



## Legislative Bulletin.....January 17, 2008

### Contents:

**H.R. 3524**—Amendments to the HOPE VI Improvement and Reauthorization Act

H.R. 3524, the HOPE VI Improvement and Reauthorization Act (sponsored by Rep. Maxine Waters, D-CA), is scheduled to be considered on the House floor on Thursday, January 17, 2008, subject to a structured rule ([H.Res. 922](#)), making in order the following seven amendments, each debatable for 10 minutes, except where noted.

The rule waives all points of order against consideration of the bill, except those regarding PAYGO and earmarks, waives all points of order against the bill itself—except the PAYGO rule—and allows the Chair to postpone consideration of the legislation at any time during its consideration. The rule allows one motion to recommit with or without instructions.

The rule would also lay on the table (i.e. prevent further legislative action on) H.Res. 894, which was an unused rule for the consideration of H.R. 3996, the Tax Increase Prevention Act that eventually was signed into law as the “patch” for the Alternative Minimum Tax.

Note: The summaries below are based on RSC staff review of *actual amendment text* and thus often differ significantly from what’s on the Rules Committee website. For a summary of the underlying bill, see a separate RSC document released yesterday.

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### AMENDMENTS MADE IN ORDER UNDER THE RULE

**I. Waters (D-CA)/ Franks (D-MA)/ Watt (D-NC).** Manager’s Amendment. This amendment would:

- Authorize “such sums” for FY2009-FY2015 for providing replacement vouchers for project-based rental assistance for complying with the one-for-one replacement requirement;
- Require, as part of the one-for-one replacement provision, the replacement of all distressed units in existence as of January 1, 2005, and provide a narrow waiver (down to 90% replacement) from the overall replacement requirement, but not the timing of such replacement (upon request and subject to approval based on extenuating circumstances detailed in the amendment);
- Remove specific references to the “LEED” standard for non-residential “green” construction and instead direct the Secretary to use ratings systems that the Secretary determines to be the most likely to encourage a “comprehensive and environmentally-sound” approach to “green” buildings (based on certain criteria detailed in the amendment);

- Direct the Secretary to study other entity’s “green” building standards at least once every five years to see if they meet the criteria above and should instead be used for HOPE VI.
- Exclude costs associated with green development compliance from HUD’s Total Development Cost calculation for projects;
- Set procedural requirements, mainly regarding public input and HUD approval, for making any significant amendments or changes to a revitalization plan;
- Expand how relocation assistance may be provided;
- Allow a relocation project to occur outside the PHA’s jurisdiction, up to a 25-mile radius from the demolished project, if the goal is mixed income housing and the deconcentration of poor people;
- Extend the timeline for rebuilding replacement housing units to 54 months (up from 12 months in the underlying bill) from the date of execution of the grant agreement;
- Provide that relocated household would only be subject to the rules for continued eligibility in the original dwelling and not to the rules for initial occupancy in the new dwelling;
- Allow for a one-year extension of a PHA’s HOPE VI benchmarks in the case of a presidentially declared natural disaster;
- Increase the threshold for a “significant change” in a revitalization plan (thus requiring approval from HUD) from a change in 10% of the applicable grant funds (as in the underlying bill) to a change in 20% of such funds;
- Prohibit the recapture from a PHA of any HOPE VI grant funds before October 1, 2009, if such PHA was a victim of Hurricane Katrina, Wilma, or Rita in 2005;
- Clarify that no person illegally in the United States is eligible for HOPE VI assistance; and
- Make a variety of clarifying and technical changes.

(20 minutes)

**2. Neugebauer (R-TX).** Applies the one-to-one replacement requirement for units demolished under a HOPE VI grant only to units that are occupied prior to demolition.

**3. Mahoney (D-FL).** Restores the set-aside for the Main Street grant program under HOPE VI that otherwise would have been eliminated by the underlying bill. The [Main Street Grant program](#) provides assistance under HOPE VI to smaller communities to develop public housing in connection with a commercial revitalization effort.

**4. Sessions (R-TX).** Strikes the bill’s prohibition on demolition-only grants.

**5. Lee (D-CA).** Provides that tenants of HOPE VI housing could not be evicted based on the criminal activities of others in their household if the tenant is elderly or disabled, and did not or should not have known of the activity, or if they were the victims of a criminal act.

**6. King (R-IA).** Prohibits HOPE VI funds from being expended to pay Davis-Bacon wages.

**7. Capito (R-WV).** Strikes most of the “green” building language in the underlying bill, including the requirement to use the “LEED” standards, and replaces it with a requirement that the HUD Secretary identify a rating system, standard, or code for green buildings. This system, standard, or code would have to meet certain housing-supply, evaluation, and environmental criteria, as detailed in the amendment. The Secretary would have to study other entity’s “green” building standards at least once every five years to see if they meet the criteria and should instead be used under HOPE VI.

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