



March 12, 2021

GENERAL NEWS

American Rescue Plan Act Signed into Law

Yesterday President Biden signed into law the \$1.9 trillion American Recue Plan Act of 2021, [H.R.1319](#), which provides additional relief to address the continued impact of the COVID-19 pandemic. The bill makes available \$5 billion in emergency housing vouchers, \$5 billion for the homelessness assistance and supportive services program, \$20 million for the Fair Housing Initiatives Program, \$750 million for HUD's Native American, Native Hawaiian, and Indian CDBG programs, \$100 million for housing counseling, an additional \$21.55 billion for the emergency rental assistance program, and \$9.96 billion for homeowner assistance fund, among other funding. As established in the bill, the \$5 billion in emergency housing vouchers can be used for:

- New emergency vouchers;
- Renewals of emergency vouchers;
- Fees for the costs of administering vouchers and other eligible expenses to prevent, prepare, and respond to coronavirus to facilitate the leasing of the emergency vouchers, such as security deposit assistance and other costs related to retention and support of participating owners; and
- Adjustments in the calendar year 2021 section 8 renewal funding allocation, including mainstream vouchers, for PHAs that experience a significant increase in voucher per unit costs due to extraordinary circumstances or that, despite taking reasonable cost savings measures, would otherwise be required to terminate rental assistance for families as a result of insufficient funding.

The Act does not include an extension of the eviction moratorium that is currently scheduled to expire on March 31. You can access the text of the bill [here](#).

DHS Public Charge Rule Can No Longer Be Enforced

In a [press release](#) on Tuesday, The U.S. Department of Homeland Security ([DHS](#)) announced that it will no longer defend the 2019 [public charge rule](#). On February 2, 2021, the President issued an [executive order](#) directing the Secretary of Homeland Security to review the actions of the Department related to the implementation of such rule. **As part of its review**, DHS has determined that "continuing to defend the final rule is neither in the public interest nor an efficient use of limited government resources." According to the press release, consistent with that decision, the Department of Justice ([DOJ](#)) will no longer pursue appellate review of judicial decisions invalidating or enjoining enforcement of the 2019 rule. The announcement also states:

Once the previously entered judicial invalidation of the 2019 Rule becomes final, the [1999 interim field guidance](#) on the public charge inadmissibility provision (i.e., the policy that was in place before the 2019 Rule) will apply. Under the 1999 interim field guidance, DHS will not consider a person's receipt of Medicaid (except for Medicaid for long-term institutionalization), public housing, or Supplemental Nutrition Assistance Program (SNAP) benefits as part of the public charge inadmissibility determination. In addition, medical treatment or preventive services for COVID-19, including vaccines, will not be considered for public charge purposes.

DHS has released a [pre-publication copy](#) of a final rule titled "Inadmissibility on Public Charge Grounds; Implementation of Vacatur," which removes the 2019 public charge rule text from the *Federal Register*. The final rule is scheduled to be published in the *Federal Register* on March 15, 2021.



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