To authorize emergency homeless assistance grants under the Emergency Solutions Grants program of the Department of Housing and Urban Development for response to the public health emergency relating to COVID–19, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. Warren (for herself, Ms. Hirono, Mrs. Gillibrand, Mr. Wyden, Mr. Sanders, Mr. Van Hollen, Mr. Durbin, Mr. Merkley, Mr. Brown, Mr. Blumenthal, Mr. Markey, Mr. Schatz, Mr. Cardin, Ms. Klobuchar, and Ms. Smith) introduced the following bill; which was read twice and referred to the Committee on ______________

A BILL

To authorize emergency homeless assistance grants under the Emergency Solutions Grants program of the Department of Housing and Urban Development for response to the public health emergency relating to COVID–19, 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 “Public Health Emer-
5  gency Shelter Act of 2020”.

WWJ GG YXL
SEC. 2. EMERGENCY HOMELESS ASSISTANCE.

(a) Authorization of Appropriations.—There is authorized to be appropriated under the Emergency Solutions Grants program under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371 et seq.) $11,500,000,000 for grants under such subtitle in accordance with this section to respond to needs arising from the public health emergency relating to the Coronavirus Disease 2019 (COVID–19).

(b) Formula.—Notwithstanding sections 413 and 414 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11372a, 11373), the Secretary of Housing and Urban Development (in this Act referred to as the “Secretary”) shall allocate amounts made available pursuant to subsection (a) in accordance with a formula to be established by the Secretary that takes into consideration the following factors:

(1) Risk of transmission of COVID–19 in a jurisdiction.

(2) Whether a jurisdiction has a high number or rate of sheltered and unsheltered homeless individuals and families.

(3) Economic and housing market conditions in a jurisdiction.

(c) Eligible Activities.—
(1) IN GENERAL.—In addition to eligible activities under section 415(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11374(a)), amounts made available pursuant to subsection (a) of this section may also be used for the costs of the following activities:

(A) Providing training on infectious disease prevention and mitigation.

(B) Providing hazard pay, including for time worked before the date of enactment of this Act, for staff working directly to prevent and mitigate the spread of COVID–19 among people experiencing or at risk of homelessness.

(C) Reimbursement of costs for eligible activities (including activities described in this paragraph) relating to preventing, preparing for, or responding to COVID–19 that were accrued before the date of enactment of this Act.

(2) USE OF AMOUNTS.—The use of amounts made available pursuant to subsection (a) for activities described in paragraph (1) shall not be considered use for administrative purposes for purposes of section 418 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11378).
(d) Inapplicability of Procurement Standards.—To the extent amounts made available pursuant to subsection (a) are used to procure goods and services relating to activities to prevent, prepare for, or respond to COVID–19, the standards and requirements regarding procurement that are otherwise applicable shall not apply.

(e) Inapplicability of Habitability and Environmental Review Standards.—Any Federal standards and requirements regarding habitability and environmental review shall not apply with respect to any emergency shelter that—

(1) is assisted with amounts made available pursuant to subsection (a); and

(2) has been determined by a State or local health official, in accordance with such requirements as the Secretary shall establish, to be necessary to prevent and mitigate the spread of COVID–19.

(f) Inapplicability of Cap on Emergency Shelter Activities.—Section 415(b) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11374(b)) shall not apply to any amounts made available pursuant to subsection (a) of this section.

(g) Initial Allocation of Assistance.—With respect to amounts made available pursuant to subsection (a), section 417(b) of the McKinney-Vento Homeless As-
assistance Act (42 U.S.C. 11376(b)) shall be applied by sub-
stituting “30-day” for “60-day”.

(h) WAIVERS AND ALTERNATIVE REQUIREMENTS.—

(1) AUTHORITY.—In administering amounts
made available pursuant to subsection (a), the Sec-
retary may waive, or specify alternative require-
ments for, any provision of any statute or regulation
(except for any requirements related to fair housing,
nondiscrimination, labor standards, and the environ-
ment) that the Secretary administers in connection
with the obligation or use by the recipient of such
amounts, if the Secretary finds that good cause ex-
ists for the waiver or alternative requirement and
such waiver or alternative requirement is consistent
with the purposes described in this subsection.

(2) EFFECTIVENESS; APPLICABILITY.—Any
waiver or alternative requirement described in para-
graph (1) shall—

(A) be deemed to be effective as of the
date on which a State or unit of local govern-
ment began preparing for COVID–19;

(B) apply to the use of amounts made
available pursuant to subsection (a) and
amounts provided in prior appropriation Acts
for fiscal year 2020 under the heading “Depart-
ment of Housing and Urban Development—Community Planning and Development—Community Development Fund’’ and used by recipients for the purposes described in this subsection.

(3) NOTIFICATION.—The Secretary shall notify the public through the Federal Register or other appropriate means not later than 5 days before the effective date of any waiver or alternative requirement under paragraph (1), and any such public notice may be provided on the internet at the appropriate Government website or through other electronic media, as determined by the Secretary.

(4) EXEMPTION.—The use of amounts made available pursuant to subsection (a) shall not be subject to the consultation, citizen participation, or match requirements that otherwise apply to the Emergency Solutions Grants program under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371 et seq.), except that a recipient shall, at a minimum, publish how the recipient has and will utilize its allocation on the internet at the appropriate Government website or through other electronic media.
(i) **Inapplicability of Matching Requirement.**—Section 416(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11375(a)) shall not apply to any amounts made available pursuant to subsection (a) of this section.

(j) **Prohibition on Prerequisites.**—None of the funds authorized under this section may be used to require people experiencing homelessness to receive treatment or perform any other prerequisite activities as a condition for receiving shelter, housing, or other services.