

# Congress of the United States

Washington, DC 20515

February 29, 2024

The Honorable Kay Granger  
Chairwoman  
Committee on Appropriations  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable Rosa DeLauro  
Ranking Member  
Committee on Appropriations  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable Tom Cole  
Committee on Appropriations  
Chair, Subcommittee on Transportation,  
Housing, Urban Development and Related  
Agencies  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable Mike Quigley  
Committee on Appropriations  
Ranking Member, Subcommittee on  
Transportation, Housing, Urban Development,  
and Related Agencies  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Chairwoman Granger, Ranking Member DeLauro, Chairman Cole, and Ranking Member Quigley,

We write to express our support for Section 251 of the Senate-passed Transportation, Housing, and Urban Development Appropriations Act, 2024. This provision would allow the U.S. Department of Housing and Urban Development (HUD) to continue its longstanding partnership with local Housing Finance Agencies (HFA) and other Public Housing Agencies (PHAs) to preserve and protect a critical source of our country's affordable housing stock.

In our states, local HFAs and PHAs have successfully administered Section 8 Housing Assistance Payment contracts under the Performance-Based Contract Administration (PBCA) program for decades, building expertise and establishing relationships with Project-Based Section 8 Rental Assistance (PBRA) property owners and tenants. These deep connections facilitate effective and efficient oversight of PBRA payments, contract renewals, responses to tenant complaints, and leveraging other federal and state resources to maintain affordability for more than 654,000 affordable apartments across 33 states.

As you know, despite HFA and PHA's great PBRA oversight work, federal courts have ruled HUD can no longer use its current PBCA selection and contract process. Section 251 would support PBRA stakeholders as HUD issues new awards by directing the department to use cooperative agreements when selecting new PBCA administrators. The flexible cooperative agreement model would allow HUD to maintain the existing program structure, keep oversight responsibilities with HFAs and PHAs, and prioritize administrators that best serve local PBRA tenants and property owners, including entities with long-standing PBRA relationships.

Without this language, HUD would be forced – for the first time – to choose new administrators through procurement. As its July 2022 PBCA draft solicitation emphasized, procurement would force HUD to take more in-house programmatic responsibilities and move PBCA from state-by-

state to regional contracts. Such a change would prevent almost all local entities from serving as PBCA administrators. Indeed, while cooperative agreements would allow HUD to continue to select local, mission-driven entities as PBCA administrators, procurement would radically alter the program, which is why Congress blocked this draft solicitation in the Fiscal Year 2023 Omnibus.

At a time when access to affordable housing is critically limited in many parts of the country, disrupting the existing proven model for local PBRA administration would further exacerbate the challenges facing many families in securing a place to call home. Although not originally included in the House Transportation, Housing, and Urban Development Appropriations Act of 2024, we strongly urge you to ensure PBCA programmatic continuity and prioritize local PBRA oversight by including Section 251 in the Fiscal Year 2024 spending agreement.

Thank you for your attention to this matter. We look forward to working with you on this important issue.

Sincerely,



Ann McLane Kuster  
Member of Congress



Stephen F. Lynch  
Member of Congress



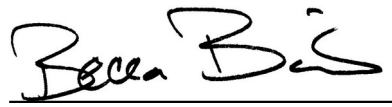
Chellie Pingree  
Member of Congress



Seth Magaziner  
Member of Congress



Chrissy Houlahan  
Member of Congress

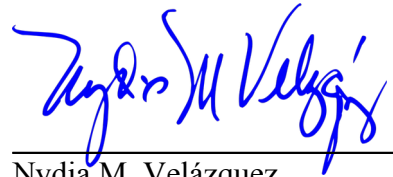


Becca Balint  
Member of Congress



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James P. McGovern  
Member of Congress



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Nydia M. Velázquez  
Member of Congress



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Lori Trahan  
Member of Congress



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Ayanna Pressley  
Member of Congress



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Seth Moulton  
Member of Congress



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Daniel T. Kildee  
Member of Congress



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Yvette D. Clarke  
Member of Congress



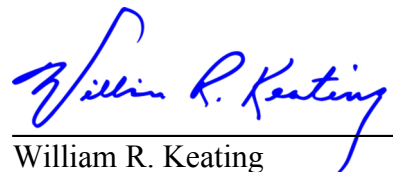
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Gregory W. Meeks  
Member of Congress



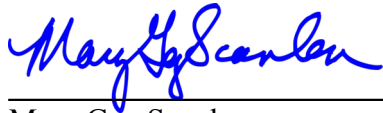
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Gabe Amo  
Member of Congress



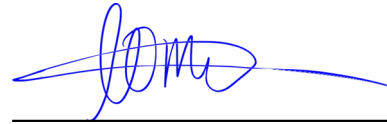
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William R. Keating  
Member of Congress



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Mary Gay Scanlon  
Member of Congress



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Ilhan Omar  
Member of Congress



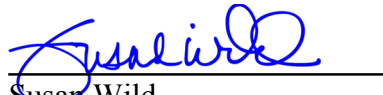
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Jake Auchincloss  
Member of Congress



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Adriano Espaillat  
Member of Congress



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Susan Wild  
Member of Congress



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Chris Pappas  
Member of Congress