



ADVOCACY ACTIVITIES

April 1, 2017 – September 30, 2017

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1. Agencies Contacted in this Period

Fannie Mae
Freddie Mac
Federal Housing Finance Agency
The Federal Emergency Management Agency (FEMA)
US Department of Agriculture (USDA)
US Department of Housing and Urban Development (HUD)
US Department of the Treasury
US House of Representatives
US Senate
White House, Executive Office of the President

2. NAHMA Testimony & Formal Meetings

- NAHMA staff participated in an industry meeting with the Campaign for Housing and Community Development Funding (CHCDF) and Senate Appropriations, Subcommittee for Transportation, Housing, and Urban Development staff regarding FY17 funding levels (April 6, 2017).
- NAHMA staff met with HUD Secretary Dr. Ben Carson's senior staff to discuss major affordable housing challenges facing the nation, and submitted a letter to the Secretary. In particular, NAHMA highlighted the following issues for the Secretary's consideration: full funding for vital rental assistance programs; regulatory review and streamlining; OGC criminal background guidance; energy benchmarking requirements; and Small Area Fair Market Rents (April 12, 2017).
- NAHMA staff participated in an industry meeting with CHCDF and staff for Senator Dean Heller (R-NV) to discuss funding for affordable housing programs in FY17 and FY18. Senator Heller serves on the Housing Subcommittee for the Senate Banking, Housing, and Urban Affairs Committee (April 17, 2017).
- NAHMA staff and members met with Senator Merkley's (D-OR) office to discuss fiscal year 2018 funding for Rural Development. Senator Merkley serves on the Agriculture Subcommittee for Senate Appropriations (May 25, 2017).
- Following housing-related hearings hosted by the Senate Special Committee on Aging, NAHMA met with staff for Senator Bob Casey (D-PA), who serves as Ranking Member on the Special Committee on Aging, to discuss senior affordable housing initiatives (June 1, 2017).
- NAHMA staff participated in a congressional briefing with CHCDF on housing unaffordability. Numerous congressional staff and industry leaders were in attendance (June 13, 2017).
- NAHMA staff attended Fannie Mae's launching its Healthy Housing Rewards™ program and, as part of that effort, it is exploring financial incentives for qualifying multifamily affordable

borrowers that demonstrate a commitment to providing Resident Services functions at their properties (June 14, 2017).

- In a meeting with the staff and leadership of HUD's Office of Multifamily Housing, NAHMA and industry colleagues discussed the state of rental assistance and service coordinator contract renewals; HUD's recently released VAWA guidance; finds from recent MORs; the latest expectations on the PBCA rebid; implementation and rulemaking regarding HOTMA; the new Section 8 Renewal Guide; delayed implementation of the Capital Needs Assessment (CNA) e-Tool; the Tenant Rental Assistance Certification System (TRACS) release delay; regulatory reforms; and the new HUD Handbook 4350.1 chapter revision (July 12, 2017).
- Responding to the Senate Finance Committee Chairman's request, NAHMA submitted testimony to Congress regarding the tax reform process. The comments highlighted the importance of preserving and improving the Low-Income Housing Tax Credit (LIHTC) program through tax reform (July 17, 2017).
- NAHMA participated in USDA's Multi-Family Housing's Industry Forum. A quarterly industry conference call with staff from USDA's Rural Housing Service. Issues discussed included: The status of the \$1 million non-profit pilot; status of the MPR NOSA; status of the March 31 prepayment preservation tool; status of our MPR Transaction pipeline (August 16).
- NAHMA participated on a conference call with HUD Office of Multifamily Housing to discuss HUD's Response to Hurricane Harvey. Janet Golrick, HUD Senior Advisor to the Acting Deputy Secretary, and Bob Iber, Multifamily Acting Deputy Assistant Secretary, lead the conference call about Multifamily's response to Hurricane Harvey (September 7, 2017).
- As a member of the Rural Housing Preservation Working Group, NAHMA co-sponsored a briefing on the Hill to introduce congressional staff to the issue of preserving affordable rural rental housing. Speakers included staff from USDA's Rural Housing Service; representatives of for-profit and nonprofit rural housing organizations, and congressional offices active on the issue. NAHMA staff and members invited their respective legislators to the event, and the briefing was well attended in person and followed on NAHMA's social media accounts (September 8, 2017).

3. Formal Comments to Federal Agencies

- NAHMA joined industry comments to HUD regarding the Proposed Information Collection on Energy Benchmarking for HUD Multifamily. In light of certain Executive Orders and the challenges of the reporting requirements, the comments ask HUD to publish a withdrawal of its proposed energy benchmarking data collection (April 12, 2017).
- NAHMA submitted comments to HUD regarding efforts to streamline regulations and reduce burden. In particular, NAHMA recommended that HUD implement fixed income provisions of HOTMA and the Fast Act; collaborate on occupancy handbook changes; streamline management and occupancy reviews, and transfer of physical assets; implement flexibility in tracking payroll and transferring funding; consider the challenges created by its criminal screening guidance; allow for automatic rent increases in PRAC

properties; minimize SAM registration and Rent Comparability Studies; reduce utility allowance requirements; and eliminate tenant review requirement in M2M (June 14, 2017).

- NAHMA joined industry comments to HUD regarding “Reducing Regulatory Burden: Enforcing Reform Agenda” under Executive Order 13777. In particular, the comments referred to the Federal Flood Risk Management Standard; Energy Benchmarking; Davis-Bacon rules; Fair Housing rules; FMRs and SAFMRs; Enterprise Income Verification; and HOTMA (June 14, 2017).
- NAHMA joined industry comments to USDA regarding agency reorganization efforts, including the elimination of the position of Under Secretary for Rural Development (June 14, 2017).
- NAHMA joined industry comments to HUD regarding proposed changes to the methodology used for estimating Fair Market Rents (June 26, 2017).
- NAHMA joined industry comments to HUD regarding the Small Area Fair Market Rent (SAFMR) Demonstration Evaluation, which pushed back on the notion of Small Area designations as an effective way of achieving choice and opportunity within the voucher program (June 29, 2017).
- NAHMA submitted comments to the Federal Housing Finance Agency regarding the Enterprises’ Duty to Serve Underserved Markets plan. Overall, NAHMA supports each Enterprise’s regulatory activities and objects, as outlined in the plan, and recommended that the GSEs complement their preservation activities with opportunities for new construction of affordable housing (July 10, 2017).
- NAHMA submitted comments to HUD regarding the new draft chapter of HUD Handbook 4350.1, Chapter 8.03 – Servicing and Monitoring HUD-Held Mortgages (August 18, 2017).
- Following participation in Fannie Mae’s Healthy Housing Rewards program launch, NAHMA submitted feedback to Fannie Mae regarding financial incentives for multifamily owners who provide resident services functions at their properties (August 20, 2017).

4. NAHMA Analysis

- NAHMA Analysis 2017-0404 – Tax Reform and the Housing Credit (April 4, 2017)
- NAHMA Analysis 2017-0504 – FY 2017 Appropriations (May 4, 2017)
- NAHMA Analysis 2017-0523 – President Trump releases FY18 budget: “A New Foundation for American Greatness” (May 23, 2017)
- NAHMA Analysis 2017-0714 – HUD Issues Additional VAWA Guidance for Multifamily Owners and Management Agents (July 14, 2017)
- NAHMA Analysis 2017-0809 – Affordable Housing Comes into Congressional Focus (August 9, 2017)

- NAHMA Analysis 2017-00915 – Affordability, Availability, and Accessibility: Trends in Senior Housing (September 15, 2017)

5. NAHMA Letters and/or Industry Letters Signed by NAHMA

- As a member of the Campaign for Housing and Community Development Funding (CHCDF), NAHMA signed onto a letter urging Congress to provide relief from the spending caps and to ensure affordable housing, community development, and transportation programs receive the highest allocation of discretionary funds possible (April 1, 2017).
- NAHMA signed onto a letter from the “A Call To Invest in Our Neighborhoods” (ACTION) Campaign in support of the Affordable Housing Credit Improvement Act of 2017, which was introduced by Representatives Tiberi and Neal. The legislation mirrors Senate legislation by the same name that would make meaningful steps toward addressing the nation’s affordable housing needs. The letter also urges Congress to include the bill provisions in any tax reform legislation advanced this session (April 3, 2017).
- As a member of the Elderly Housing Coalition, NAHMA signed onto a letter urging Senators to cosponsor the Affordable Housing Credit Improvement Act of 2017. The letter also discusses the housing credit program’s importance for senior housing (June 7, 2017).
- NAHMA signed onto a letter from the National Rural Housing Coalition to House and Senate Appropriations Committees regarding the proposed budget cuts and reorganization efforts at USDA (June 12, 2017).
- NAHMA signed onto an industry letter to the House Financial Services Committee Chairman outlining priorities for the National Flood Insurance Program reauthorization (June 9, 2017).
- NAHMA signed onto a letter from the Council for Affordable and Rural Housing (CAHR) to congressional leaders regarding agency reorganization efforts, including the elimination of the position of Under Secretary for Rural Development (June 14, 2017).
- NAHMA signed onto an industry letter urging House and Senate Appropriations leadership to reject the FY18 budget proposal submitted by the Administration, particularly with regard to the housing programs administered by HUD and USDA. The letter also urges appropriators to list the spending caps that prevent the advancement of housing affordability (June 16, 2017).
- As part of the Rural Preservation Working Group (RPWG), NAHMA signed onto a letter congratulating Ms. Anne Hazlett on her appointment to oversee Rural Development (RD) at USDA. The letter also introduces a number of pressing issues regarding the RD portfolio, and requests to meet with Ms. Hazlett in person to discuss them (August 21, 2017).
- NAHMA signed onto an industry letter to Senate Majority and Minority Leaders urging for a prompt confirmation vote for Pamela Patenaude to be HUD Deputy Secretary. Ms. Patenaude’s

confirmation was approved by the Senate Banking Committee in July, but was delayed in reaching the Senate Floor; her nomination was confirmed in September (September 5, 2017).

- NAHMA signed onto an industry letter to HUD requesting the Secretary’s assistance in expediting implementation of the Pay for Success demonstration (“PFS Demonstration”) program authorized by the FAST Act in 2015. Implementation of the PFS Demonstration gives the Department the opportunity to partner with property owners and the private sector to create savings and improve the living conditions of residents (September 6, 2017).
- NAHMA signed onto an industry letter to the Department of the Treasury and to the Federal Housing Finance Agency urging the Agencies and Congress to remain focused on addressing the long-term housing finance reform efforts necessary to end GSE conservatorship permanently and create a stronger, more stable system for the future that helps ensure all in America have access to affordable housing opportunities (September 21, 2017).
- NAHMA signed onto an industry letter to Senate Majority and Minority Leaders urging for a prompt confirmation vote for Paul Compton to be HUD General Counsel. Mr. Compton’s confirmation was approved by the Senate Banking Committee in July, but has yet to reach the Senate Floor. The letter urges the Senate leadership to provide HUD with the necessary resources, such as a confirmed General Counsel, to help with disaster recovery (September 25, 2017).
- As part of a Hurricane Housing Recovery Coalition, NAHMA signed onto three industry letters urging Congress, HUD, and the Federal Emergency Management Agency (FEMA) requesting robust federal hurricane assistance. The letter also expresses our commitment to ensuring that federal housing recovery and rebuilding efforts are complete and equitable for all individuals and communities impacted by the devastation caused by Hurricanes Harvey, Irma and Maria, including households with the lowest incomes (September 28, 2017).
- NAHMA signed onto an industry letter to Senators Heller and Tester and Representatives Ross and Murphy regarding the Flood Insurance Market Parity and Modernization Act. The letter expresses unified support for the House and Senate bills and recommends small adjustments (September 29, 2017).

6. Grassroots Actions

- NAHMA distributed a grassroots action alert which asked members to advocate for full funding for HUD and USDA affordable housing programs through FY17. The grassroots alert also asked members to advocate for LIHTC expansion and provided resources for strengthening relationships with members of Congress (April 10, 2017).
- As a member of the Elderly Housing Coalition, NAHMA helped to organize and host three HUD 202 Senior Housing property tours in the DC area for congressional staff (May, 2017).

- NAHMA participated in a HUD 202 rally on Capitol Hill with NAHMA members, HUD 202 residents, housing advocates and professionals, coalition groups, and members of Congress (June 27, 2017).
- NAHMA continued to collect member sign-ups for volunteer subject matter experts for the launching of a new strategic foresight network (June 30, 2017).
- NAHMA participated in the “National Housing Week of Action” sponsored by *Our Homes, Our Voices*, which organized over 50 events across the country and in D.C. during the last week in July. The actions raised awareness for housing affordability and called on Congress to full fund affordable housing programs. In particular, NAHMA joined a rally on Capitol Hill with NAHMA members, HUD-assisted residents, housing advocates and professionals, coalition groups, and members of Congress. In addition, NAHMA participated in a national twitter storm on social media calling for increased investments in housing and community development (7/22/17-7/29/17).
- NAHMA became a partner of the “National Hunger and Homelessness Awareness Week,” which will take place during the week leading up to Thanksgiving. H&H Week Partners are regional and national organizations that commit to raising awareness about hunger and homelessness in our communities (August 18, 2017).
- During the August Congressional Recess, NAHMA distributed a grassroots action alert which asked members to meet with legislators and conduct site visits to advocate for full funding for HUD and USDA affordable housing programs in FY18. The grassroots alert also asked members to advocate for LIHTC expansion and provided resources for strengthening relationships with members of Congress. NAHMA also participated in a national twitter storm during the August Recess as part of the “Clean Budget Coalition” (August 25, 2017).
- NAHMA continued to collect member sign-ups for volunteer subject matter experts for the launching of a new strategic foresight network (September 30, 2017).

7. Legislation & Status of the 115th Congress (2017-2018)

Below, please find a list of bills from the 115th Congress which relate to affordable housing issues. Because NAHMA is focusing on bipartisan bills with better chances of success in Congress, we have not taken a position on all of the bills listed below.

I. Bills introduced during the 115th Congress

- **S. 548 / H.R. 1661: The Affordable Housing Credit Improvement Act**

This bill seeks to expand the LIHTC and includes additional provisions to make the program more streamlined and flexible. The Housing Credit allocation authority would be expanded by 50%, which is expected to finance the development or preservation of up to 400,000 additional affordable units over the next decade (the expansion provision is excluded from the House

version of the bill). The bill would also: provide a minimum 4% Housing Credit rate for the acquisition of affordable housing and for multifamily Housing Bond-financed developments; permit income averaging in Housing Credit properties to preserve rigorous targeting while providing more flexibility and responsiveness to local needs; create incentives for projects that target homeless or extremely low-income individuals and families, as well as in Native American communities; allow a non-profit or government sponsor to acquire properties when the current 15 year compliance period expires; allow LIHTC properties to claim clean energy credits such as the Energy Efficient New Homes Credit; align LIHTC rules, such as the student rule, more closely with HUD regulations; rename the LIHTC to the Affordable Housing Tax Credit (AHTC); and more.

Introduced by Senator Cantwell (D-WA) and Senate Finance Committee Chairman Hatch (R-UT) on March 7, 2017, and by Representatives Tiberi (R-OH) and Neal (D-MA) on March 21, 2017. The Senate bill has gained 20 bipartisan cosponsors and has been referred to the Senate Finance Committee, while the House bill has gained over 100 bipartisan cosponsors and has been referred to the House Committee on Ways and Means. NAHMA strongly supports this legislation and will continue to advocate for its passage.

- **H.R. 10: Financial CHOICE Act of 2017**

This bill proposes an overhaul of financial regulations set forth under the Dodd-Frank Wall Street Reform Act in the aftermath of the 2008 financial crisis. Included provisions impact both the Federal Housing Finance Agency – which oversees Fannie Mae, Freddie Mac, and the Federal Home Loan Banks – and the Consumer Financial Protection Bureau (CFPB) – which oversees mortgage and other lending. Specifically, the legislation would make the FHFA Director removable at will by the President, as opposed to the President’s current ability to remove the Director with cause, a change that has the potential to cut short the current FHFA Director’s remaining term. Unlike previous legislation by Congressman Hensarling, this year’s bill would not restructure the FHFA into a bipartisan commission. The legislation also includes deeper changes to the CFPB: As opposed to previous legislation seeking to convert the CFPB to a bipartisan commission, the previewed legislation renames the Bureau to the Consumer Financial Opportunity Agency (CFOA) with a sole Director removable at will and a Deputy Director also appointed and removed by the President. The CFOA would be granted enforcement authority only, without supervision functions or the ability to write new consumer protection rules. Additionally, market monitoring and fair lending enforcement would be eliminated.

House Financial Services Chairman Jeb Hensarling (R-TX) introduced H.R. 10 on 4/26/17. After contentious hearings, the bill passed the House on a mostly party-line vote and was referred to the Senate Banking Committee. On 7/13/17, hearings were held in the house regarding H.R. 10 and overall monetary policy. Separately, several provisions from the bill were included in the Financial Services appropriations bill advanced through the House in late June, 2017.

- **Flood Insurance Reform and Reauthorization Package**

A package of bills were introduced in the House and Senate to reform and reauthorize the National Flood Insurance Program (NFIP), which was set to expire on September 30th. Because

houses in NFIP-designated flood plains are federally-required to purchase flood insurance, the rental and real estate market alike could be impacted by a lapse in the program or by changes to insurance rates. The House package consists of seven separate bills, including H.R. 2875, which doubles claims coverage costs from \$30,000 to \$60,000, and also allows the Federal Emergency Management Agency (FEMA) the discretion to invest the money before a disaster to mitigate infrastructure damage, representing a significant departure from standard after-the fact insurance models. The package also includes H.R. 1558, a bill requiring community flood mitigation action in areas repeatedly damaged by floods, which account for a small percentage of the country but a large percentage of the NFIP's claims. The House Committee's NFIP reform and reauthorization package also includes efforts to establish monthly payments for insurance premiums under a lowered fee structure, upgrade national flood-mapping to accurately reflect risk, and reduce risk- and insurance-related regulations on commercial properties.

Introduced by various bipartisan lawmakers throughout Spring, 2017, the flood insurance reform and reauthorization package was subject to a number of hearings in the House Financial Services Committee. The seven bills were amended and reported favorably out of Committee in June, 2017. Meanwhile, bipartisan leadership in the Senate Banking, Housing, and Urban Affairs Committee have begun negotiations on the federal program amidst a handful of separate reform bills introduced to the Senate. Senate legislation has yet to receive a hearing. The NFIP was extended until December 8, 2017, as part of the FY18 Continuing Appropriations Act, signed by the President on September 8, 2017.

- **S. 1344: Family Self-Sufficiency Act**

On June 13, 2017, a group of bipartisan Senators introduced legislation to streamline and expand the Family Self-Sufficiency (FSS) program. The legislation was introduced on the 25th anniversary of HUD's FSS program, which uses financial incentives and coaching to help residents increase earnings, build savings, and achieve self-sufficiency. Titled the "Family Self Sufficiency Act" (S. 1344), the legislation consolidates duplicative programs, broadens services, and extends the program to Project-Based Section 8 tenants. If enacted, the bill would streamline the FSS program, which is currently divided between the Housing Choice Voucher (HCV) program and Public Housing, into one program, while also authorizing PBRA tenants to access the program. In addition, broadened services available through FSS would help tenants earn various levels of education, training, and housing stability.

S. 1344 was introduced by Senators Blunt (R-MO), Reed (D-RI), Scott (R-SC), and Menendez (D-NJ) and was referred to the Senate Committee on Banking, Housing, and Urban Affairs. Although hearings have yet to be held in the Senate, the House Financial Services Subcommittee on Housing and Insurance held an overview hearing of the FSS Program in late September, during which time Ranking Member Emanuel Cleaver (D-MO) announced his intention to introduce companion legislation in the House. NAHMA is working with its committees to establish a position on this bill.

- **S. 1333: Tribal HUD-VASH Act**

Seeking to combat homelessness and improve support services for Native American veterans, this legislation would authorize a joint tribal housing initiative between HUD and the VASH program. Despite high numbers of Native American veterans, less than 5% of federally-recognized tribes have received Veterans Affairs Supportive Housing during HUD's current Tribal HUD-VASH demonstration. The bill also fosters collaboration between HUD, Veterans Affairs, and the Indian Health Service in implementing housing initiatives.

S. 1333 was Introduced by Senators Tester (D-MT), Hoeven (R-ND), Udall (D-NM), and Isakson (R-GA) on 6/12/17 and referred to the Senate Committee on Indian Affairs. During a hearing in June, the Senate Committee heard testimony on the legislation. In mid-September, the Committee on Indian Affairs ordered the bill to be reported favorably with an amendment by Senator Tester that requires additional reporting on the impact of home building under the Indian Housing Block Grants, and that authorizes HUD to renew grants awarded to existing program recipients.

- **S. 1275: Building Useful Initiatives for Indian Land Development (BUILD) Act**

This bill seeks to empower tribes to address homelessness and housing instabilities on Native Reservations. Specifically, S. 1275 streamlines the federal process for developing affordable housing on Native lands and gives more control over the developments to the tribes. Additionally, the bill reauthorizes and improves the Native American Housing Assistance and Self-Determination Act (NAHASDA) of 1996, which expired in 2013.

S. 1275 was introduced by Senator Hoeven (R-ND) on 6/13/2017 and was referred to the Senate Committee on Indian Affairs. Although the bill has yet to gain any cosponsors, a hearing was held in June to hear testimony on the legislation.

- **S. 1895 / H.R. 3864: Native American Housing Assistance and Self-Determination Reauthorization Act of 2017**

On September 28, 2017, a group of bipartisan Senators and Representatives introduced companion legislation in the House and Senate to reauthorize through 2022 the Native American Housing Assistance and Self-Determination Act (NAHASDA), following its expiration four years ago. NAHASDA provides federal housing assistance and housing loan guarantees for Native populations, including Native Hawaiians. This legislation also helps to provide safe and affordable housing for Native Americans and Alaska Natives, and helps address housing needs in Indian Country. Congress has repeatedly recognized the United States' special trust relationship with the Native Hawaiian community, a relationship analogous to that between the United States and American Indians and Alaska Natives, and the United States' responsibility for the welfare of those communities. Congress amended NAHASDA in 2000 to create a new Title VIII, Housing Assistance for Native Hawaiians, which authorized the Native Hawaiian Housing Block Grant and the 184A Native Hawaiian Home Loan Guarantee program, which have provided support for housing development, housing counseling, access to capital, and home rehabilitation, among others.

The Democratic Senate bill was introduced by Hawai'i Senators Hirono and Schatz, as well as by Senator Franken of Minnesota, Senator Tester of Montana, and Senator Udall of New Mexico. The bipartisan House bill was introduced by Congressman Pearce (R-NM), along with colleagues from Hawai'i, Minnesota, Alaska, Oklahoma, Wisconsin, and Washington. The Senate legislation was referred to the Committee on Indian Affairs, and the House bill was referred to the Financial Services Committee.

- **H.R. 3670: Rent Relief Act of 2017**

In August, Representative Crowley of New York reintroduced legislation to establish a two-tiered renter's tax credit. Specifically, the bill provides a refundable tax credit to renters paying more than 30% of their income on rent for a primary residence at fair market value. Tenants of subsidized housing could qualify for a tax credit equal to one month (1/12th) of their tenant rent contribution.

Introduced by Congressman Crowley (D-NY) on 8/21/17 and referred to the House Ways and Means Committee.

- **S. 293 / H.R. 828: Investing in Opportunity Act**

This bill aims to improve the economy of distressed areas through a capital gains tax deferral, reduction, or exemption in exchange for reinvestment in "Opportunity Zones" – geographically targeted low-income areas that would be designated by state governors. The capital gains from the sale or exchange of any asset held by the taxpayer would be pooled into newly-created "Opportunity Funds," which would be established specifically for making investments in distressed communities. The legislation emphasizes neighborhoods over housing, but according to the staff of Representative Tiberi, who introduced the companion bill in the House, the capital gains from the exchange of housing assets would not be prohibited.

Introduced by Senators Booker (D-NJ) and Scott (R-SC) and by Representatives Tiberi (R-OH) and Kind (D-WI) on 2/2/17. The bill has gained bipartisan support from 13 Senators and from 76 Representatives, and has been referred to the Senate Committee on Finance and to the House Committee on Ways and Means.

- **H.R. 948: Common Sense Housing Investment Act**

This bill would amend the Internal Revenue Code of 1986 to replace the mortgage interest deduction (MID) with a nonrefundable 15% tax credit on the mortgage interest of a primary and secondary residence, up to \$500,000. The adjustment is expected to affect only 6% of mortgage holders currently benefitting from the MID, while the replacement would expand the mortgage interest tax benefits to more moderate and low-income homeowners. The savings, which could total \$241 billion over 10 years, would be reinvested in affordable housing programs, including the LIHTC and the Housing Trust Fund.

H.R. 948 was introduced by Representative Keith Ellison (D-MN) on 2/7/17; it has gained 9 Democrat cosponsors and has been referred to the House Committees on Ways and Means and on Financial Services.

- **S. 385 / H.R. 1443: Energy Savings and Industrial Competitiveness Act**

Among other energy-related provisions, this bill would allow HUD to establish a demonstration program under which HUD may execute performance-based agreements with multifamily property owners that result in a reduction in energy or water costs in up to 20,000 units.

The House and Senate bills were introduced by Representatives McKinley (R-WV) and Welch (D-VT) on 3/9/17 and by Senators Portman (R-OH) and Shaheen (D-NH) on 2/15/17. The bipartisan legislation gained the support of 11 Senators and 5 Congressmen. On May 10, 2017, the Senate Energy and Natural Resources Committee reported the bill favorably and it was placed on the Senate Legislative Calendar. NAHMA supports these provisions, which are similar to those enacted under the Fixing America's Surface Transportation (FAST) Act and through the Housing Opportunity Through Modernization Act of 2016 (HOTMA).

- **S. 1638 / H.R. 2069: Fostering Stable Housing Opportunities Act of 2017**

This bipartisan legislation amends the Housing Act of 1937 to give public housing occupancy, Section 8 housing assistance, and rural rental assistance preference to children who are aging out of foster care and are at-risk for homelessness.

H.R. 2069 was introduced by Representative Michael Turner (R-OH) on April 6, 2017 and referred to the House Financial Services Committee. S. 1638 was introduced by Senator Chuck Grassley on July 26, 2017 and was referred to the Senate Committee on Banking, Housing, and Urban Affairs. The bills have gained close to 30 bipartisan cosponsors.

- **S. 611 / H.R. 1511: Homeless Children and Youth Act**

This bill aligns the HUD definition for homelessness with the definition used to verify eligibility for other federal programs, such as the National School Lunch Program. The adjustment would expand access to assistance programs and alleviate confusion between agencies.

Senators Feinstein (D-CA) and Portman (R-OH) and Representatives Stivers (R-OH) and Loeb sack (D-IA) introduced this legislation 3/13/17. The bipartisan bills have been referred to the Senate Committee on Banking, Housing, and Urban Affairs, and to the House Committees on Financial Services and on Education and the Workforce.

- **S. 434 / H.R. 1145: Housing for Homeless Students Act**

This bill amends the IRS housing credit guidelines to qualify low-income building units that provide housing for homeless children, youth, and veterans who are full-time students. In order to become eligible for the LIHTC, the building units' student residents must have been homeless

during any portion of the preceding five years (for veterans) or seven years (for children and youth).

Senators Franken (D-MN) and Portman (R-OH) and Representatives Ellison (D-MN) and Paulsen (R-MN) introduced this legislation on 2/16/17. The bipartisan bills have been referred to the Senate Committee on Finance and to the House Committee on Ways and Means. NAHMA previously supported this legislation and continues to advocate on its behalf.

- **S. 743: A Bill to Strengthen the United States Interagency Council on Homelessness.**

This bipartisan legislation seeks to strengthen the United States Interagency Council on Homelessness (USICH). USICH is an independent agency that coordinates federal efforts to combat homelessness, working across 19 federal agencies and departments and with partners in both the public and private sector to find ways to streamline and improve service delivery to people experiencing homelessness. USICH is the only agency at the federal level charged specifically with addressing homelessness; this bill would eliminate the October 1, 2018 sunset date for USICH.

S. 743 was introduced by Senators Reed (D-RI) and Collins (R-ME) on March 28, 2017 and referred to the Senate Banking, Housing, and Urban Affairs Committee.

- **S. 1845: Lead-Safe Housing for Kids Act of 2017**

In September, a group of bipartisan Senators introduced legislation to protect children in federally-assisted housing from lead exposure. The Lead-Safe Housing for Kids Act of 2017 would require HUD to adopt prevention measures and update its lead regulations to protect against lead exposure, which disproportionately affects the health of children. The bill would update HUD requirements to complement the agency's rule on lead-safe housing finalized earlier this year. Specifically, S. 1845 prohibits the use of visual assessments for low-income housing constructed prior to 1978 (when lead was phased out of most paints) and requires the use of risk assessments to identify lead hazards before a family moves into the home; provides a process for families to relocate on an emergency basis, without penalty or loss of assistance, if a lead hazard is identified in the home and the landlord fails to control the hazard within 30 days of being notified; and requires landlords to disclose the presence of lead if hazards are found in the home.

Senator Richard Durbin (D-IL) reintroduced the legislation on 9/19/17 following a well-publicized lead exposure scandal in assisted housing in Illinois. The bipartisan legislation was referred to the Senate Committee on Banking, Housing, and Urban Affairs and has gained 5 cosponsors.

- **H.R. 1260: Generational Residences and Nurturing Dwellings or GRAND Act**

This bill establishes an assistance program for up to five eligible non-profit organizations for the purpose of expanding the supply of specialized housing and social services for elderly relatives who are raising a child.

Representative Serrano (D-NY) introduced this legislation on 2/28/17, and it has been referred to the House Committee on Financial Services.

- **H.R. 3160: Public Housing Tenant Protection and Reinvestment Act of 2017**

This legislation seeks to preserve and revitalize the nation's public housing. Specifically, the bill would authorize full funding for public housing, plus additional funding to address the backlog of capital needs; provide a loan guarantee for public housing agencies to attract outside investment into public housing units; authorize a grant program that focuses on revitalizing the most distressed public housing units; require one-for-one replacement in cases where public housing units are demolished or sold; and increase tenant protections.

H.R. 3160 was introduced by House Financial Services Committee Ranking Member Maxine Waters (D-CA) on June 29, 2017 with seven democratic cosponsors. NAHMA does not expect the legislation to advance.

- **S. 73 / H.R. 3575: Housing Accountability Act of 2017**

This legislation provide standards for physical condition and management of housing receiving Section 8 assistance payments. Identical to last year's legislation, the bill requires HUD to semi-annually survey residents living in properties that have Section 8 Housing Assistance Payment (HAP) contracts to gather direct input about living conditions and management performance. In addition, the bill would create new penalties for owners who repeatedly 'fail' the survey.

Introduced by Senators Rubio (R-FL) and Nelson (D-FL) on 1/9/17, and Representatives Cohen (D-TN) and Ross (R-FL) introduced an identical House bill on 7/28/17. The bills have gained no cosponsors and have been referred to the Senate Committee Banking, Housing, and Urban Affairs and the House Financial Services Committee. The NAHMA Board of Directors has voted to strongly oppose this bill. NAHMA will continue to engage with Senate offices to work against this legislation.

- **S. 160: HUD Inspection Process and Enforcement Reform Act of 2017**

Provisions in this bill shorten the required response time for a property owner to respond to contract violations from 30 days to 15 days. HUD will also be required to prepare a Compliance, Disposition, and Enforcement Plan at a quicker rate, from the current 60 days to a new target of 30 days. S. 160 includes provisions that will allow HUD to terminate or demote employees overseeing inspections should they be found to be neglectful of their duties in inspecting a property, and the inspection process managed by HUD's Real Estate Assessment Center (REAC) would be audited as well.

Introduced by Senator Rubio (R-FL) on 1/17/17. Although the bill itself has stalled, similar provisions were enacted into law through the FY17 Omnibus Appropriations bill that passed in April.

II. Bills Signed into Law in the 115th Congress

- **Public Law No. 115-31 (H.R. 244): Consolidated Appropriations Act, 2017**

This is a large omnibus bill providing appropriations for the remainder of FY 2017 for all federal departments. The October 1, 2017 sunset date of the US Interagency Council on Homelessness (USICH) was extended until October 1, 2018. Also included in this omnibus bill were physical inspection requirements for HUD-assisted properties. NAHMA expects HUD to issue guidance on these changes to physical inspections immediately.

Signed by President Trump on May 5, 2017.

- **P.L. 115-56 (H.R. 601): Continuing Appropriations Act, 2018 and Supplemental Appropriations for Disaster Relief Requirements Act, 2017**

This bill makes temporary appropriations and additional funding available in order assist with disaster assistance and to avoid funding delays at the end of the Fiscal Year 2018 on September 30, 2017. In particular, Division B of the bill, Supplemental Appropriations for Disaster Relief Requirements, 2017, provides \$15.25 billion in emergency funding for the Departments of Homeland Security and Housing and Urban Development and the Small Business Administration to support disaster response and assistance. Division C of the bill temporarily suspends the statutory debt limit through December 8, 2017. Division D of the bill includes a short-term continuing resolution (CR) that provides fiscal year 2018 appropriations through Friday, December 8, 2017, for the continuing projects and activities of the Federal Government.

Signed by President Trump on September 8, 2018.