

## Federal Legislation Update

## BUDGET &amp; FUNDING-RELATED ITEMS - Updates

➔ **Tax Package – No New 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.

➔ **President’s FY 25 Budget – New** – On 3/11, President Biden and HUD Secretary Marcia Fudge released their full FY25 budget request. Per the NLIHC: Overall, the budget request proposes \$72.6 billion – essentially level funding compared to FY24 – through the appropriations process for affordable housing and homelessness programs. The president’s funding proposal is limited by the strict spending caps agreed to by Congress and the White House under the “Fiscal Responsibility Act of 2023,” which allows for a spending increase of only 1% in FY25 compared to FY24. The president’s budget was written before Congress finalized the FY24 spending bill, which was signed into law. Additionally, per CBPP: The budget calls for tax cuts enacted in 2017 to end on schedule for households with incomes of more than \$400,000, and for tax cuts for households earning less than \$400,000 to continue and to be fully offset.

➔ **FY 25 Budget – New** – Now that Congress passed a FY 24 budget, lawmakers are gearing up for FY 25 budget negotiations. A bipartisan “Dear Colleague” letter is circulating in the House that calls for \$800 million for the McKinney-Vento Act’s Education for Homeless Children and Youth (EHCY) program and \$304 million for the Runaway and Homeless Youth Act (RHYA) program and in the FY 25 budget.

➔ **FY 24 Budget – Update** – On 3/8, Congress passed, and the President, signed a bipartisan FY 24 budget for 6 appropriations bills (including T-HUD). On 3/23 Congress passed the final FY 24 budget package, funding the remaining 6 appropriations bills.

➔ **FY 24 THUD Budget – Update** – The final FY24 Transportation, Housing and Urban Development (THUD) spending bill provides significant funding for HUD’s vital affordable housing and homelessness programs. Overall, the final spending bill provides HUD programs with \$70 billion, which is \$8.3 billion more than FY23-enacted levels. The final spending bill provides significant resources for the **Housing Choice Voucher (HCV) program, which was funded at \$32.4 billion, or a \$2.1 billion increase over FY23-enacted levels.** This funding level is higher than the levels proposed in either the House or Senate versions, which could have led to a loss of 80,000 to 112,000 housing vouchers, according to the Center on Budget and Policy Priorities. As a result of the higher funding level, there should be sufficient resources to renew all existing rental assistance contracts and expand rental assistance to an additional 3,000 households.

The bill also included a 2-year NOFO process beginning with the next one.

The bill also provides increased or level resources for:

- \$4.05 billion for the Homeless Assistance Grants program (\$418 million increase in funding from FY23-enacted levels).
- \$3.41 billion for the Public Housing Capital Fund (\$30 million compared to last year’s levels), and \$5.5 billion for the Public Housing Operating Fund (\$367 million more than in FY23).
- \$16 billion for PBS8 (\$1.1 billion increase from FY 23).

The bill provides level funding for:

- \$505 million for Housing for Persons with AIDs (HOPWA).
- \$86 million for Fair Housing programs.
- \$57.5 million for Housing Counseling.
- \$22 million for Native Hawaiian Housing Block Grants.
- \$20 million for the Eviction Prevention Grant program.

The bill provides decreased funding for:

- \$1.25 billion for the HOME Investment Partnerships Program (a \$250 million cut).
- \$75 million for Choice Neighborhoods (a \$275 million cut).
- \$913 million for Section 202 Housing for the Elderly (a \$162 million cut).
- \$208 million for Section 811 Housing for Persons with Disabilities (a \$152 million cut).
- \$119 million for Policy Development and Research (a \$26 million cut).
- \$345 million for Healthy Homes (a \$65 million cut).

**BILLS – Updates**

**Farm Bill – No New Update**– At a House Agriculture Committee hearing on 2/14/24, Chairman Glenn “GT” Thompson (R-PA) proposed a funding framework for the Farm Bill that included a \$30 billion cut in SNAP benefits over 10 years. SNAP is the most effective tool for addressing food insecurity in the nation. Per CBPP, “this proposal would limit USDA’s future adjustments to the cost of the Thrifty Food Plan (TFP), which is used to set SNAP benefits, to account only for food price inflation. The TFP is a set of foods that is supposed to represent a frugal but nutritionally adequate diet. A bipartisan directive in the most recent farm bill,

enacted in 2018, requires USDA to periodically reevaluate the TFP to account for factors other than food price inflation, including changes in dietary guidance and food consumption patterns. This directive led USDA to make a substantial TFP adjustment in 2021, making up for five decades of deferred adjustments, through a science-driven process.” Though per the Chairman, average benefits would still rise each year with food price inflation that would be the only adjustment. Per CBPP “Over time, the scientific evidence on healthy diets evolves and costs may go up for reasons other than inflation. If Congress limits future updates to cover inflation only, that’s a benefit cut, as reflected in the nonpartisan Congressional Budget Office cost estimate.”

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

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