencies listed under subsection (a)(1).

15 **TITLE III—UNITED STATES**
16 **INTERAGENCY COUNCIL ON**
17 **HOMELESSNESS**

18 **SEC. 301. PERMANENT AUTHORIZATION.**

19 Title II of the McKinney-Vento Homeless Assistance
20 Act (42 U.S.C. 11311 et seq.) is amended—

21 (1) in section 208 (42 U.S.C. 11318), by strik-
22 ing the sentence and inserting the following: “There
23 is authorized to be appropriated for each fiscal year
24 \$10,000,000 to carry out this title.”;

1 (2) by striking section 209 (42 U.S.C. 11319);
2 and
3 (3) by redesignating sections 207 and 208 (42
4 U.S.C. 11317, 11318) as sections 208 and 209, re-
5 spectively.

6 **SEC. 302. FUNCTIONS.**

7 Section 203 of the McKinney-Vento Homeless Assist-
8 ance Act (42 U.S.C. 11313) is amended—

9 (1) in subsection (a)—

10 (A) in paragraph (12), by striking “and”
11 at the end;

12 (B) in paragraph (13), by striking the pe-
13 riod at the end and inserting a semicolon; and

14 (C) by adding at the end the following new
15 paragraphs:

16 “(14) rely on evidence-based practices;

17 “(15) identify and promote successful practices,
18 including the Housing First strategy and the perma-
19 nent supportive housing model; and

20 “(16) prioritize addressing disparities faced by
21 members of a population at higher risk of homeless-
22 ness, as such term is defined in section 3 of the
23 Housing is a Human Right Act of 2020, including
24 by issuing reports and making recommendations to
25 agencies.”; and

1 (2) in subsection (b)—

2 (A) in paragraph (1), by inserting “and”
3 after the semicolon;

4 (B) in paragraph (2), by striking the pe-
5 riod at the end and inserting “; and”; and

6 (C) by adding at the end the following new
7 paragraph:

8 “(3) make formal reports and recommendations
9 to Federal agencies, which shall include comments
10 on how proposed regulatory changes would impact
11 persons experiencing homelessness, housing insta-
12 bility, or who are cost-burdened.”.

13 **SEC. 303. ADVISORY BOARD.**

14 (a) IN GENERAL.—Title II of the McKinney-Vento
15 Homeless Assistance Act is amended by inserting after
16 section 206 (42 U.S.C. 11316) the following new section:

17 **“SEC. 207. ADVISORY BOARD.**

18 “(a) ESTABLISHMENT.—There is established an advi-
19 sory board for the Council.

20 “(b) MEMBERSHIP.—

21 “(1) SELECTION.—The advisory board shall be
22 composed of not less than 20 individuals, selected by
23 the Executive Director of the Council from nominees
24 proposed pursuant to paragraph (2), as follows:

1 “(A) Not less than 10 members shall be
2 individuals who are homeless or experiencing
3 housing instability, or were so during the 5 cal-
4 endar years preceding appointment to the advi-
5 sory board or who have been so in the last 5
6 calendar years.

7 “(B) Not less than 8 members shall be in-
8 dividuals who are members of, or advocate on
9 behalf of, or both, a population at higher risk
10 of homelessness, as such term is defined in sec-
11 tion 3 of the Housing is a Human Right Act
12 of 2020, including such transgender and gender
13 non-conforming persons, Asian, Black, Latino,
14 Native American, Native Hawaiian, Pacific Is-
15 lander, and other communities of color, youth
16 in or formerly in the foster care system, and
17 justice-system involved youth and adults.

18 “(2) NOMINATION.—Nominees for members of
19 the advisory board shall be proposed by any grantee
20 or subgrantee under this Act.

21 “(3) REPORT.—Upon selection of members of
22 the advisory board, the Executive Director of the
23 Council shall submit a report to the Congress identi-
24 fying the members selected and demonstration com-
25 pliance with the provisions of this subsection.

1 “(4) TERMS.—Members of the advisory board
2 shall serve terms of 2 years.

3 “(c) FUNCTIONS.—The advisory board shall review
4 the work of the Council, make recommendations regarding
5 how the Council can most effectively pursue the goal of
6 ending homelessness, and raise specific points of concern
7 with members of the Council who represent Federal agen-
8 cies.

9 “(d) MEETINGS.—The advisory board shall meet in
10 person not less often than twice each year.

11 “(e) COUNCIL MEETINGS.—The Council shall meet
12 regularly not less often than once a year with the advisory
13 board and shall provide timely written responses to rec-
14 ommendations, proposals, and concerns issued by the advi-
15 sory board.

16 “(f) CHAIRMAN.—The position of Chairman of the
17 advisory board shall be filled by an individual who is a
18 current or former member of the advisory board, is nomi-
19 nated by at least two members of the advisory board, and
20 is confirmed by a vote of not less than 75 percent of the
21 members of the advisory board.

22 “(g) COMPENSATION.—Each member of the advisory
23 board shall receive compensation for their participation in-
24 cluding a participation stipend in an amount determined
25 by the Council and travel expenses, including per diem in

1 lieu of subsistence, in accordance with sections 5702 and
2 5703 of title 5, United States Code.

3 “(h) RULE OF CONSTRUCTION.—The agencies imple-
4 menting this Act shall construe this Act in a manner that
5 facilitates and encourage the full participation of advisory
6 board members and shall consider the barriers faced by
7 persons experiencing homelessness and shall endeavor to
8 overcome such barriers to participation.”.

9 (b) REPRESENTATION OF CHAIRMAN ON COUNCIL.—
10 Section 202(a) of the McKinney-Vento Homeless Assist-
11 ance Act (42 U.S.C. 11312(a)) is amended—

12 (1) by redesignating paragraph (22) as para-
13 graph (21); and

14 (2) by adding at the end the following new
15 paragraph:

16 “(22) The chairman of the advisory board es-
17 tablished by section 207.”.

18 **SEC. 304. DIRECTOR.**

19 Subsection (a) of section 204 of the McKinney-Vento
20 Homeless Assistance Act (42 U.S.C. 11314(a)) is amend-
21 ed—

22 (1) by striking “(a) DIRECTOR.—The Council
23 shall appoint an Executive Director, who shall be”
24 and inserting the following:

25 “(a) DIRECTOR.—

1 “(1) IN GENERAL.—The chief executive officer
 2 of the Council shall be the Executive Director, who
 3 shall be appointed in accordance with paragraph (2)
 4 and”; and

5 (2) by adding at the end the following new
 6 paragraph:

7 “(1) PROCESS FOR APPOINTMENT.—A vacancy
 8 in the position of Executive Director shall be filled
 9 by an individual nominated and appointed to such
 10 position by the Council, except that the Council may
 11 not appoint any nominee who is not confirmed by
 12 approval of 75 percent of the aggregate of all mem-
 13 bers of the Council and the advisory board under
 14 section 207 pursuant to an election in which each
 15 such member’s vote is given identical weight. If the
 16 Council is unable to agree on an Executive Director,
 17 the chairperson of the advisory council shall act as
 18 interim Executive Director.”.

19 **SEC. 305. CONFORMING AMENDMENT.**

20 The table of contents in section 101(b) of the McKin-
 21 ney-Vento Homeless Assistance Act (42 U.S.C. 11301
 22 note) is amended by striking the items relating to sections
 23 209 and 210 and inserting the following:

“Sec. 209. Encouragement of State involvement.”.

1 **TITLE IV—ACCESS TO VOTING**

2 **SEC. 401. STUDY OF FACTORS ADVERSELY AFFECTING**
3 **ABILITY OF HOMELESS AND HOUSING-UNSTA-**
4 **BLE INDIVIDUALS TO VOTE.**

5 (a) STUDY.—The Election Assistance Commission
6 shall conduct a study identifying and analyzing on a State-
7 by-State basis the factors which adversely affect the ability
8 of individuals who are homeless or who are housing-unsta-
9 ble to vote in elections for public office, including the im-
10 plementation of the REAL ID Act, State laws requiring
11 voters to provide ID as a condition of voting, and the pe-
12 nalization of homelessness.

13 (b) REPORT.—Not later than one year after the date
14 of the enactment of this Act, the Commission shall submit
15 to Congress and make available to the public a report on
16 the study conducted under subsection (a), and shall in-
17 clude in the report recommendations to address the fac-
18 tors identified in the study.

19 (c) STATE DEFINED.—In this section, the term
20 “State” means each of the several States, the District of
21 Columbia, the Commonwealth of Puerto Rico, Guam,
22 American Samoa, the United States Virgin Islands, and
23 the Commonwealth of the Northern Mariana Islands.

1 **SEC. 402. GRANTS TO FACILITATE VOTING BY HOMELESS**
2 **AND HOUSING-UNSTABLE INDIVIDUALS.**

3 (a) GRANTS.—The Election Assistance Commission
4 shall carry out a program under which the Commission
5 shall make grants to eligible nonprofit corporations and
6 eligible units of local government for carrying out pro-
7 grams and activities which will facilitate voting in elections
8 for public office by individuals who are homeless or who
9 are housing-unstable.

10 (b) ELIGIBILITY.—A nonprofit corporation or a unit
11 of local government is eligible to receive a grant under the
12 program established under this section if the corporation
13 or unit submits to the Election Assistance Commission,
14 at such time and in such form as the Commission may
15 require, an application containing—

16 (1) in the case of a nonprofit corporation, a cer-
17 tification that the corporation has in effect a non-
18 discrimination policy that prohibits discrimination
19 against persons in all classes provided protection
20 against discrimination under Federal law and that
21 further protects against discrimination on the basis
22 of the gender-related identity, appearance, manner-
23 isms, or other gender-related characteristics of an
24 individual, regardless of the individual's designated
25 sex at birth; and

1 (2) such information and assurances as the
2 Commission may require.

3 (c) PRIORITIES IN SELECTION OF NONPROFIT COR-
4 PORATIONS.—In selecting among eligible nonprofit cor-
5 porations for receiving grants under the program estab-
6 lished under this section, the Commission shall give pri-
7 ority to corporations which meet any of the following:

8 (1) A proven history of working with homeless,
9 housing-unstable, and cost-burdened households.

10 (2) A proven history of successfully encouraging
11 civic participation.

12 (3) A proven history of participation by home-
13 less, housing-unstable, and cost-burdened households
14 in the leadership and decision-making power of the
15 corporation.

16 (4) A proven history of successful engagement
17 with a population at higher risk of homelessness, as
18 defined in section 3 of this Act, including—

19 (A) LGBTQ persons;

20 (B) foster youth and former foster youth;

21 (C) Asian, Black, Latino, Native Amer-
22 ican, Native Hawaiian, Pacific Islander and
23 other communities of color;

24 (D) low-income older adults;

1 (E) persons with disabilities, including
 2 mental health disabilities;

3 (F) justice-system-involved persons; and

4 (G) immigrant communities.

5 (d) NONPROFIT CORPORATION DEFINED.—In this
 6 section, the term “nonprofit corporation” means a cor-
 7 poration described in section 501(c) of the Internal Rev-
 8 enue Code of 1986 and exempt from taxation under sec-
 9 tion 501(a) of such Code.

10 (e) AUTHORIZATION OF APPROPRIATIONS.—There
 11 are authorized to be appropriated to carry out this section
 12 \$5,000,000 for the first fiscal year commencing after the
 13 date of the enactment of this Act and for each of the next
 14 nine succeeding fiscal years thereafter.

15 **TITLE V—HUMANE INFRASTRUC-**
 16 **TURE TO ADDRESS PUBLIC**
 17 **NEEDS**

18 **SEC. 501. LIBRARY PILOT GRANTS.**

19 (a) AUTHORIZATION.—From amounts made available
 20 under subsection (g) for a fiscal year, the Institute of Mu-
 21 seum and Library Services (in this section referred to as
 22 the “Institute”) shall award grants, on a competitive
 23 basis, to enable municipal, county, and State library ad-
 24 ministrative agencies to award subgrants to public librar-
 25 ies, school libraries, and public law school libraries for car-

1 rying out pilot programs to address the needs of homeless
2 and housing-unstable persons.

3 (b) PILOT PROGRAMS.—Each pilot program assisted
4 with amounts from a subgrant under this section shall
5 allow a library system or systems to create or expand
6 projects or services that primarily address the needs of
7 homeless and housing-unstable persons. Preference shall
8 be given to funding proposals that integrate with existing
9 Federal or State programs that serve homeless persons,
10 housing-unstable individuals, and cost-burdened house-
11 holds.

12 (c) AUTHORIZED AGENCY.—The Institute shall dis-
13 burse funding made available to carry out this section.
14 The Institute may consult with the Secretary of Housing
15 and Urban Development, the Interagency Council on
16 Homelessness, or any other appropriate agency to ensure
17 that funds are disbursed and utilized appropriately.

18 (d) APPLICATIONS.—To be eligible for a grant under
19 this section, a municipal, county, or State library adminis-
20 trative agency shall submit an application at such time,
21 in such manner, and containing such information as the
22 Institute may require. Each application shall include—

23 (1) a description of how the municipal, county,
24 or State library administrative agency will award
25 subgrants described in subsection (e), including any

1 priorities or considerations that will be applied in
2 making such awards, with an emphasis toward sup-
3 porting programs addressing the needs of homeless
4 persons;

5 (2) a description of how the municipal, county,
6 or State library administrative agency will dissemi-
7 nate, in a timely manner, information regarding the
8 subgrants described in subsection (e) and the appli-
9 cation process for such subgrants;

10 (3) a description of the criteria that the munic-
11 ipal, county, or State library administrative agency
12 will require for the programs; and

13 (4) an assurance from the municipal, county, or
14 State library administrative agency that each eligible
15 library that receives a subgrant will provide pro-
16 grams that primarily serve persons who are homeless
17 or housing-unstable.

18 (e) SUBGRANTS.—

19 (1) IN GENERAL.—Each municipal, county, or
20 State library administrative agency receiving a grant
21 under this section may use such grant amounts to
22 provide subgrants, on a competitive basis, to a pub-
23 lic library, school library, or public law school librar-
24 ies to enable such libraries to provide programs that
25 address the need of homeless persons.

1 (2) APPLICATIONS.—To be eligible for a
2 subgrant under this subsection, a public library,
3 school library, or public law school library shall sub-
4 mit an application at such time, in such manner,
5 and containing such information as the municipal,
6 county, or State library administrative agency may
7 require. Each application shall include—

8 (A) a description of the homelessness-re-
9 lated programs that the eligible local library ad-
10 ministrative agency will provide at each library
11 to be assisted; and

12 (B) a description of how community or
13 governmental partners will be involved in the
14 homelessness-related programs of the library.

15 (3) CRITERIA FOR AWARDS.—A municipal,
16 county, or State library administrative agency re-
17 ceiving a grant under this section shall award sub-
18 grants based on—

19 (A) the proposed number of libraries and
20 the estimated number of homeless persons that
21 will be served under the homelessness-related
22 programs; and

23 (B) any other criteria established by the
24 municipal, county, or State library administra-

1 tive agency in the application submitted under
2 subsection (d).

3 (f) REPORTS.—Each State library administrative
4 agency receiving a grant under this section for a fiscal
5 year shall submit a report for such fiscal year to the Insti-
6 tute regarding the progress made in achieving the pur-
7 poses of the grant.

8 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
9 authorized to be appropriated to carry out this section
10 \$10,000,000 for the first fiscal year commencing after the
11 date of the enactment of this Act and for each of the next
12 nine succeeding fiscal years thereafter.

13 **SEC. 502. CDBG PLUS PROGRAM.**

14 Title IV of the McKinney-Vento Homeless Assistance
15 Act (42 U.S.C. 11360 et seq.) is amended by adding at
16 the end the following new subtitle:

17 **“Subtitle E—Community Develop-**
18 **ment Block Grant Plus Program**

19 **“SEC. 496. CDBG PLUS PROGRAM.**

20 “(a) AUTHORITY.—The Secretary of Housing and
21 Urban Development shall carry out a Community Develop-
22 ment Block Grant Plus Program under this section (in
23 this section referred to as the ‘CDBG Plus Program’) to
24 provide assistance to units of general local government

1 and States for activities to benefit homeless, housing un-
2 stable, or cost-burdened households.

3 “(b) STRUCTURE.—The CDBG Plus Program shall
4 be carried out in the same manner and subject to the same
5 requirements and limitations applicable to the community
6 development block grant program under title I of the
7 Housing and Community Development Act of 1974 (42
8 U.S.C. 5301 et seq.), except to the extent otherwise pro-
9 vided—

10 “(1) by this section; or

11 “(2) the Secretary, to account for differences
12 between—

13 “(A) the primary objectives of such block
14 grant program and the CDBG Plus Program
15 (as provided in subsection (c) of this section);
16 and

17 “(B) the primary benefit requirement of
18 such block grant program under section 101(c)
19 of such Act (42 U.S.C. 5301(c)) and the pri-
20 mary benefit requirement of the CDBG Plus
21 Program (as provided in subsection (d) of this
22 section).

23 “(c) PRIMARY OBJECTIVE.—The primary objective of
24 this section and of the CDBG Plus Program of each
25 grantee under the program shall be to reduce and end

1 homelessness and housing instability and to reduce and
2 prevent cost-burdens, with priority given to providing shel-
3 ter and temporary and permanent housing for low-income
4 and extremely low-income households and for members of
5 a population at higher risk of homelessness, as such term
6 is defined in section 3 of the Housing is a Human Right
7 Act of 2020.

8 “(d) PRIMARY BENEFIT REQUIREMENT.—Consistent
9 with the primary objective under subsection (c), all of the
10 Federal assistance provided to States and units of general
11 local government under the CDBG Plus Program shall be
12 used for the support of activities that benefit homeless,
13 housing unstable, or cost-burdened households.

14 “(e) PROGRAM DIFFERENCES.—Notwithstanding
15 any provision of title I of the Housing and Community
16 Development Act of 1974 (42 U.S.C. 5301 et seq.), the
17 CDBG Plus Program shall be subject to the following re-
18 quirements:

19 “(1) ELIGIBLE ACTIVITIES.—Notwithstanding
20 section 105 of such title (42 U.S.C. 5305), activities
21 assisted under the CDBG Plus Program may include
22 only the following activities:

23 “(A) Projects directed to the removal of
24 material and architectural barriers which re-
25 strict the mobility and accessibility of elderly

1 persons and persons with disabilities, and
2 projects that assist elderly persons to age in
3 place.

4 “(B) The acquisition of real property (in-
5 cluding air rights, water rights, and other inter-
6 ests therein) which is appropriate for rehabilita-
7 tion, conservation, or construction of permanent
8 affordable housing or temporary shelter or tran-
9 sitional housing.

10 “(C) The provision of public services that
11 increase shelter and stability for persons experi-
12 encing homelessness or housing instability, in-
13 cluding services associated with permanent sup-
14 portive housing, housing search and placement
15 support, and legal services.

16 “(D) Activities necessary to develop, imple-
17 ment, or evaluate a comprehensive plan to end
18 homelessness and housing instability.

19 “(E) The rehabilitation, development, or
20 construction of dignified and humane housing
21 that is permanently affordable to persons earn-
22 ing 30 percent or less of the median income for
23 the area in which the housing is located, includ-
24 ing the construction and maintenance of public

1 housing units and the creation of new forms of
2 housing, such as tiny homes.

3 “(F) The rehabilitation, development, or
4 construction of dignified and humane transi-
5 tional housing and temporary shelters, includ-
6 ing temporary or permanent housing for per-
7 sons with more medically complex needs.

8 “(G) All necessary activities to create,
9 maintain, and offer to the public the types of
10 infrastructure necessary to address basic
11 human needs, including public bathrooms,
12 water fountains, and places to sit and rest.

13 Notwithstanding any provision of title I of the Hous-
14 ing and Community Development Act of 1974, the
15 construction of new affordable housing in accordance
16 with this paragraph is specifically permitted as an
17 eligible activity of the CDBG Plus Program.

18 “(2) FORMULA DISTRIBUTION.—

19 “(A) USE OF EXISTING REGULATIONS.—

20 Until the regulations required under subpara-
21 graph (B) take effect, amounts made available
22 for assistance under this title shall be allocated
23 pursuant to the formula established under sec-
24 tion 106 of the Housing and Community Devel-
25 opment Act of 1974 (42 U.S.C. 5306).

1 “(B) NEW FORMULA.—Not later than the
2 expiration of the 12-month period beginning on
3 the date of the enactment of this Act, the Sec-
4 retary shall issue regulations that establish a
5 formula for allocation of amounts made avail-
6 able for assistance under this title that utilizes
7 factors that more directly correlate to need of
8 grantees for such amounts to address homeless-
9 ness, housing instability, and cost-burdened
10 households.

11 “(3) CITIZEN PARTICIPATION PLAN.—In addi-
12 tion to citizen participation requirements under sec-
13 tion 104(a) of such title (42 U.S.C. 5304(a)), the
14 citizenship participation process of each grantee
15 under the CDBG Plus Program shall solicit the ac-
16 tive participation of homeless, housing unstable, and
17 cost-burdened households in directing the use of as-
18 sistance provided under the Program.

19 “(4) NON-DISPLACEMENT.—Notwithstanding
20 section 104(d) of such title (42 U.S.C. 5304(d)),
21 each grantee under the CDBG Plus Program shall—

22 “(A) certify that the activities funded with
23 assistance provided under the program will not
24 displace low- and moderate-income people; and

1 “(B) take such actions as the Secretary
2 considers necessary to inform residents of
3 grantee community of a phone number for the
4 Department of Housing and Urban Develop-
5 ment which may be used to inform the Depart-
6 ment of any such activities that may be causing
7 the displacement of low- and moderate-income
8 residents.

9 “(5) EXPEDITED ASSISTANCE.—The Secretary
10 shall provide for expedited funding under the CDBG
11 Plus program for any grantee that demonstrates
12 that Federal property is available in the jurisdiction
13 of the grantee that could be used to address home-
14 lessness and associated needs or housing instability
15 but for the infrastructure needs that could be ad-
16 dressed through funds provided under the CDBG
17 Plus Program.

18 “(6) HOUSING-FIRST.—In allocating amounts
19 for grants under the CDBG Plus Program, the Sec-
20 retary shall prioritize affordable housing creation,
21 permanent supportive housing, and supportive serv-
22 ices utilizing a Housing First model, and other in-
23 frastructure to address basic human needs.

24 “(f) RULE OF CONSTRUCTION.—Nothing in this sec-
25 tion may be construed to affect or alter the community

1 development block grant program under title I of the
 2 Housing and Community Development Act of 1974 (42
 3 U.S.C. 5301 et seq.).

4 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
 5 is authorized to be appropriated for assistance under the
 6 CDBG Plus Program under this section, for the first fiscal
 7 year commencing after the date of the enactment of this
 8 Act and for each of the next nine succeeding fiscal years
 9 thereafter, an amount equal to the difference between
 10 \$6,000,000,000 and the amount credited for such use for
 11 such fiscal year pursuant to section 101(3) of this Act.”.

12 **TITLE VI—REVENUE RELATED**
 13 **TO HOUSING SPECULATION**
 14 **AND DISPLACEMENT**

15 **SEC. 601. AMENDMENTS TO THE TAX CODE.**

16 (a) IN GENERAL.—Subtitle D of the Internal Rev-
 17 enue Code of 1986 is amended by adding at the end the
 18 following new chapter:

19 **“CHAPTER 50A—REAL PROPERTY-**
 20 **RELATED TAXES**

“Sec. 5000D–1. Luxury real property transfers.

“Sec. 5000D–2. Real property secrecy transfer tax.

“Sec. 5000D–3. Mass landlord rental tax.

21 **“SEC. 5000D–1. LUXURY REAL PROPERTY TRANSFERS.**

22 “(a) IN GENERAL.—There is hereby imposed on the
 23 sale or exchange of real property a tax equal to 5 percent
 24 of the amount realized from such sale or exchange.

1 “(b) LIMITATION.—The tax imposed by this section
2 shall not apply to a sale or exchange of property unless
3 the amount realized from such sale or exchange (or from
4 a series of related sales or exchanges of which such prop-
5 erty is a part) is at least \$10,000,000.

6 “(c) LIABILITY FOR TAX.—

7 “(1) IN GENERAL.—The tax imposed by this
8 section shall be paid $\frac{1}{2}$ by the transferor and $\frac{1}{2}$ by
9 the transferee.

10 “(2) EXCEPTIONS.—

11 “(A) PROPERTY TRANSFERRED TO TAX-
12 EXEMPT.—In the case of property transferred
13 to a tax exempt entity, or a State or local gov-
14 ernment (or political subdivision thereof), the
15 tax imposed by this section shall be zero.

16 “(B) PROPERTY TRANSFERRED BY TAX-
17 EXEMPT.—In the case of property transferred
18 by a tax-exempt entity, or a State or local gov-
19 ernment (or political subdivision thereof), the
20 tax imposed by this section shall be paid by the
21 transferee.

22 “(C) TAX EXEMPT ENTITY.—For purposes
23 of this section, the term ‘tax-exempt entity’
24 means any organization which is exempt from
25 the tax imposed by this chapter unless such

1 property is used predominantly in an unrelated
 2 trade or business the income of which is subject
 3 to tax under section 511.

4 “(d) REGULATIONS.—The Secretary shall prescribe
 5 such rules as may be necessary or appropriate to prevent
 6 avoidance of the purposes of this section.

7 **“SEC. 5000D-2. REAL PROPERTY SECRECY TRANSFER TAX.**

8 “(a) IN GENERAL.—In the case of a sale or exchange
 9 of real property to or from an applicable anonymous enti-
 10 ty, there is hereby imposed on such transfer a tax equal
 11 to \$10 for each \$100 realized on such sale or exchange.

12 “(b) APPLICABLE ANONYMOUS TAXPAYER.—

13 “(1) IN GENERAL.—For purposes of this sec-
 14 tion, the term ‘applicable anonymous entity’ means
 15 any entity or trust the beneficial owners of which
 16 are not available by freely accessible public records.

17 “(2) BENEFICIAL OWNER.—The term ‘bene-
 18 ficial owner’ means, with respect to any entity, an
 19 individual who, directly or indirectly—

20 “(A) exercises substantial control over the
 21 entity,

22 “(B) owns 25 percent or more of the eq-
 23 uity interest in such entity, or

1 “(C) receive substantial economic benefits
2 from such entity (other than in connection with
3 employment).

4 “(3) SPECIAL RULE FOR ENTITIES REGISTERED
5 IN GLOBAL LEGAL IDENTIFIER PROGRAM.—

6 “(A) IN GENERAL.—Paragraph (1) shall
7 not apply to any entity that participates in the
8 legal entity identifier program.

9 “(B) CONTROLLED GROUPS.—In the case
10 of any persons treated as a single employer
11 under subsection (a) or (b) of section 52, or
12 subsection (m) or (o) of section 414, subpara-
13 graph (A) shall only apply if each such person
14 so treated participates in the legal entity identi-
15 fier program.

16 “(c) LIABILITY FOR TAX.—

17 “(1) IN GENERAL.—Each applicable anonymous
18 entity who transfers or receives property in a sale or
19 exchange to which this section applies shall be joint-
20 ly and severally liable for payment of the tax im-
21 posed by this section.

22 “(2) MEMBERS OF CONTROLLED GROUP.—If
23 such an applicable anonymous entity is a member of
24 a controlled group, each member of such controlled

1 group shall be jointly and severally liable for such
2 payment.

3 **“SEC. 5000D-3. MASS LANDLORD RENTAL TAX.**

4 “(a) IN GENERAL.—In the case of a covered landlord,
5 there is hereby imposed on the rental of a dwelling unit
6 a tax equal to 1 percent of the amount of the rent paid
7 for such dwelling unit.

8 “(b) COVERED LANDLORD.—For purposes of this
9 section, the term ‘covered landlord’ means any person that
10 owns—

11 “(1) more than 1,000 dwelling units held for
12 rent within a single metropolitan statistical area,

13 “(2) more than 2,000 dwelling units held for
14 rent, or

15 “(3) at least 500 dwelling units held for rent in
16 at least 3 different States.

17 “(c) EXCEPTIONS.—

18 “(1) IN GENERAL.—Subsection (a) shall not
19 apply to any dwelling unit subject to a rent control,
20 just cause, or source of income discrimination law.

21 “(2) RENT CONTROL LAW.—For purposes of
22 this subsection—

23 “(A) IN GENERAL.—The term ‘rent control
24 law’ means any State or local law which re-
25 stricts the amount by which a lessor may in-

1 crease rental payments for a dwelling unit and
2 allows an affirmative defense to eviction or pri-
3 vate right of enforcement.

4 “(B) MINIMUM AMOUNT LEVEL OF RENT
5 CONTROL.—A law shall not be treated as a rent
6 control law with respect to any dwelling unit for
7 purposes of this paragraph unless the lessor of
8 such dwelling unit may not, when the lease with
9 respect to such unit expires, increase monthly
10 rent by an amount greater than the percentage
11 increase, if any, over the preceding 12 months
12 in the Consumer Price Index for All Urban
13 Consumers or 3 percent of the average monthly
14 amount paid for the same unit for each month
15 that the unit was occupied during the previous
16 12-month period, whichever is greater.

17 “(3) JUST CAUSE LAW.—The term ‘just cause
18 law’ means any State or local law which at least re-
19 stricts a lessor from evicting lessee by limiting evic-
20 tions to instances in which—

21 “(A) the tenant has—

22 “(i) failed to pay rent for 2 or more
23 consecutive months despite clear and time-
24 ly notice,

1 “(ii) caused substantial destruction to
2 the rental property,

3 “(iii) caused significant danger to
4 other tenants, or

5 “(iv) significantly and repeatedly vio-
6 lated an explicit lease term and failed to
7 cure the violation after being given notice
8 requesting that the lease term violation be
9 cured, or

10 “(B) the landlord seeks to occupy the unit
11 for use as a primary residence, or seeks the
12 availability of the unit for occupancy by an im-
13 mediate relative as a primary residence.

14 “(4) SOURCE OF INCOME DISCRIMINATION
15 LAW.—

16 “(A) IN GENERAL.—The term ‘source of
17 income discrimination law’ means a State or
18 local law which places restrictions on a lessor
19 from rejecting lessee applicants, or to evicting
20 an existing lessee, due to the lessee’s source of
21 income.

22 “(B) SOURCE OF INCOME.—For purposes
23 of subparagraph (A), source of income includes
24 the following:

1 “(i) A housing voucher under section
2 8 of the United States Housing Act of
3 1937 (42 U.S.C. 1437f) and any form of
4 Federal, State, or local housing assistance
5 provided to a family or provided to a hous-
6 ing owner on behalf of a family, including
7 rental vouchers, rental assistance, and
8 rental subsidies from nongovernmental or-
9 ganizations.

10 “(ii) Any income received during a
11 taxable year as Social Security benefits, as
12 defined in section 86(d) of the Internal
13 Revenue Code of 1986, or as supplemental
14 security income benefits under title XVI of
15 the Social Security Act (42 U.S.C. 1381 et
16 seq.).

17 “(iii) Any income received by court
18 order, including spousal support and child
19 support.

20 “(iv) Any payment from a trust,
21 guardian, or conservator.

22 “(v) Any other lawful source of in-
23 come.

24 “(d) AGGREGATION RULES.—All persons treated as
25 a single employer under subsection (a) or (b) of section

1 52, or subsection (m) or (o) of section 414, shall be treat-
 2 ed as one person for purposes of applying subsection (b).”.

3 (b) EFFECTIVE DATE.—The amendment made by
 4 this section shall apply to sales and exchanges after De-
 5 cember 31, 2020.

6 **SEC. 602. PHASE DOWN OF MORTGAGE INTEREST DEDUC-**
 7 **TION.**

8 (a) IN GENERAL.—Section 163(h)(3) of the Internal
 9 Revenue Code of 1986 is amended by adding at the end
 10 the following new subparagraph:

11 “(G) PHASEDOWN OF DEDUCTION.—

12 “(i) IN GENERAL.—In the case of
 13 amounts paid or accrued during a taxable
 14 year beginning after December 31, 2020,
 15 the amount of qualified residence interest
 16 allowed as a deduction under this section
 17 for such taxable year shall not exceed an
 18 amount equal to the applicable percentage
 19 of the qualified residence interest which
 20 would have been allowed as a deduction to
 21 the taxpayer under this section without re-
 22 gard to this subparagraph.

23 “(ii) APPLICABLE PERCENTAGE.—For
 24 purposes of clause (i), the applicable per-

1 centage shall be determined under the fol-
 2 lowing table:

“In the case of taxable years beginning with or during:	The applicable percentage shall be:
2021	90%
2022	80%
2023	70%
2024	60%
2025	50%
2026	40%
2027	30%
2028	20%
2029	10%
2030 and thereafter	0%”.

3 (b) **EFFECTIVE DATE.**—The amendments made by
 4 this section shall apply to amounts paid or accrued during
 5 taxable years beginning after December 31, 2020.

6 **TITLE VII—SUPPORTED ALTER-** 7 **NATIVES TO PENALIZATION** 8 **OF PERSONS EXPERIENCING** 9 **HOMELESSNESS**

10 **SEC. 701. GRANT AUTHORIZATION.**

11 The Attorney General is authorized to make grants
 12 to States, units of local government, public and commu-
 13 nity defender systems, and nonprofit organizations to cre-
 14 ate or expand alternatives to penalizing homelessness (as
 15 such term is defined in section 3 of this Act).

16 **SEC. 702. APPLICATION.**

17 (a) **IN GENERAL.**—An entity seeking a grant under
 18 this title shall submit to the Attorney General an applica-
 19 tion at such time, in such manner, and containing such

1 information as the Attorney General may reasonably re-
2 quire, including an assurance described in subsection (b).

3 (b) ASSURANCE DESCRIBED.—An assurance de-
4 scribed in this subsection is an assurance that the entity
5 has in place a policy protecting employees and persons and
6 communities served by the entity from discrimination
7 under applicable civil rights laws, and that such policy in-
8 cludes protection from discrimination on the basis of gen-
9 der-related identity, appearance, mannerisms, or other
10 gender-related characteristics of an individual, regardless
11 of the individual’s designated sex at birth.

12 (c) NONPROFIT EXPERTISE.—In addition to the as-
13 surance described in subsection (b), a nonprofit organiza-
14 tion seeking a grant under this title shall demonstrate in
15 its application that it has a proven history of—

16 (1) successful engagement with populations ex-
17 periencing homelessness and housing instability, in-
18 cluding members of a population at higher risk of
19 homelessness, as such term is defined in section 3 of
20 this Act; or

21 (2) assisting communities to engage in alter-
22 natives to penalizing homelessness.

23 **SEC. 703. USE OF FUNDS.**

24 An entity that receives a grant under this title may
25 use funds received under this title for any of the following:

1 (1) Creating or expanding a law enforcement
2 assisted diversion program, which program in-
3 cludes—

4 (A) a focus on reducing racial disparity in
5 law enforcement and prosecution;

6 (B) reliance on harm-reduction principles;

7 (C) collaboration with community-based,
8 trauma-informed organizations; and

9 (D) development of pre-arrest diversion
10 programs that are designed in consultation with
11 law enforcement, persons experiencing home-
12 lessness and housing instability, populations at
13 higher risk of homelessness, and community
14 based health and service providers.

15 (2) Providing technical support to jurisdictions
16 that are working to reduce the extent to which the
17 laws or policies in that jurisdiction penalize home-
18 lessness, including—

19 (A) assisting the jurisdiction in creating
20 procedures to safeguard the personal property
21 of persons experiencing homelessness or hous-
22 ing instability; and

23 (B) developing protocols for pre-booking
24 diversion for low-level offenses in cases where

1 the incident is related to a mental health condi-
2 tion or addiction.

3 (3) Creating, supporting, expanding, or study-
4 ing mobile crisis intervention teams that are trained
5 to provide immediate stabilization services to persons
6 with an urgent medical or psychological need, as an
7 alternative to a law enforcement response, which
8 teams may include healthcare professionals, mental
9 health professionals, addiction counselors, housing
10 referral specialists, and other related resource pro-
11 viders.

12 **SEC. 704. AUTHORIZATION OF APPROPRIATIONS.**

13 There is authorized to be appropriated to carry out
14 this title \$100,000,000 for the first fiscal year com-
15 mencing after the date of the enactment of this Act and
16 for each of the next nine succeeding fiscal years thereafter.

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