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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To 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.

IN THE HOUSE OF REPRESENTATIVES

Ms. JAYAPAL introduced the following bill; which was referred to the Committee on _____

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, end penalization of homelessness, 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 2021”.

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—SUPPORTED ALTERNATIVES TO PENALIZATION OF
PERSONS EXPERIENCING HOMELESSNESS

Sec. 101. Grant authorization.

Sec. 102. Application.

Sec. 103. Use of funds.

Sec. 104. Authorization of appropriations.

TITLE II—INVESTING IN INFRASTRUCTURE TO ADDRESS BASIC
HUMAN NEEDS

Sec. 201. CDBG Plus program.

Sec. 202. Library pilot grants.

Sec. 203. Use of unutilized and underutilized public buildings and real property
to assist the homeless.

TITLE III—INVESTING IN COMMUNITY STABILITY AND WELL-
BEING

Sec. 301. Treatment of revenue generated.

Sec. 302. Emergency solutions grant program.

Sec. 303. Continuum of care grant program.

Sec. 304. Federal Emergency Management Agency emergency food and shelter
grant program.

Sec. 305. Requirements.

Sec. 306. GAO study of requirements regarding participation and involvement
of homeless individuals.

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—ACCESS TO PERSONAL DOCUMENTS

Sec. 501. Access to certain essential documents.

TITLE VI—UNITED STATES INTERAGENCY COUNCIL ON
HOMELESSNESS

Sec. 601. Permanent authorization.

Sec. 602. Functions.

Sec. 603. Advisory board.
Sec. 604. Director.
Sec. 605. Conforming amendment.

TITLE VII—REVENUE RELATED TO HOUSING SPECULATION AND
DISPLACEMENT

Sec. 601. Amendments to the tax code.

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—SUPPORTED ALTERNATIVES TO PENALIZATION**
18 **OF PERSONS EXPERIENCING**
19 **HOMELESSNESS**

21 **SEC. 101. GRANT AUTHORIZATION.**

22 The Attorney General is authorized to make grants
23 to States, units of local government, public and commu-
24 nity defender systems, and nonprofit organizations to cre-

1 ate or expand alternatives to penalizing homelessness (as
2 such term is defined in section 2 of this Act).

3 **SEC. 102. APPLICATION.**

4 (a) **IN GENERAL.**—An entity seeking a grant under
5 this title shall submit to the Attorney General an applica-
6 tion at such time, in such manner, and containing such
7 information as the Attorney General may reasonably re-
8 quire, including an assurance described in subsection (b).

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

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

22 (1) successful engagement with populations ex-
23 perienceing homelessness and housing instability, in-
24 cluding members of a population at higher risk of

1 homelessness, as such term is defined in section 2 of
2 this Act; or

3 (2) assisting communities to engage in alter-
4 natives to penalizing homelessness.

5 **SEC. 103. USE OF FUNDS.**

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

8 (1) Creating or expanding a diversion program,
9 including a law enforcement assisted diversion pro-
10 gram, which program includes—

11 (A) a focus on reducing racial disparity in
12 law enforcement and prosecution;

13 (B) reliance on harm-reduction principles;

14 (C) collaboration with community-based,
15 trauma-informed organizations;

16 (D) development of pre-arrest diversion
17 programs that are designed in consultation per-
18 sons experiencing homelessness and housing in-
19 stability, populations at higher risk of homeles-
20 ness, and community based health and service
21 providers; and

22 (E) a primary focus on providing diversion
23 services to persons and communities that are
24 homeless or at risk of homelessness.

1 (2) Providing technical support to jurisdictions
2 that are working to reduce the extent to which the
3 laws or policies in that jurisdiction penalize home-
4 lessness, including—

5 (A) assisting the jurisdiction in creating
6 procedures, programs, and infrastructure to
7 safeguard the personal property of persons ex-
8 periencing homelessness or housing instability,
9 in consultation with persons and organizations
10 representing such persons;

11 (B) developing protocols for pre-booking
12 diversion for offenses in cases where the inci-
13 dent is related to homelessness or housing in-
14 stability, a mental health condition, or addic-
15 tion; and

16 (C) identifying statutes, regulations, and
17 policies that penalize homeless and housing un-
18 stable persons, and identifying, pursuing, and
19 implementing alternatives that promote Hous-
20 ing First, permanent supportive housing, and
21 the health, safety and self-determination of
22 such persons.

23 (3) Creating, supporting, expanding, or study-
24 ing mobile crisis intervention teams that are trained
25 to provide stabilization services to persons with an

1 urgent medical or psychological need, as an alter-
2 native to a law enforcement response, which teams
3 may include healthcare professionals, mental health
4 professionals, addiction counselors, housing referral
5 specialists, groups serving or representing justice
6 system-involved or housing unstable persons, and
7 other related resource providers.

8 **SEC. 104. AUTHORIZATION OF APPROPRIATIONS.**

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

13 **TITLE II—INVESTING IN INFRA-**
14 **STRUCTURE TO ADDRESS**
15 **BASIC HUMAN NEEDS**

16 **SEC. 201. CDBG PLUS PROGRAM.**

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

20 **“Subtitle E—Community Develop-**
21 **ment Block Grant Plus Program**

22 **“SEC. 496. CDBG PLUS PROGRAM.**

23 “(a) **AUTHORITY.**—The Secretary of Housing and
24 Urban Development shall carry out a Community Develop-
25 ment Block Grant Plus Program under this section (in

1 this section referred to as the ‘CDBG Plus Program’) to
2 provide assistance to units of general local government
3 and States for activities to benefit homeless, housing un-
4 stable, or cost-burdened households, as such terms are de-
5 fined in section 2 of the Housing is a Human Right Act
6 of 2021.

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

14 “(1) by this section; or

15 “(2) by the Secretary, to account for differences
16 between—

17 “(A) the primary objectives of such block
18 grant program and the CDBG Plus Program
19 (as provided in subsection (c) of this section);
20 and

21 “(B) the primary benefit requirement of
22 such block grant program under section 101(c)
23 of such Act (42 U.S.C. 5301(c)) and the pri-
24 mary benefit requirement of the CDBG Plus

1 Program (as provided in subsection (d) of this
2 section).

3 “(c) PRIMARY OBJECTIVE.—The primary objective of
4 this section and of the CDBG Plus Program of each
5 grantee under the program shall be to reduce and end
6 homelessness and housing instability and to reduce and
7 prevent housing-related cost-burdens, with priority given
8 to providing housing for low-income and extremely low-
9 income households and for members of a population at
10 higher risk of homelessness, as such term is defined in
11 section 2 of the Housing is a Human Right Act of 2021.

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

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

23 “(1) ELIGIBLE ACTIVITIES.—Notwithstanding
24 section 105 of such title (42 U.S.C. 5305), activities

1 assisted under the CDBG Plus Program may include
2 only the following activities:

3 “(A) Projects that improve compliance
4 with the Americans With Disabilities Act of
5 1990 (42 U.S.C. 12101 et seq), projects that
6 address other barriers to full community par-
7 ticipation, integration, and access as identified
8 by directly impacted persons with disabilities
9 who experience homelessness or housing insta-
10 bility, and projects directed to the removal of
11 material and architectural barriers which re-
12 strict the mobility and accessibility of elderly
13 persons and persons with disabilities, and
14 projects that assist elderly persons to age in
15 place.

16 “(B) The acquisition of real property (in-
17 cluding air rights, water rights, and other inter-
18 ests therein), that—

19 “(i) is appropriate for rehabilitation,
20 conservation, or construction of permanent
21 affordable housing or transitional housing;
22 or

23 “(ii) is being acquired by or on behalf
24 of a group of persons who are homeless,
25 housing unstable, or at risk of homeless-

1 ness to provide housing, land, or self-deter-
2 mination to that group of persons.

3 “(C) The provision of public services that
4 increase stability and housing access for per-
5 sons experiencing homelessness or housing in-
6 stability, including services associated with per-
7 manent supportive housing, housing search and
8 placement support, and legal services.

9 “(D) Activities necessary to develop, imple-
10 ment, or evaluate a comprehensive plan to end
11 homelessness and housing instability.

12 “(E) The rehabilitation, development, or
13 construction of dignified and humane housing
14 that is permanently affordable to persons earn-
15 ing 30 percent or less of the median income for
16 the area in which the housing is located, includ-
17 ing the construction and maintenance of public
18 housing units and the creation of new forms of
19 housing, such as tiny homes.

20 “(F) The acquisition, rehabilitation, ren-
21 ovation, or conversion of transitional housing,
22 temporary shelters, and other spaces, such as
23 hotels, motels, government-owned properties,
24 and commercial business spaces, to address ur-
25 gent safety and public health needs for persons

1 experiencing homelessness and housing insta-
2 bility, except that no funds shall be granted to
3 any projects by government units or municipali-
4 ties that penalize homelessness or force or co-
5 erce persons to utilize those spaces.

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

11 “(H) Projects that ensure access to spe-
12 cialized medical respite housing and associated
13 services and supports for persons experiencing
14 homelessness or housing instability who are
15 sick, injured, or who have been discharged from
16 hospitals, nursing facilities, or similar facilities.

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

22 “(2) FORMULA DISTRIBUTION.—

23 “(A) USE OF EXISTING REGULATIONS.—
24 Until the regulations required under subpara-
25 graph (B) take effect, amounts made available

1 for assistance under this title shall be allocated
2 pursuant to the formula established under sec-
3 tion 106 of the Housing and Community Devel-
4 opment Act of 1974 (42 U.S.C. 5306).

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

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

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

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

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

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

21 “(6) HOUSING-FIRST.—In allocating amounts
22 for grants under the CDBG Plus Program, the Sec-
23 retary shall prioritize affordable housing creation,
24 permanent supportive housing, and supportive serv-

1 ices utilizing a Housing First model, and other in-
2 frastructure to address basic human needs.

3 “(7) SUSTAINABILITY, RESILIENCE, AND
4 WATER AND ENERGY EFFICIENCY.—Not less than
5 10 percent of all amounts made available for assist-
6 ance pursuant to this section shall be used only for
7 eligible activities relating to sustainability, resilience,
8 water and energy efficiency and, at the Secretary’s
9 discretion, other strategies to enhance the environ-
10 mental sustainability and climate resilience of pro-
11 duction, design, and construction of structures fund-
12 ed under the program under this section. Eligible ac-
13 tivities shall include—

14 “(A) construction that utilizes local, nat-
15 ural materials developed using sustainable
16 methods that produce few or no carbon emis-
17 sions; or other sustainable materials;

18 “(B) use of sustainable appliances made in
19 the United States, including all-electric appli-
20 ances, and use of appliance, materials, and pro-
21 cedures that bring the structure into compli-
22 ance with the Environmental Protection Agen-
23 cy’s WaterSense certification for efficient water
24 use and Energy Star certification for energy ef-
25 ficient appliances;

1 “(C) construction or retrofit to build high-
2 ly energy-efficient structures that produce on-
3 site, or procure, enough carbon-free renewable
4 energy to meet total energy consumption annu-
5 ally;

6 “(D) use of renewable energy, which shall
7 include—

8 “(i) utility-, community-, and small-
9 scale photovoltaic and thermal solar en-
10 ergy;

11 “(ii) utility- and small-scale wind en-
12 ergy;

13 “(iii) geothermal energy;

14 “(iv) microturbine hydroelectricity;

15 “(v) energy efficiency;

16 “(vi) building electrification;

17 “(vii) energy storage;

18 “(viii) microgrids; and

19 “(ix) modern distribution grid infra-
20 structure; and

21 “(E) construction, retrofit, alternations, or
22 repair that brings the structure into compliance
23 with an Environmental Protection Agency or
24 sustainable construction industry-recognized
25 standard, including the Leadership in Energy

1 and Environmental Design, International Green
2 Construction Code, ASHRAE 189.1, National
3 Green Building Standard, Green Globes, Living
4 Building Challenge, and Building Research Es-
5 tablishment Environmental Assessment Method
6 (BREEAM).

7 “(8) NO PENALIZATION OF HOMELESSNESS.—
8 In allocating amounts for grants under the program
9 under this section, the Secretary shall prioritize ap-
10 plicants with a dedicated commitment to reducing
11 and ending the penalization of homelessness and ap-
12 plicants that can demonstrate compliance with Cen-
13 ter for Disease Control standards on appropriate re-
14 sponses to the coronavirus disease 2019 for persons
15 experiencing unsheltered homelessness.

16 “(f) RULE OF CONSTRUCTION.—Nothing in this sec-
17 tion may be construed to affect or alter the community
18 development block grant program under title I of the
19 Housing and Community Development Act of 1974 (42
20 U.S.C. 5301 et seq.).

21 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
22 is authorized to be appropriated for assistance under the
23 CDBG Plus Program under this section, for the first fiscal
24 year commencing after the date of the enactment of this
25 Act and for each of the next nine succeeding fiscal years

1 thereafter, an amount equal to the difference between
2 \$6,000,000,000 and the amount credited for such use for
3 such fiscal year pursuant to section 301(3) of the Housing
4 is a Human Right Act of 2021.”.

5 **SEC. 202. LIBRARY PILOT GRANTS.**

6 (a) AUTHORIZATION.—From amounts made available
7 under subsection (g) for a fiscal year, the Institute of Mu-
8 seum and Library Services (in this section referred to as
9 the “Institute”) shall award grants, on a competitive
10 basis, to enable municipal, county, and State library ad-
11 ministrative agencies to award subgrants to public librar-
12 ies, school libraries, and public law school libraries for car-
13 rying out pilot programs to address the needs of homeless
14 and housing-unstable persons.

15 (b) PILOT PROGRAMS.—Each pilot program assisted
16 with amounts from a subgrant under this section shall
17 allow a library system or systems to create or expand
18 projects or services that primarily address the needs of
19 homeless and housing-unstable persons. Preference shall
20 be given to funding proposals that integrate with existing
21 Federal or State programs that serve homeless persons,
22 housing-unstable individuals, and cost-burdened house-
23 holds.

24 (c) AUTHORIZED AGENCY.—The Institute shall dis-
25 burse funding made available to carry out this section.

1 The Institute may consult with the Secretary of Housing
2 and Urban Development, the Interagency Council on
3 Homelessness, or any other appropriate agency to ensure
4 that funds are disbursed and utilized appropriately.

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

10 (1) a description of how the municipal, county,
11 or State library administrative agency will award
12 subgrants described in subsection (e), including any
13 priorities or considerations that will be applied in
14 making such awards, with an emphasis toward sup-
15 porting programs addressing the needs of homeless
16 persons;

17 (2) a description of how the municipal, county,
18 or State library administrative agency will dissemi-
19 nate, in a timely manner, information regarding the
20 subgrants described in subsection (e) and the appli-
21 cation process for such subgrants;

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

1 (4) an assurance from the municipal, county, or
2 State library administrative agency that each eligible
3 library that receives a subgrant will provide pro-
4 grams that primarily serve persons who are homeless
5 or housing-unstable.

6 (e) SUBGRANTS.—

7 (1) IN GENERAL.—Each municipal, county, or
8 State library administrative agency receiving a grant
9 under this section may use such grant amounts to
10 provide subgrants, on a competitive basis, to a pub-
11 lic library, school library, or public law school librar-
12 ies to enable such libraries to provide programs that
13 address the need of homeless persons.

14 (2) APPLICATIONS.—To be eligible for a
15 subgrant under this subsection, a public library,
16 school library, or public law school library shall sub-
17 mit an application at such time, in such manner,
18 and containing such information as the municipal,
19 county, or State library administrative agency may
20 require. Each application shall include—

21 (A) a description of the homelessness-re-
22 lated programs that the eligible local library ad-
23 ministrative agency will provide at each library
24 to be assisted; and

1 (B) a description of how community or
2 governmental partners will be involved in the
3 homelessness-related programs of the library.

4 (3) CRITERIA FOR AWARDS.—A municipal,
5 county, or State library administrative agency re-
6 ceiving a grant under this section shall award sub-
7 grants based on—

8 (A) the proposed number of libraries and
9 the estimated number of homeless persons that
10 will be served under the homelessness-related
11 programs; and

12 (B) any other criteria established by the
13 municipal, county, or State library administra-
14 tive agency in the application submitted under
15 subsection (d).

16 (f) REPORTS.—Each State library administrative
17 agency receiving a grant under this section for a fiscal
18 year shall submit a report for such fiscal year to the Insti-
19 tute regarding the progress made in achieving the pur-
20 poses of the grant.

21 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
22 authorized to be appropriated to carry out this section
23 \$10,000,000 for the first fiscal year commencing after the
24 date of the enactment of this Act and for each of the next
25 nine succeeding fiscal years thereafter.

1 **SEC. 203. USE OF UNUTILIZED AND UNDERUTILIZED PUB-**
2 **LIC BUILDINGS AND REAL PROPERTY TO AS-**
3 **SIST THE HOMELESS.**

4 Section 501 of the McKinney-Vento Homeless Assist-
5 ance Act (42 U.S.C. 11411) is amended—

6 (1) in subsection (d)—

7 (A) in paragraph (1), strike “30” and in-
8 sert “365”; and

9 (B) in paragraph (2), strike “30-day” and
10 insert “365-day”; and

11 (2) in subsection (e)(2)(A), strike “75” and in-
12 sert “365”; and

13 (3) in subsection (f), by adding at the end the
14 following new paragraph:

15 “(5)(A) In the case of a representative of the home-
16 less who has received a grant under a CDBG Plus Pro-
17 gram under section 496 of this Act, such representative
18 shall, notwithstanding any other provision of this title, be
19 considered eligible for conveyance of any real or personal
20 property requested under the authority of this section or
21 section 502 (42 U.S.C. 11412).

22 “(B) A request by such a representative shall be ex-
23 pedited and shall not be subject to the review processes
24 under such sections. It shall be the burden of the Sec-
25 retary to present any reasons why the grantee should not
26 receive the requested property, and absent extraordinary

1 circumstances, including danger to the grantee or poten-
2 tial harmful environmental impact that would be impos-
3 sible to mitigate, the representative of the homeless shall
4 be presumed to qualify for the property requested.

5 “(C) Conveyances of properties pursuant to this sec-
6 tion shall be made deed, and not by lease, unless explicitly
7 requested otherwise by the representative of the homeless.

8 “(D) The Secretary shall identify and implement a
9 process by which such grant recipients and applicants
10 shall be—

11 “(i) regularly notified of their eligibility status
12 under this paragraph;

13 “(ii) notified of all lists of available properties;

14 “(iii) presumed to be eligible for transfers of
15 property;

16 “(iv) prioritized and expedited for transfers of
17 property;

18 “(v) permitted to appeal to the Secretary for re-
19 consideration;

20 “(vi) expedited access to properties and

21 “(vii) conveyed properties pursuant to subpara-
22 graph (C).”.

1 **TITLE III—INVESTING IN COM-**
2 **MUNITY STABILITY AND**
3 **WELL-BEING**

4 **SEC. 301. TREATMENT OF REVENUE GENERATED.**

5 For each fiscal year, the Secretary of the Treasury
6 shall determine the amount of revenues accruing to the
7 general fund of the Treasury by reason of the enactment
8 of title VI of this Act and shall credit an amount equal
9 to such revenues to the Secretary of Housing and Urban
10 Development as follows:

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

16 (2) The Secretary shall credit 40 percent of
17 such revenues for assistance under the continuum of
18 care program authorized under subtitle C of the
19 McKinney-Vento Homeless Assistance Act (42
20 U.S.C. 11381 et seq.).

21 (3) The Secretary shall credit 20 percent of
22 such revenues for assistance under the Community
23 Development Block Grant Plus Program, authorized
24 under section 496 of the McKinney-Vento Homeless
25 Assistance Act (as added by section 201 of this Act).

1 **SEC. 302. EMERGENCY SOLUTIONS GRANT PROGRAM.**

2 There is authorized to be appropriated to the Sec-
3 retary of Housing and Urban Development, for the first
4 fiscal year commencing after the date of the enactment
5 of this Act and each of the next nine succeeding fiscal
6 years thereafter, to make grants under the emergency so-
7 lutions grant program authorized under subtitle B of title
8 IV of the McKinney-Vento Homeless Assistance Act (42
9 U.S.C. 11371 et seq.), an amount equal to the difference
10 between \$10,000,000,000 and the amount credited for
11 such use for such fiscal year pursuant to section 301(1)
12 of this Act.

13 **SEC. 303. CONTINUUM OF CARE GRANT PROGRAM.**

14 There is authorized to be appropriated to the Sec-
15 retary of Housing and Urban Development, for the first
16 fiscal year commencing after the date of the enactment
17 of this Act and each of the next nine succeeding fiscal
18 years thereafter, to make grants under the continuum of
19 care program authorized under subtitle C of the McKin-
20 ney-Vento Homeless Assistance Act (42 U.S.C. 11381 et
21 seq.), an amount equal to the difference between
22 \$10,000,000,000 and the amount credited for such use for
23 such fiscal year pursuant to section 301(2) of this Act.

1 **SEC. 304. FEDERAL EMERGENCY MANAGEMENT AGENCY**
2 **EMERGENCY FOOD AND SHELTER GRANT**
3 **PROGRAM.**

4 (a) **AUTHORIZATION OF APPROPRIATIONS.**—There is
5 authorized to be appropriated, for the first fiscal year com-
6 mencing after the date of the enactment of this Act and
7 each of the next nine succeeding fiscal years thereafter,
8 \$1,000,000,000 for emergency food and shelter grants
9 under subtitle B of title III of the McKinney-Vento Home-
10 less Assistance Act (42 U.S.C. 11341 et seq.).

11 (b) **NATIONAL BOARD MEMBERSHIP.**—Subsection
12 (b) of section 301 of the McKinney-Vento Homeless As-
13 sistance Act (42 U.S.C. 11331(b)) is amended—

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

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

18 (3) by inserting after and below paragraph (6)
19 the following flush matter:

20 “At least 4 members shall be appointed from among indi-
21 viduals nominated by national organizations identified by
22 the Director, in consultation with the United States Inter-
23 agency Council on Homelessness, that represent a popu-
24 lation at higher risk of homelessness (as such term is de-
25 fined in section 2 of the Housing is a Human Right Act
26 of 2021).”.

1 (c) ELIGIBLE ACTIVITIES.—Subsection (a) of section
2 313 of the McKinney-Vento Homeless Assistance Act (42
3 U.S.C. 11343(a)) is amended—

4 (1) in paragraph (1), by inserting “hygiene,”
5 after “food,”;

6 (2) in paragraph (2), by striking “and” at the
7 end; and

8 (3) by striking paragraph (3) and inserting the
9 following new paragraphs:

10 “(3) to conduct rehabilitation of existing shelter
11 or feeding facilities to ensure such facilities are safe,
12 sanitary, and in compliance with local building
13 codes;

14 “(4) to provide flexible and appropriate access
15 to temporary shelter;

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

18 “(6) to provide supports, including shelter,
19 transitional housing, and specialized medical respite
20 shelter and associated services to homeless or hous-
21 ing-unstable (as such term is defined in section 2 of
22 the Housing is a Human Right Act of 2021) elderly
23 persons, persons with disabilities, and persons who
24 are or have been sick or injured, and to persons are
25 who are being discharged or who have recently been

1 discharged from hospitals, nursing facilities or simi-
2 lar facilities”.

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

10 (e) APPROPRIATE NON-DISCRIMINATION POLICY.—

11 (1) NATIONAL AND LOCAL BOARDS.—Section
12 301 of the McKinney-Vento Homeless Assistance
13 Act (42 U.S.C. 11331) is amended by adding at the
14 end the following new subsection:

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

16 The National Board shall—

17 “(1) at all times having in effect a policy that
18 prohibits discrimination against persons in all class-
19 es provided protection against discrimination under
20 Federal law and explicitly prohibits discrimination
21 based on the gender-related identity, appearance,
22 mannerisms, or other gender-related characteristics
23 of an individual, regardless of the individual’s des-
24 ignated sex at birth; and

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

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

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

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

11 (C) by adding at the end the following new
12 paragraph:

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

19 (f) GAO STUDY OF ALLOCATION FORMULA.—The
20 Comptroller General of the United States shall conduct
21 a study to identify and analyze the methods in effect on
22 the date of the enactment of this Act for determining the
23 amount and distribution of assistance under the Emer-
24 gency Food and Shelter Grants Program of the Federal
25 Emergency Management Agency under subtitle B of title

1 III of the McKinney-Vento Homeless Assistance Act (42
2 U.S.C. 11341 et seq.) to determine whether such current
3 methods adequately address the needs of homeless persons
4 and the communities that serve them. Not later than the
5 expiration of the 12-month period beginning on the date
6 of the enactment of this Act, the Comptroller General shall
7 submit a report to the Congress detailing the findings of
8 such study and making recommendations as to how the
9 Emergency Food and Shelter Program National Board
10 should revise such methods to more adequately and accu-
11 rately meet such needs.

12 (g) GAO STUDY OF COMPLIANCE WITH PARTICIPA-
13 TION REQUIREMENTS.—The Comptroller General of the
14 United States shall conduct a study to identify and ana-
15 lyze the extent to which recipient service providers under
16 the Emergency Food and Shelter Grants Program of the
17 Federal Emergency Management Agency under subtitle B
18 of title III of the McKinney-Vento Homeless Assistance
19 Act (42 U.S.C. 11341 et seq.) comply with the provisions
20 of the guidelines for such Program required under para-
21 graphs (5) and (6) of section 316(a) of such Act (42
22 U.S.C. 11346(a); relating to involvement and participation
23 of homeless individuals). Not later than the expiration of
24 the 24-month period beginning on the date of the enact-
25 ment of this Act, the Comptroller General shall submit

1 a report to the Congress detailing the findings of such
2 study, including identifying any barriers to compliance
3 and the level of compliance and recommending models for
4 compliance (including specific models used by such recipi-
5 ent service providers) and suggested support methods to
6 assist recipients to comply.

7 **SEC. 305. REQUIREMENTS.**

8 (a) **LIMITATION ON MATCHING FUNDS REQUIRE-**
9 **MENTS.**—Notwithstanding any other provision of law, in
10 the case of any grant made using amounts made available
11 by this Act to any recipient that is a governmental unit,
12 non-Federal supplemental or matching funding shall not
13 be required for such grant if such recipient demonstrates
14 to the satisfaction of the Secretary that—

15 (1) assistance using such grant amounts will be
16 provided in accordance with a Housing First strat-
17 egy for addressing homelessness in the area in which
18 the assistance is used;

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

21 (3) the recipient has established a formal plan
22 to identify and address structural and implicit bias
23 in implementation of programs funded under this
24 Act that specifically addresses potential bias towards
25 members of groups identified a population at higher

1 risk of homelessness, as such term is defined in sec-
2 tion 2 of this Act;

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

7 (5) in the case of any recipient that administers
8 elections, the recipient has established a plan to en-
9 sure that persons who are homeless or housing-un-
10 stable are not prevented from voting due to irregular
11 or non-existent addresses or other similar barriers;
12 and

13 (6) the recipient has procedures in effect for
14 interacting with the property of homeless persons
15 that—

16 (A) require a minimum of three days prior
17 notice shall be given before property is moved
18 or disposed of;

19 (B) provide a plan that safeguards any
20 item that is not clearly trash for a minimum of
21 30 days; and

22 (C) allow persons experiencing homeless-
23 ness to easily retrieve their possessions.

24 (b) REQUIREMENT FOR ONGOING EFFORTS.—Assist-
25 ance made available under this Act may not be provided

1 to any governmental unit unless such unit demonstrates,
2 to the satisfaction of the Secretary, that such entity has
3 in effect, or is actively working toward implementing, poli-
4 cies, regulations, or other requirements sufficient to en-
5 sure the following within the jurisdiction of such entity:

6 (1) Any law that imposes a criminal punish-
7 ment on a person or groups of persons who are
8 homeless, or who has no other place to go, for sleep-
9 ing outside or on public property is not being en-
10 forced.

11 (2) Effective procedures are in effect for inter-
12 acting with the property of homeless persons that
13 comply with due process protections of the 14th
14 Amendment to the Constitution of the United
15 States.

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

20 (1) such entity has in effect, or is actively work-
21 ing toward implementing, a procedure that provides
22 for regular community participation, comment, feed-
23 back, and guidance on the activities and perform-
24 ance in serving homeless, housing-unstable, and
25 cost-burdened individuals and households; and

1 (2) in the case of any entity that in any fiscal
2 year receives more than \$1,000,000 from amounts
3 made available under this Act, all personnel carrying
4 out activities assisted with amounts made available
5 under this Act whose responsibilities involve regular
6 contact with homeless, housing-unstable, or cost-bur-
7 dened individuals or households, or who have man-
8 agement positions overseeing personnel in regular
9 contact with homeless, housing-unstable, or cost-bur-
10 dened individuals or households, are adequately
11 trained regarding harm reduction, de-escalation
12 techniques, trauma-informed care, implicit bias, cul-
13 tural competency, and disability rights.

14 (d) ALL ENTITIES.—Assistance made available under
15 this Act may not be provided to any entity, whether a gov-
16 ernmental unit or a non-governmental entity, unless such
17 entity demonstrates to the satisfaction of the Secretary
18 that such entity has in effect a written non-discrimination
19 policy that—

20 (1) prohibits discrimination against persons in
21 all classes provided protection against discrimination
22 under Federal law; and

23 (2) explicitly prohibits discrimination based on
24 the gender-related identity, appearance, mannerisms,
25 or other gender-related characteristics of an indi-

1 vidual, regardless of the individual's designated sex
2 at birth.

3 **SEC. 306. GAO STUDY OF REQUIREMENTS REGARDING PAR-**
4 **TICIPATION AND INVOLVEMENT OF HOME-**
5 **LESS INDIVIDUALS.**

6 (a) STUDY.—The Comptroller General of the United
7 States shall conduct a study to identify and analyze the
8 extent to which—

9 (1) recipient service providers under the Emer-
10 gency Food and Shelter Grants Program of the Fed-
11 eral Emergency Management Agency under subtitle
12 B of title III of the McKinney-Vento Homeless As-
13 sistance Act (42 U.S.C. 11341 et seq.) comply with
14 the provisions of the guidelines for such Program re-
15 quired under paragraphs (5) and (6) of section
16 316(a) of such Act (42 U.S.C. 11346(a); relating to
17 involvement and participation of homeless individ-
18 uals); and

19 (2) recipients under the Emergency Solutions
20 Grant Program under subtitle B of title IV of the
21 McKinney-Vento Homeless Assistance Act (42
22 U.S.C. 11371 et seq.) comply with the requirements
23 under section 416(d) of such Act (42 U.S.C.
24 11375(d); relating to participation of homeless indi-
25 viduals).

1 (b) REPORT.—Not later than the expiration of the
2 36-month period beginning on the date of the enactment
3 of this Act, the Comptroller General shall submit a report
4 to the Congress detailing the findings of such study, in-
5 cluding identifying the level of such compliance and any
6 barriers to compliance with such requirements, and recom-
7 mending models for compliance (including any effective
8 specific models used by such recipients) and suggested
9 support methods to assist recipients to comply.

10 **TITLE IV—ACCESS TO VOTING**

11 **SEC. 401. STUDY OF FACTORS ADVERSELY AFFECTING** 12 **ABILITY OF HOMELESS AND HOUSING-UNSTA-** 13 **BLE INDIVIDUALS TO VOTE.**

14 (a) STUDY.—The Election Assistance Commission
15 shall conduct a study identifying and analyzing on a State-
16 by-State basis the factors which adversely affect the ability
17 of individuals who are homeless or who are housing-unsta-
18 ble to vote in elections for public office, including the im-
19 plementation of the REAL ID Act, State laws requiring
20 voters to provide ID as a condition of voting, and the pe-
21 nalization of homelessness.

22 (b) REPORT.—Not later than one year after the date
23 of the enactment of this Act, the Commission shall submit
24 to Congress and make available to the public a report on
25 the study conducted under subsection (a), and shall in-

1 clude in the report recommendations to address the fac-
2 tors identified in the study.

3 (c) STATE DEFINED.—In this section, the term
4 “State” means each of the several States, the District of
5 Columbia, the Commonwealth of Puerto Rico, Guam,
6 American Samoa, the United States Virgin Islands, and
7 the Commonwealth of the Northern Mariana Islands.

8 **SEC. 402. GRANTS TO FACILITATE VOTING BY HOMELESS**
9 **AND HOUSING-UNSTABLE INDIVIDUALS.**

10 (a) GRANTS.—The Election Assistance Commission
11 shall carry out a program under which the Commission
12 shall make grants to eligible nonprofit corporations and
13 eligible units of local government for carrying out pro-
14 grams and activities which will facilitate voting in elections
15 for public office by individuals who are homeless or who
16 are housing-unstable.

17 (b) ELIGIBILITY.—A nonprofit corporation or a unit
18 of local government is eligible to receive a grant under the
19 program established under this section if the corporation
20 or unit submits to the Election Assistance Commission,
21 at such time and in such form as the Commission may
22 require, an application containing—

23 (1) in the case of a nonprofit corporation, a cer-
24 tification that the corporation has in effect a non-
25 discrimination policy that prohibits discrimination

1 against persons in all classes provided protection
2 against discrimination under Federal law and that
3 further protects against discrimination on the basis
4 of the gender-related identity, appearance, manner-
5 isms, or other gender-related characteristics of an
6 individual, regardless of the individual's designated
7 sex at birth; and

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

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

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

17 (2) A proven history of successfully encouraging
18 civic participation.

19 (3) A proven history of participation by home-
20 less, housing-unstable, and cost-burdened households
21 in the leadership and decision-making power of the
22 corporation.

23 (4) A proven history of successful engagement
24 with a population at higher risk of homelessness, as
25 defined in section 2 of this Act, including—

- 1 (A) LGBTQ persons;
- 2 (B) foster youth and former foster youth;
- 3 (C) Asian, Black, Latino, Native Amer-
4 ican, Native Hawaiian, Pacific Islander and
5 other communities of color;
- 6 (D) low-income older adults;
- 7 (E) persons with disabilities, including
8 mental health disabilities;
- 9 (F) justice-system-involved persons; and
- 10 (G) immigrant communities.

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

16 (e) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated to carry out this section
18 \$5,000,000 for the first fiscal year commencing after the
19 date of the enactment of this Act and for each of the next
20 nine succeeding fiscal years thereafter.

21 **TITLE V—ACCESS TO PERSONAL** 22 **DOCUMENTS**

23 **SEC. 501. ACCESS TO CERTAIN ESSENTIAL DOCUMENTS.**

24 (a) REPORT.—

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

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

6 (i) the Secretary of Health and
7 Human Services;

8 (ii) the Secretary of Housing and
9 Urban Development;

10 (iii) the Administrator of Veterans Af-
11 fairs;

12 (iv) the Attorney General of the
13 United States;

14 (v) the Commissioner of the Social Se-
15 curity Administration;

16 (vi) the Commissioner of Internal
17 Revenue;

18 (vii) the Director of National Park
19 Service;

20 (viii) the Director of United States
21 Citizenship and Immigration Services;

22 (ix) the Bureau of Indian Affairs; and

23 (x) any other agency identified by the
24 Comptroller General;

1 (B) any barrier, including any financial
2 barrier, persons who are homeless or housing-
3 unstable face in—

4 (i) requesting any essential document
5 identified under paragraph (1); or

6 (ii) replacing any such essential docu-
7 ment if lost, misplaced, stolen, expired, de-
8 stroyed, or otherwise inaccessible;

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

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

16 (ii) replacing such driver’s license or
17 identification card if lost, misplaced, sto-
18 len, expired, destroyed, or otherwise inac-
19 cessible; and

20 (D) recommendations for—

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

1 (ii) the Federal Government, State
2 governments, and local governments on
3 how to reduce or eliminate any barrier
4 identified under paragraph (3).

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

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

18 (c) DEFINITIONS.—In this section:

19 (1) ESSENTIAL DOCUMENT.—The term “essen-
20 tial document” means a document that is essential
21 to the health, safety, or stability of a person who is
22 homeless or housing-unstable, including a document
23 that is essential to—

24 (A) verifying the identity or immigration
25 status of such person; or

- 1 (B) assisting such person—
- 2 (i) in providing for basic needs such
- 3 as shelter, housing, nutrition, and
- 4 healthcare; or
- 5 (ii) show eligibility for employment,
- 6 healthcare, or public benefit.

7 (2) RELEVANT COMMITTEES OF CONGRESS.—

8 The term “relevant committees of Congress” means

9 the committees of Congress with jurisdiction over

10 the agencies listed under subsection (a)(1).

11 **TITLE VI—UNITED STATES**

12 **INTERAGENCY COUNCIL ON**

13 **HOMELESSNESS**

14 **SEC. 601. PERMANENT AUTHORIZATION.**

15 Title II of the McKinney-Vento Homeless Assistance

16 Act (42 U.S.C. 11311 et seq.) is amended—

17 (1) in section 208 (42 U.S.C. 11318), by strik-

18 ing the sentence and inserting the following: “There

19 is authorized to be appropriated for each fiscal year

20 \$10,000,000 to carry out this title.”;

21 (2) by striking section 209 (42 U.S.C. 11319);

22 and

23 (3) by redesignating sections 207 and 208 (42

24 U.S.C. 11317, 11318) as sections 208 and 209, re-

25 spectively.

1 **SEC. 602. FUNCTIONS.**

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

4 (1) in subsection (a)—

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

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

9 (C) by adding at the end the following new
10 paragraphs:

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

12 “(15) identify and promote successful practices,
13 including the Housing First strategy and the perma-
14 nent supportive housing model; and

15 “(16) prioritize addressing disparities faced by
16 members of a population at higher risk of homeless-
17 ness, as such term is defined in section 2 of the
18 Housing is a Human Right Act of 2021, including
19 by issuing reports and making recommendations to
20 agencies.”; and

21 (2) in subsection (b)—

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

24 (B) in paragraph (2), 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 “(3) make formal reports and recommendations
4 to Federal agencies, which shall include comments
5 on how proposed regulatory changes would impact
6 persons experiencing homelessness, housing insta-
7 bility, or who are cost-burdened.”.

8 **SEC. 603. ADVISORY BOARD.**

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

12 **“SEC. 207. ADVISORY BOARD.**

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

15 “(b) MEMBERSHIP.—

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

20 “(A) Not less than 10 members shall be
21 individuals who are homeless or experiencing
22 housing instability, or were so during the 5 cal-
23 endar years preceding appointment to the advi-
24 sory board or who have been so in the last 5
25 calendar years.

1 “(B) Not less than 8 members shall be in-
2 dividuals who are members of, or advocate on
3 behalf of, or both, a population at higher risk
4 of homelessness, as such term is defined in sec-
5 tion 2 of the Housing is a Human Right Act
6 of 2021, including such transgender and gender
7 non-conforming persons, Asian, Black, Latino,
8 Native American, Native Hawaiian, Pacific Is-
9 lander, and other communities of color, youth
10 in or formerly in the foster care system, and
11 justice-system involved youth and adults.

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

15 “(3) REPORT.—Upon selection of members of
16 the advisory board, the Executive Director of the
17 Council shall submit a report to the Congress identi-
18 fying the members selected and demonstration com-
19 pliance with the provisions of this subsection.

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

22 “(c) FUNCTIONS.—The advisory board shall review
23 the work of the Council, make recommendations regarding
24 how the Council can most effectively pursue the goal of
25 ending homelessness, and raise specific points of concern

1 with members of the Council who represent Federal agen-
2 cies.

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

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

10 “(f) CHAIRMAN.—The position of Chairman of the
11 advisory board shall be filled by an individual who is a
12 current or former member of the advisory board, is nomi-
13 nated by at least two members of the advisory board, and
14 is confirmed by a vote of not less than 75 percent of the
15 members of the advisory board.

16 “(g) COMPENSATION.—Each member of the advisory
17 board shall receive compensation for their participation in-
18 cluding a participation stipend in an amount determined
19 by the Council and travel expenses, including per diem in
20 lieu of subsistence, in accordance with sections 5702 and
21 5703 of title 5, United States Code.

22 “(h) RULE OF CONSTRUCTION.—The agencies imple-
23 menting this Act shall construe this Act in a manner that
24 facilitates and encourage the full participation of advisory
25 board members and shall consider the barriers faced by

1 persons experiencing homelessness and shall endeavor to
2 overcome such barriers to participation.”.

3 (b) REPRESENTATION OF CHAIRMAN ON COUNCIL.—

4 Section 202(a) of the McKinney-Vento Homeless Assist-
5 ance Act (42 U.S.C. 11312(a)) is amended—

6 (1) by redesignating paragraph (22) as para-
7 graph (21); and

8 (2) by adding at the end the following new
9 paragraph:

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

12 **SEC. 604. DIRECTOR.**

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

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

19 “(a) DIRECTOR.—

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

24 (2) by adding at the end the following new
25 paragraph:

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

13 **SEC. 605. CONFORMING AMENDMENT.**

14 The table of contents in section 101(b) of the McKin-
15 ney-Vento Homeless Assistance Act (42 U.S.C. 11301
16 note) is amended by striking the items relating to sections
17 209 and 210 and inserting the following:

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

18 **TITLE VII—REVENUE RELATED**
19 **TO HOUSING SPECULATION**
20 **AND DISPLACEMENT**

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

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

1 **“CHAPTER 50A—REAL PROPERTY-**
2 **RELATED TAXES**

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

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

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

3 **“SEC. 5000D-1. LUXURY REAL PROPERTY TRANSFERS.**

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

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

12 “(c) LIABILITY FOR TAX.—

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

16 “(2) EXCEPTIONS.—

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

22 “(B) PROPERTY TRANSFERRED BY TAX-
23 EXEMPT.—In the case of property transferred
24 by a tax-exempt entity, or a State or local gov-

1 ernment (or political subdivision thereof), the
2 tax imposed by this section shall be paid by the
3 transferee.

4 “(C) TAX EXEMPT ENTITY.—For purposes
5 of this section, the term ‘tax-exempt entity’
6 means any organization which is exempt from
7 the tax imposed by this chapter unless such
8 property is used predominantly in an unrelated
9 trade or business the income of which is subject
10 to tax under section 511.

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

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

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

19 “(b) APPLICABLE ANONYMOUS TAXPAYER.—

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

24 “(2) BENEFICIAL OWNER.—The term ‘bene-
25 ficial owner’ means, with respect to any entity, an

1 individual who has any ownership interest in the en-
2 tity and—

3 “(A) exercises control over the entity,

4 “(B) owns equity interest in such entity, or

5 “(C) receives substantial economic benefits
6 from such entity (other than in connection with
7 employment).

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

10 “(A) IN GENERAL.—Paragraph (1) shall
11 not apply to any entity that participates in the
12 legal entity identifier program.

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

20 “(c) LIABILITY FOR TAX.—

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

1 “(2) MEMBERS OF CONTROLLED GROUP.—If
2 such an applicable anonymous entity is a member of
3 a controlled group, each member of such controlled
4 group shall be jointly and severally liable for such
5 payment.

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

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

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

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

16 “(2) more than 2,000 dwelling units held for
17 rent, or

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

20 “(c) EXCEPTIONS.—

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

24 “(2) RENT CONTROL LAW.—For purposes of
25 this subsection—

1 “(A) IN GENERAL.—The term ‘rent control
2 law’ means any State or local law which re-
3 stricts the amount by which a lessor may in-
4 crease rental payments for a dwelling unit and
5 allows an affirmative defense to eviction or pri-
6 vate right of enforcement.

7 “(B) MINIMUM AMOUNT LEVEL OF RENT
8 CONTROL.—A law shall not be treated as a rent
9 control law with respect to any dwelling unit for
10 purposes of this paragraph unless the lessor of
11 such dwelling unit may not, when the lease with
12 respect to such unit expires, increase monthly
13 rent by an amount greater than the percentage
14 increase, if any, over the preceding 12 months
15 in the Consumer Price Index for All Urban
16 Consumers or 3 percent of the average monthly
17 amount paid for the same unit for each month
18 that the unit was occupied during the previous
19 12-month period, whichever is greater.

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

24 “(A) the tenant has—

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

4 “(ii) caused substantial destruction to
5 the rental property,

6 “(iii) caused significant danger to
7 other tenants, or

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

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

17 “(4) SOURCE OF INCOME DISCRIMINATION
18 LAW.—

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

1 “(B) SOURCE OF INCOME.—For purposes
2 of subparagraph (A), source of income includes
3 the following:

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

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

20 “(iii) Any income received by court
21 order, including spousal support and child
22 support.

23 “(iv) Any payment from a trust,
24 guardian, or conservator.

1 “(v) Any other lawful source of in-
2 come.

3 “(d) AGGREGATION RULES.—All persons treated as
4 a single employer under subsection (a) or (b) of section
5 52, or subsection (m) or (o) of section 414, shall be treat-
6 ed as one person for purposes of applying subsection (b).”.

7 (b) EFFECTIVE DATE.—The amendment made by
8 this section shall apply to sales and exchanges after De-
9 cember 31, 2021.