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(Original Signature of Member)

117TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To provide emergency rental assistance under the Housing Choice Voucher Program of the Department of Housing and Urban Development, and for other purposes.

\_\_\_\_\_  
**IN THE HOUSE OF REPRESENTATIVES**

Mr. SMITH of Washington introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To provide emergency rental assistance under the Housing Choice Voucher Program of the Department of Housing and Urban Development, 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 “Ensuring a Long-Term  
5       Housing Recovery Act of 2021”.

6       **SEC. 2. CONGRESSIONAL FINDINGS.**

7       The Congress finds that—

1           (1) the economic impact of the novel  
2 coronavirus disease (COVID-19) pandemic on hous-  
3 ing renters is substantial and has contributed to a  
4 growing rental income shortfall throughout the econ-  
5 omy during the pandemic;

6           (2) while other economic stimulus efforts have  
7 been very important, there is a gap in rental pay-  
8 ments;

9           (3) rigorous research shows that tenant-based  
10 housing vouchers, which help families afford decent  
11 stable housing in the private market, are the single  
12 most effective policy for reducing homelessness,  
13 housing instability, and overcrowding among ex-  
14 tremely low-income persons; and

15           (4) the Federal response must include, in the  
16 near term, an increase in the amount of provided  
17 under direct rental assistance programs, which are  
18 varied and can interact with the public through a va-  
19 riety of different methods.

20 **SEC. 3. HOUSING CHOICE VOUCHER PROGRAM.**

21 (a) AUTHORIZATION OF APPROPRIATIONS.—

22           (1) IN GENERAL.—There is authorized to be  
23 appropriated to the Secretary of Housing and Urban  
24 Development (in this section referred to as the “Sec-  
25 retary”) \$25,000,000,000 to remain available until

1       expended (subject to subsection (d)), for an addi-  
2       tional amount for fiscal year 2021 to be used for in-  
3       cremental rental voucher assistance under section  
4       8(o) of the United States Housing Act of 1937 for  
5       use by individuals and families, including adminis-  
6       trative and other expenses. Amounts authorized pur-  
7       suant to this subsection are in addition to any other  
8       amounts authorized or made available for such pur-  
9       poses.

10           (2) ADMINISTRATIVE AND OTHER EXPENSES.—  
11       Administrative and other expenses of public housing  
12       agencies in administering the vouchers funded this  
13       subsection shall—

14           (A) be funded under the same terms for  
15       administrative and other expenses to public  
16       housing agencies under paragraph (3) of this  
17       heading “Public and Indian Housing—Tenant-  
18       Based Rental Assistance” in title II of division  
19       H of the Further Consolidated Appropriations  
20       Act, 2020 (Public Law 116–94; 133 Stat.  
21       2978), except that those expenses shall not be  
22       subject to any pro rata reduction under such  
23       paragraph; and

24           (B) include costs related to retention and  
25       support of participating owners.

1 (b) ALLOCATION.—

2 (1) FORMULA.—The Secretary shall allocate 75  
3 percent of any amounts made available pursuant to  
4 subsection (a) to public housing agencies not later  
5 than 60 days after the date of the enactment of this  
6 Act, according to a formula that—

7 (A) is based on an agency's authorized  
8 level of units under contract for calendar year  
9 2020; and

10 (B) provides amounts for individuals and  
11 families residing in rural areas in each State in  
12 proportion to the population of income-eligible  
13 individuals and families residing in such areas  
14 in such State.

15 (2) COMPETITION.—The Secretary shall allo-  
16 cate 25 percent of any amounts made available pur-  
17 suant to subsection (a) to public housing agencies  
18 under a competition based on need for such amounts  
19 and such other criteria as the Secretary shall estab-  
20 lish.

21 (3) REALLOCATION OF UNUSED ASSISTANCE.—  
22 If a public housing authority elects not to administer  
23 or does not utilize at least 95 percent of its author-  
24 ized vouchers within a reasonable period of time, the  
25 Secretary shall reallocate any unissued vouchers and

1 associated funds to other public housing agencies ac-  
2 cording to the criteria under paragraph (1).

3 (4) PROHIBITION ON REISSUANCE.—A public  
4 housing agency shall not reissue any vouchers made  
5 available pursuant to subsection (a) for incremental  
6 rental voucher assistance when assistance for the  
7 family initially assisted is terminated.

8 (c) ELIGIBLE INCOME.—Notwithstanding any other  
9 provision of law, the Secretary shall provide that assist-  
10 ance with amounts made available pursuant to subsection  
11 (a) be used to assist households having an income not ex-  
12 ceeding 80 percent of the area median income if the Sec-  
13 retary determines it necessary to temporarily provide rent-  
14 al housing assistance to meet moderate income housing  
15 needs.

16 (d) USE FOR RENT AND UTILITIES.—

17 (1) IN GENERAL.—Rental assistance made  
18 available pursuant to this section may be used for  
19 providing short- or medium-term assistance with  
20 rent and rent-related costs including—

21 (A) tenant-paid utility costs (including  
22 costs of internet access service );

23 (B) utility-arrears (including costs of inter-  
24 net access service);

25 (C) rent-arrears;

- 1 (D) fees charged for utility arrears;
- 2 (E) fees charged for rent arrears;
- 3 (F) security deposits;
- 4 (G) utility deposits;
- 5 (H) application fees; and
- 6 (I) landlord incentive payments, includ-
- 7 ing—

8 (i) payments made to a landlord to  
9 participate in a public housing agency's  
10 housing choice voucher program;

11 (ii) payments made to a landlord to  
12 maintain the landlord's participation in a  
13 public housing agency's housing choice  
14 voucher program; and

15 (iii) payments made to a landlord for  
16 referring another landlord to participate in  
17 a public housing agency's housing choice  
18 voucher program.

19 (2) GUIDANCE.—The Secretary shall issue  
20 guidance setting forth procedures for public housing  
21 agencies to cover or reimburse costs of tenant inter-  
22 net access service.

23 (e) WAIVERS AND ALTERNATIVE REQUIREMENTS.—  
24 In providing tenant-based rental assistance with amounts  
25 made available pursuant to this section:

1           (1) INCOME.—Any amounts received from un-  
2           employment insurance shall be included as income,  
3           except that any amounts received from temporary  
4           supplemental unemployment insurance shall be ex-  
5           cluded from income.

6           (2) UNOBLIGATED BALANCES.—The Secretary  
7           shall award any remaining unobligated balances ap-  
8           propriated pursuant to this section only for incre-  
9           mental vouchers under this section to prevent, pre-  
10          pare for, and respond to coronavirus.

11          (3) AUTHORITY AND CONDITIONS.—Rental as-  
12          sistance made available pursuant to this section shall  
13          be used under the same authority and conditions as  
14          the additional appropriations for rental assistance  
15          for fiscal year 2020 made available under the head-  
16          ing “Tenant-Based Rental Assistance” in title XII  
17          of division B of the CARES Act (Public Law 116-  
18          136), except that any amounts provided for adminis-  
19          trative expenses and other expenses of public hous-  
20          ing agencies for carrying out their section 8 rental  
21          assistance programs, including mainstream vouchers,  
22          under such heading in the CARES Act (Public Law  
23          116–136) and any amounts made available pursuant  
24          to this section shall also be available for housing as-

1       sistance payments under section 8(o) of the United  
2       States Housing Act of 1937.

3           (4) COSTS.—Amounts made available for rental  
4       assistance pursuant to this section and under the  
5       heading “Tenant-Based Rental Assistance” in title  
6       XII of division B of the CARES Act may be used  
7       to cover or reimburse allowable costs incurred to  
8       prevent, prepare for, and respond to coronavirus, in-  
9       cluding administrative fees for public housing agen-  
10      cies, regardless of the date on which such costs were  
11      incurred.

12          (5) WAITING LISTS.—To address the special  
13      needs created by the coronavirus pandemic, the Sec-  
14      retary shall authorize public housing agencies to de-  
15      part from any existing waiting list to fund vouchers  
16      for rental assistance made available pursuant to this  
17      section and shall waive any other requirements for  
18      public housing agencies that the Secretary deter-  
19      mines are necessary to simplify implementation of  
20      the provision of such rental assistance.

21   **SEC. 4. WAIVER AUTHORITY IN CONNECTION WITH ASSIST-**  
22                   **ANCE UNDER THIS ACT.**

23          (a) WAIVER AUTHORITY.—Except for requirements  
24      related to fair housing, nondiscrimination, labor stand-  
25      ards, prohibition on prerequisites, data reporting, and the



1 environment, the Secretary may waive, or specify alter-  
2 native requirements for, any provision of any statute or  
3 regulation that the Secretary administers in connection  
4 with the use of the amounts made available pursuant to  
5 section 3 if the Secretary determines that any such waiv-  
6 ers or alternative requirements are necessary for the safe  
7 and effective administration of such amounts to prevent,  
8 prepare for, and respond to coronavirus and such waiver  
9 or alternative requirement is consistent with the purposes  
10 of this Act.

11 (b) PUBLIC NOTICE.—The Secretary shall notify the  
12 public through publication of notice in the Federal Reg-  
13 ister or other appropriate means of any waiver or alter-  
14 native requirement pursuant to this subsection to ensure  
15 the most expeditious allocation of rental assistance  
16 amounts made available pursuant to this section and in  
17 order for such waiver or alternative requirement to take  
18 effect, and such public notice may be provided, at a min-  
19 imum, online on the Internet at an appropriate website  
20 of the Department of Housing and Urban Development  
21 or through other electronic media, as determined by the  
22 Secretary.

1   **SEC. 5. EXTENSION OF EXISTING WAIVERS AND WAIVER AU-**  
2                                   **THORITY.**

3           (a) 5-YEAR EXTENSION OF WAIVERS.—Subject to  
4 subsection (d) and notwithstanding any other provision of  
5 law, any waiver impacting the housing choice voucher pro-  
6 gram included in Notice PIH 2020-33(HA), REV-2 of the  
7 Department of Housing and Urban Development, issued  
8 November 30, 2020, shall remain in effect until the expi-  
9 ration of the 5-year period beginning on the date of the  
10 enactment of this Act. The Secretary of Housing and  
11 Urban Development shall modify any alternative require-  
12 ments to comply with the waiver extensions.

13          (b) 5-YEAR EXTENSION OF WAIVER AUTHORITY.—  
14 Subject to subsection (d) and notwithstanding any other  
15 provision of law, any authority under this Act, the CARES  
16 Act, or any other provision of law, that provides for the  
17 Secretary of Housing and Urban Development to waive,  
18 or specify alternative requirements for, any provision of  
19 any statute or regulation that the Secretary administers,  
20 that is in effect as of the date of the enactment of this  
21 Act, shall remain in effect until the expiration of the 5-  
22 year period beginning on the date of the enactment of this  
23 Act.

24          (c) 5-YEAR INAPPLICABILITY OF CASH MANAGEMENT  
25 REQUIREMENTS.—The cash management requirements  
26 described in section 3.1.C of part 3 of the Compliance

1 Supplement of the Office of Management and Budget (2  
2 C.F.R. Part 200, Appendix XI) shall not apply to any pro-  
3 grams administered by the Secretary of Housing and  
4 Urban Development during the 5-year period beginning on  
5 the date of the enactment of this Act.

6 (d) EXTENSION.—Before the expiration of the 5-year  
7 period beginning on the date of the enactment of this Act,  
8 the Secretary of Housing and Urban Development shall  
9 analyze any waivers in effect pursuant to subsections (a)  
10 and (b) and the inapplicability of the cash management  
11 requirements pursuant to subsection (c) to determine the  
12 effectiveness of such waivers and inapplicability in improv-  
13 ing program efficiencies without reducing program integ-  
14 rity or quality. The Secretary may, based on such deter-  
15 minations, extend any such waivers or inapplicability for  
16 such period as the Secretary considers appropriate upon  
17 written notice to the Congress of such extension and the  
18 reasons for such extension.