

118TH CONGRESS
1ST SESSION

H. R. 6639

To amend the Community Services Block Grant Act to update the Federal poverty line, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 6, 2023

Mr. MULLIN (for himself, Ms. NORTON, Mrs. WATSON COLEMAN, Mr. THANEDAR, Ms. TLAIB, Ms. SCHAKOWSKY, Mr. ROBERT GARCIA of California, Mrs. RAMIREZ, Mr. GARCÍA of Illinois, Ms. LOFGREN, Ms. LEE of California, Mr. GREEN of Texas, Mr. KRISHNAMOORTHY, and Mr. GOMEZ) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on Oversight and Accountability, 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 amend the Community Services Block Grant Act to update the Federal poverty line, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Poverty Line Act of
5 2023”.

1 **SEC. 2. STATEMENT OF PURPOSE.**

2 The purpose of this Act is to update the calculation
3 of the Federal poverty line, updated periodically in the
4 Federal Register under the authority of section 673 of the
5 Community Services Block Grant Act (42 U.S.C.
6 9902(2)), to expand eligibility for and utilization of Fed-
7 eral assistance and benefits such that it incorporates more
8 accurate costs of basic needs, keeps pace with changing
9 household spending norms, accounts for regional vari-
10 ations in the cost of living, and reflects the minimum ex-
11 penditures required by a household to have the oppor-
12 tunity to achieve social and economic mobility.

13 **SEC. 3. AMENDMENT TO DEFINITION OF POVERTY LINE.**

14 Section 673(2) of the Community Services Block
15 Grant Act (42 U.S.C. 9902(2)) is amended to read as fol-
16 lows:

17 “(2) POVERTY LINE.—

18 “(A) IN GENERAL.—The term ‘poverty
19 line’ means the official poverty line defined by
20 the Office of Management and Budget accord-
21 ing to the Secretary’s published poverty line
22 under subparagraph (B).

23 “(B) REVISION AND PUBLICATION.—In co-
24 ordination with the Bureau of the Census, the
25 Secretary shall revise and publish the poverty
26 line in the manner described in subparagraph

1 (C) at least annually (or at any shorter interval
2 the Secretary determines to be feasible and de-
3 sirable).

4 “(C) REVISION.—

5 “(i) The poverty line as revised shall
6 be calculated at household sizes from 1 to
7 8 members and shall be the sum of—

8 “(I) a 5-year rolling average of
9 household expenditures for food,
10 clothing, telephone, and internet, cal-
11 culated at 83 percent of the averages
12 of the 47th through the 53rd percent-
13 iles of spending in the Consumer Ex-
14 penditure Survey of the Bureau of
15 Labor Statistics, adjusted for inflation
16 as measured by the Consumer Price
17 Index for All Urban Consumers (CPI-
18 U), and multiplied by the other basic
19 goods factor set under clause (iv);

20 “(II) the cost of a rental housing
21 unit with the number of bedrooms ap-
22 propriate for the household size as de-
23 termined by the Secretary of Housing
24 and Urban Development under Fair
25 Market Rents estimate determined by

1 such Secretary as required under sec-
2 tion 8 of the United States Housing
3 Act of 1937 (42 U.S.C. 1437f), and
4 multiplied by the other basic goods
5 factor set under clause (iv);

6 “(III) for up to 6 household
7 members who are under 5 years, the
8 cost of average child care prices for
9 such children as determined by Na-
10 tional Database of Childcare Prices of
11 the Department of Labor;

12 “(IV) for up to 6 household
13 members enrolled in employer-spon-
14 sored health care plans, the median
15 non-premium out-of-pocket costs for
16 such members as determined by the
17 Secretary based on the Household
18 Component of the Medical Expendi-
19 ture Panel Survey to the extent prac-
20 ticable;

21 “(V) for up to 6 household mem-
22 bers who are not otherwise enrolled in
23 an employer-sponsored health care
24 plan or are eligible for Medicare, the
25 sum of the premium of an Essential

1 Health Benefits Benchmark Plan de-
2 fined by the Secretary as required
3 under title I of the Patient Protection
4 and Affordable Care Act and, to the
5 extent practicable, the median non-
6 premium out-of-pocket costs for those
7 enrolled in such a plan as determined
8 by the Secretary based on the House-
9 hold Component of the Medical Ex-
10 penditure Panel Survey; and

11 “(VI) for up to 6 household
12 members who are eligible for Medi-
13 care, the sum of the cost of the pre-
14 mium for the lowest cost Medicare
15 Advantage plan available that pro-
16 vides prescription drug coverage and,
17 to the extent practicable, the median
18 non-premium out-of-pocket costs for
19 those enrolled in such a plan as deter-
20 mined by the Secretary based on the
21 Household Component of the Medical
22 Expenditure Panel Survey.

23 “(ii) The Secretary shall calculate the
24 average incremental cost of each additional

1 household member for households with
2 more than 8 members.

3 “(iii) For each factor determined
4 under clauses (i) and (ii), the Secretary
5 shall—

6 “(I) use State-level data, any
7 available county-level data, and, for
8 clauses (i)(V) and (VI), geographic
9 rating area data, and

10 “(II) subject to clause (viii),
11 produce poverty line variants for each
12 such geographic area.

13 “(iv) The Secretary shall set the other
14 basic goods factor at the county level at a
15 number that reflects spending on goods
16 and services on which a household relies
17 for basic needs, including transportation
18 (where appropriate), and is otherwise not
19 reflected in such clause but at not less
20 than at 1.2.

21 “(v) The Secretary may issue rules
22 that require the use of data sources in lieu
23 of the data sources specified in clause (i)
24 for determining any factor applicable
25 under this subparagraph if the Secretary

determines that such specified sources do not accurately reflect changes in otherwise applicable average household expenditures due to a significant economic event (such as a national emergency or above-average price inflation) or a substantial change in the underlying methodology or availability of such sources.

“(vi) The Secretary shall apply appropriate multipliers to each factor determined under in clause (i) to reflect economies or diseconomies of scale with additional household members.

“(vii) The Director may create simplified poverty line variants or per-person cost calculations for administrative purposes in determining household program eligibility as long as such variants or calculations materially incorporate all applicable costs specified under this subparagraph.

“(viii) The Director shall provide a lookup tool on the website of the Department of Health and Human Services for use by States, counties, and the public to

determine the poverty line of a given household based on the factors in this paragraph.

“(D) BLOCK GRANT PROGRAM USAGE.—

“(i) If a State determines that it serves the objectives of the block grant program established under this subtitle, the State may revise the poverty line to not to exceed 125 percent of the official poverty line otherwise applicable under this paragraph.

“(ii) The poverty line shall be used as a criterion of eligibility in the community services block grant program established under this subtitle.

“(E) SAFE HARBORS.—

“(i) The poverty line applicable to a participant or household in a Federal program on the date the participant moves from one geographic location to another shall not be reduced by reason of the move for the 2-year period beginning on the date of the move.

“(ii) The Secretary shall not set the poverty line for any State or county below

1 the poverty line as determined under this
2 paragraph prior to the date of enactment
3 of the Poverty Line Act of 2023 and ad-
4 justed for inflation up to the present
5 time.”.

6 **SEC. 4. TRANSITION.**

7 Not later than 1 year after the effective date of this
8 Act, the Director of Office of Management and Budget
9 shall submit to Congress a report that specifies the Fed-
10 eral laws and regulations that apply the Federal poverty
11 line in effect under section 673(2) of the Community Serv-
12 ices Block Grant Act (42 U.S.C. 9902(2)) as a factor in
13 determining eligibility for Federal programs and that the
14 Director recommends be updated to reflect the changes
15 required by the amendment made by this Act.

16 **SEC. 5. EVALUATION AND REPORT.**

17 In the 4th year after the effective date of this Act,
18 and at least once every 4 years thereafter, the Secretary
19 of Health and Human Services shall—

20 (1) evaluate the efficacy of the poverty line as
21 determined under section 673(2) of the Community
22 Services Block Grant Act (42 U.S.C. 9902(2)), as
23 amended by this Act,

24 (2) publish a report on the results of the eval-
25 uation, and

1 (3) propose any change to such poverty line
2 that would better achieve the purpose of this Act.

3 **SEC. 6. RULE OF CONSTRUCTION.**

4 Nothing in this Act shall be construed to preclude
5 the Bureau of the Census or any other Federal agency
6 from collecting, calculating, or publishing other measures
7 of poverty for other purposes.

8 **SEC. 7. EFFECTIVE DATE.**

9 This Act and the amendment made by this Act shall
10 take effect 3 years after the date of the enactment of this
11 Act.

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