

116TH CONGRESS
2D SESSION

H. R. 6314

To provide emergency rental assistance under the Emergency Solutions Grants program of the Secretary of Housing and Urban Development in response to the public health emergency resulting from the coronavirus, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 2020

Mr. HECK (for himself, Mr. KILMER, Ms. DELBENE, and Mr. SMITH of Washington) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To provide emergency rental assistance under the Emergency Solutions Grants program of the Secretary of Housing and Urban Development in response to the public health emergency resulting from the coronavirus, 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 “Emergency Rental As-
5 sistance Act of 2020”.

1 **SEC. 2. EMERGENCY RENTAL ASSISTANCE.**

2 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
3 authorized to be appropriated for grants under the Emer-
4 gency Solutions Grants program under subtitle B of title
5 IV of the McKinney-Vento Homeless Assistance Act (42
6 U.S.C. 11371 et seq.) \$100,000,000,000 for grants under
7 such subtitle only for providing rental assistance in ac-
8 cordance with section 415(a)(4) of such Act (42 U.S.C.
9 11374(a)(4)) and this section to respond to needs arising
10 from the emergency declared on March 13, 2020, by the
11 President under the Robert T. Stafford Disaster Relief
12 and Emergency Assistance Act (42 U.S.C. 4121 et seq.)
13 relating to the Coronavirus Disease 2019 (COVID–19)
14 pandemic.

15 (b) INCOME TARGETING.—For purposes of assistance
16 made available with amounts made available pursuant to
17 subsection (a)—

18 (1) section 401(1)(A) of the McKinney-Vento
19 Homeless Assistance Act (42 U.S.C. 11360(1)(A))
20 shall be applied by substituting “80 percent” for
21 “30 percent”; and

22 (2) each grantee of such amounts shall use not
23 less than 50 percent of the amounts received only
24 for providing assistance for persons or families expe-
25 riencing homelessness or at risk of homelessness,
26 who have incomes not exceeding 50 percent of the

1 median income for the relevant geographic area; ex-
2 cept that the Secretary may waive the requirement
3 under this paragraph if the grantee demonstrates to
4 the satisfaction of the Secretary that the population
5 in the geographic area served by the grantee having
6 such incomes is sufficiently being served with respect
7 to activities eligible for funding with such amounts.

8 (c) DEFINITION OF AT RISK OF HOMELESSNESS.—

9 For purposes of assistance made available with amounts
10 made available pursuant to subsection (a), section 401(1)
11 of the McKinney-Vento Homeless Assistance Act shall be
12 applied, during the period that begins on the date of the
13 enactment of this Act and ends upon the expiration of the
14 6-month period that begins upon the termination by the
15 Federal Emergency Management Agency of the emergency
16 declared on March 13, 2020, by the President under the
17 Robert T. Stafford Disaster Relief and Emergency Assist-
18 ance Act (42 U.S.C. 4121 et seq.) relating to the
19 Coronavirus Disease 2019 (COVID–19) pandemic, as if
20 subparagraph (C) were repealed.

21 (d) 3-YEAR AVAILABILITY.—Each grantee of
22 amounts made available pursuant to subsection (a) shall
23 expend—

1 (1) at least 60 percent of such grant amounts
2 within 2 years of the date that such funds became
3 available to the grantee for obligation; and

4 (2) 100 percent of such grant amounts within
5 3 years of such date.

6 The Secretary may recapture any amounts not expended
7 in compliance with paragraph (1) of this subsection and
8 reallocate such amounts to grantees in compliance with
9 the formula referred to in subsection (h)(1)(A) of this sec-
10 tion.

11 (e) RENT RESTRICTIONS.—Paragraph (1) of section
12 576.106(d) of the Secretary’s regulations (24 C.F.R.
13 576.106(d)(1)) shall be applied, with respect to rental as-
14 sistance made available with amounts made available pur-
15 suant to subsection (a), by substituting “120 percent of
16 the Fair Market Rent” for “the Fair Market Rent”.

17 (f) SUBLEASES.—Notwithstanding the second sen-
18 tence of subsection (g) of section 576.106 of the Sec-
19 retary’s regulations (24 C.F.R. 576.106(g)), a program
20 participant may sublet, with rental assistance made avail-
21 able with amounts made available pursuant to subsection
22 (a) of this section, a dwelling unit from a renter of the
23 dwelling unit if there is a legally binding, written lease
24 agreement for such sublease.

1 (g) HOUSING RELOCATION OR STABILIZATION AC-
2 TIVITIES.—A grantee of amounts made available pursuant
3 to subsection (a) may expend up to 20 percent of its allo-
4 cation for activities under section 415(a)(5) of the McKin-
5 ney-Vento Homeless Assistance Act (42 U.S.C.
6 11374(a)(5)).

7 (h) ALLOCATION OF ASSISTANCE.—

8 (1) IN GENERAL.—In allocating amounts made
9 available pursuant to subsection (a), the Secretary of
10 Housing and Urban Development shall—

11 (A) not later than 30 days after the date
12 of the enactment of this Act, allocate any such
13 amounts that do not exceed \$50,000,000,000
14 under the formula specified in subsections (a),
15 (b), and (e) of section 414 of the McKinney-
16 Vento Homeless Assistance Act (42 U.S.C.
17 11373) to, and notify, each State, metropolitan
18 city, and urban county that is to receive a di-
19 rect grant of such amounts; and

20 (B) not later than 120 days after the date
21 of the enactment of this Act, allocate any re-
22 maining amounts to eligible grantees by a for-
23 mula to be developed by the Secretary of Hous-
24 ing and Urban Development that takes into
25 consideration the formula referred to in sub-

1 paragraph (A) of this paragraph, and the need
2 for emergency rental assistance under this sec-
3 tion, including severe housing cost burden
4 among extremely low- and very low-income
5 renters and disruptions in housing and eco-
6 nomic conditions, including unemployment.

7 (2) ALLOCATIONS TO STATES.—A State recipi-
8 ent of an allocation under this section may elect to
9 directly administer up to 50 percent of its allocation
10 to carry out activities eligible under this section.

11 (3) ELECTION NOT TO ADMINISTER.—If a
12 grantee elects not to receive funds under this sec-
13 tion, such funds shall be allocated to the State re-
14 cipient in which the grantee is located.

15 (i) INAPPLICABILITY OF MATCHING REQUIRE-
16 MENT.—Subsection (a) of section 416 of the McKinney-
17 Vento Homeless Assistance Act (42 U.S.C. 11375(a))
18 shall not apply to any amounts made available pursuant
19 to subsection (a) of this section.

20 (j) PROHIBITION ON PREREQUISITES.—None of the
21 funds authorized under this section may be used to require
22 people experiencing homelessness to receive treatment or
23 perform any other prerequisite activities as a condition for
24 receiving shelter, housing, or other services.

25 (k) PUBLIC HEARINGS.—

1 (1) INAPPLICABILITY OF IN-PERSON HEARING
2 REQUIREMENTS.—A grantee may not be required to
3 hold in-person public hearings in connection with its
4 citizen participation plan, but shall provide citizens
5 with notice and a reasonable opportunity to com-
6 ment of not less than 15 days. Following the period
7 that begins upon the date of the enactment of this
8 Act and ends upon the date of the termination by
9 the Federal Emergency Management Agency of the
10 emergency declared on March 13, 2020, by the
11 President under the Robert T. Stafford Disaster Re-
12 lief and Emergency Assistance Act (42 U.S.C. 4121
13 et seq.) relating to the Coronavirus Disease 2019
14 (COVID–19) pandemic, and after the period de-
15 scribed in paragraph (2), the Secretary shall direct
16 grantees to resume pre-crisis public hearing require-
17 ments.

18 (2) VIRTUAL PUBLIC HEARINGS.—During the
19 period that national or local health authorities rec-
20 ommend social distancing and limiting public gath-
21 erings for public health reasons, a grantee may ful-
22 fill applicable public hearing requirements for all
23 grants from funds made available pursuant to this
24 section by carrying out virtual public hearings. Any
25 such virtual hearings shall provide reasonable notifi-

1 cation and access for citizens in accordance with the
2 grantee's certifications, timely responses from local
3 officials to all citizen questions and issues, and pub-
4 lic access to all questions and responses.

5 (l) ADMINISTRATION.—Of any amounts made avail-
6 able pursuant to subsection (a), not more than the lesser
7 of 0.5 percent, or \$15,000,000, may be used for staffing,
8 training, technical assistance, technology, monitoring, re-
9 search, and evaluation activities necessary to carry out the
10 program carried out under this section, and such amounts
11 shall remain available until September 30, 2024.

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