

110TH CONGRESS
1ST SESSION

H. R. 1227

AN ACT

To assist in the provision of affordable housing to low-income families affected by Hurricane Katrina.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Gulf Coast Hurricane
3 Housing Recovery Act of 2007”.

4 **SEC. 2. LIMITATION ON USE OF AUTHORIZED AMOUNTS.**

5 None of the amounts authorized by this Act may be
6 used to lobby or retain a lobbyist for the purpose of influ-
7 encing a Federal, State, or local governmental entity or
8 officer.

9 **TITLE I—COMMUNITY**
10 **DEVELOPMENT BLOCK GRANTS**

11 **SEC. 101. FLEXIBILITY OF FEDERAL FUNDS FOR ROAD**
12 **HOME PROGRAM.**

13 (a) PROHIBITION OF RESTRICTION ON USE OF
14 AMOUNTS.—

15 (1) IN GENERAL.—Subject to paragraph (2)
16 and notwithstanding any other provision of law, the
17 Director of the Federal Emergency Management
18 Agency may not prohibit or restrict the use, by the
19 State of Louisiana under the Road Home Program
20 of such State, of any amounts specified in paragraph
21 (3) based upon the existence or extent of any re-
22 quirement or condition under such program that—

23 (A) limits or reduces the amount made
24 available to an eligible homeowner who does not
25 agree to remain an owner and occupant of a
26 home in Louisiana; or

1 (B) waives the applicability of any limita-
2 tion or reduction referred to in subparagraph
3 (A) for homeowners who are elderly or senior
4 citizens.

5 (2) SAVINGS PROVISION.—Except as provided
6 in paragraph (1), all other provisions of section 404
7 of the Robert T. Stafford Disaster Relief and Emer-
8 gency Assistance Act (42 U.S.C. 5170c) shall apply
9 to amounts specified in paragraph (3) that are used
10 by the State of Louisiana under the Road Home
11 Program of such State.

12 (3) COVERED AMOUNTS.—The amounts speci-
13 fied in this paragraph are any amounts provided for
14 Hurricanes Katrina and Rita under the Hazard
15 Mitigation Grant program of the Federal Emergency
16 Management Agency to the State of Louisiana.

17 (b) REPORTS.—

18 (1) LOUISIANA ROAD HOME PROGRAM.—The
19 State of Louisiana shall submit reports under this
20 subsection regarding the Road Home Program of
21 such State to the Committees identified in para-
22 graph (5). Each such report under this subsection
23 shall describe and analyze the implementation, sta-
24 tus, and effectiveness of the Road Home Program
25 and shall include the information described in para-

1 graph (3) regarding such program, for the applicable
2 reporting period and for the entire period of the pro-
3 gram.

4 (2) OTHER STATES' HOUSEHOLD ASSISTANCE
5 PROGRAMS FUNDED WITH CDBG DISASTER ASSIST-
6 ANCE.—Each State that received amounts made
7 available under the heading “Department of Hous-
8 ing and Urban Development—Community Planning
9 and Development—Community Development Fund”
10 in chapter 9 of title I of division B of Public Law
11 109-148 (119 Stat. 2779) or under such heading in
12 chapter 9 of title II of Public Law 109-234 (120
13 Stat. 472) shall submit reports under this subsection
14 regarding each grant program of the State for as-
15 sistance for individual households funded in whole or
16 in part with such amounts to the Committees identi-
17 fied in paragraph (5). Each such report under this
18 subsection shall describe and analyze the implemen-
19 tation, status, and effectiveness of each such grant
20 program and shall include the information described
21 in paragraph (3) regarding each such program, for
22 the applicable reporting period and for the entire pe-
23 riod of such program.

1 (3) CONTENTS.—The information described in
2 this paragraph with respect to a program is the fol-
3 lowing information:

4 (A) The number of applications submitted
5 for assistance under the program.

6 (B) The number of households for which
7 assistance has been provided under the pro-
8 gram.

9 (C) The average amount of assistance pro-
10 vided for each household under the program
11 and the total amount of assistance provided
12 under the program.

13 (D) The number of personnel involved in
14 executing all aspects of the program.

15 (E) Actions taken to improve the program
16 and recommendations for further such improve-
17 ments.

18 (4) REPORTING PERIODS.—With respect to any
19 program described in paragraph (1) or (2), the first
20 report under this subsection shall be submitted not
21 later than the expiration of the 30-day period that
22 begins upon the date of the enactment of this Act.
23 Reports shall be submitted, during the term of each
24 such program, not later than the expiration of each
25 successive: (A) 30-day period thereafter, in the case

1 of the program described in paragraph (1); and (B)
2 calendar quarter thereafter, in the case of the pro-
3 grams described in paragraph (2).

4 (5) RECEIVING COMMITTEES.—The Committees
5 specified in this paragraph are—

6 (A) the Committees on Financial Services
7 and Transportation and Infrastructure of the
8 House of Representatives; and

9 (B) the Committees on Banking, Housing,
10 and Urban Affairs and Homeland Security and
11 Governmental Affairs of the Senate.

12 (c) NEW ORLEANS REDEVELOPMENT AUTHORITY
13 PILOT PROGRAM.—

14 (1) AVAILABILITY OF AMOUNTS.—The Sec-
15 retary of Housing and Urban Development shall re-
16 quire the State of Louisiana to make available, from
17 any amounts made available for such State under
18 the heading “Department of Housing and Urban
19 Development—Community Planning and Develop-
20 ment—Community Development Fund” in chapter 9
21 of title I of division B of Public Law 109–148 (119
22 Stat. 2779) or under such heading in chapter 9 of
23 title II of Public Law 109–234 (120 Stat. 472) and
24 that remain unexpended, \$15,000,000 to the New
25 Orleans Redevelopment Authority (in this subsection

1 referred to as the “Redevelopment Authority”), sub-
2 ject to paragraph (3), only for use to carry out the
3 pilot program under this subsection.

4 (2) PURPOSE.—The pilot program under this
5 subsection shall fund, through the combination of
6 amounts provided under this subsection with public
7 and private capital from other sources, the purchase
8 or costs associated with the acquisition or disposition
9 of individual parcels of land in New Orleans, Lou-
10 isiana, by the Redevelopment Authority to be aggre-
11 gated, assembled, and sold for the purpose of devel-
12 opment by private entities only in accordance with,
13 and subject to, the Orleans Parish Recovery Plan,
14 developed and adopted by the City of New Orleans.
15 The costs associated with acquisition or disposition
16 of a parcel of land may include costs for activities
17 described paragraph (3)(C) with respect to such par-
18 cel and costs described in paragraph (3)(F).

19 (3) CERTIFICATIONS.—The Secretary of Hous-
20 ing and Urban Development may make amounts
21 available pursuant to paragraph (1) to the Redevel-
22 opment Authority only upon the submission to the
23 Secretary of certifications, sufficient in the deter-
24 mination of the Secretary to ensure that the Rede-
25 velopment Authority—

1 (A) has the authority to purchase land for
2 resale for the purpose of development in accord-
3 ance with the pilot program under this sub-
4 section;

5 (B) has bonding authority (either on its
6 own or through a State bonding agency) or has
7 credit enhancements sufficient to support pub-
8 lic/private financing to acquire land for the pur-
9 poses of the pilot program under this sub-
10 section;

11 (C) has the authority and capacity to en-
12 sure clean title to land sold under the pilot pro-
13 gram and to reduce the risk attributable to and
14 indemnify against environmental, flood, and
15 other liabilities;

16 (D) will provide a first right to purchase
17 any land acquired by the Redevelopment Au-
18 thority to the seller who sold the land to the
19 Redevelopment Authority;

20 (E) has in place sufficient internal controls
21 to ensure that funds made available under this
22 subsection may not be used to fund salaries or
23 other administrative costs of the employees of
24 the Redevelopment Authority; and

1 (F) will, in carrying out the pilot program
2 under this subsection, consult with the Office of
3 Recovery Management of the City of New Orle-
4 ans regarding coordination of activities under
5 the program with the Recovery Plan referred to
6 in paragraph (2), reimbursement of such City
7 for costs incurred in support of the program,
8 and use of program income and other amounts
9 generated through the program.

10 (4) DEVELOPMENT REQUIREMENTS.—In car-
11 rying out the pilot program under this subsection,
12 the Redevelopment Authority shall—

13 (A) sell land acquired under the pilot pro-
14 gram only as provided in paragraph (2);

15 (B) use any proceeds from the sale of such
16 land to replenish funds available for use under
17 the pilot program for the purpose of acquiring
18 new parcels of land or to repay any private fi-
19 nancing for such purchases;

20 (C) sell land only—

21 (i) to purchasers who agree to develop
22 such sites for sale to the public; or

23 (ii) to purchasers pursuant to para-
24 graph (3)(D); and

1 (D) in the case of a purchaser of land pur-
2 suant to paragraph (3)(D), ensure that the de-
3 veloper of any adjacent parcels sold by the Re-
4 development Authority makes an offer to the
5 purchaser to develop such land for a fee.

6 (5) INAPPLICABILITY OF STAFFORD ACT LIM-
7 TATIONS.—Any requirements or limitations under or
8 pursuant to the Robert T. Stafford Disaster Relief
9 and Emergency Assistance Act relating to use of
10 properties acquired with amounts made available
11 under such Act for certain purposes, restricting de-
12 velopment of such properties, or limiting subsequent
13 alienation of such properties shall not apply to
14 amounts provided under this subsection or prop-
15 erties acquired under the pilot program with such
16 amounts.

17 (6) GAO STUDY AND REPORT.—Upon the expi-
18 ration of the 2-year period beginning on the date of
19 the enactment of this Act, the Comptroller General
20 of the United States shall conduct a study of the
21 pilot program carried out under this subsection to
22 determine the effectiveness and limitations of, and
23 potential improvements for, such program. Not later
24 than 90 days after the expiration of such period, the
25 Comptroller General shall submit a report to the

1 Committees on Financial Services and Transpor-
2 tation and Infrastructure of the House of Represent-
3 atives and the Committees on Banking, Housing,
4 and Urban Affairs and Homeland Security and Gov-
5 ernmental Affairs of the Senate regarding the re-
6 sults of the study.

7 (d) ONGOING GAO REPORTS ON USE OF
8 AMOUNTS.—

9 (1) QUARTERLY REPORTS.—During the period
10 that amounts referred to in subsection (a)(3) are
11 being expended under the Road Home Program of
12 the Louisiana Recovery Authority, the Comptroller
13 General of the United States shall submit reports on
14 a quarterly basis to the Committees on Financial
15 Services and Transportation and Infrastructure of
16 the House of Representatives and the Committees
17 on Banking, Housing, and Urban Affairs and Home-
18 land Security and Governmental Affairs of the Sen-
19 ate. Such reports shall describe and account for the
20 use of all such amounts expended during the appli-
21 cable quarterly period and identify any waste, fraud,
22 or abuse involved in the use of such amounts.

23 (2) MONITORING.—The Comptroller General
24 shall monitor the total amount referred to in sub-

1 section (a)(3) that has been expended by such Au-
2 thority and, pursuant to such monitoring—

3 (A) upon determining that at least two
4 percent of such amount has been expended,
5 shall include in the first quarterly report there-
6 after a written determination of such expendi-
7 ture; and

8 (B) upon determining, at any time after
9 the determination under subparagraph (A), that
10 the portion of such total amount expended at
11 such time that was subject to waste, fraud, or
12 abuse exceeds 10 percent, shall include in the
13 first quarterly report thereafter a certification
14 to that effect.

15 (3) ACTIONS IN RESPONSE TO WASTE, FRAUD,
16 AND ABUSE.—If at any time the Comptroller Gen-
17 eral submits a report under paragraph (1) that in-
18 cludes a certification under paragraph (2)(B)—

19 (A) the Committee on Financial Services
20 of the House of Representatives and the Com-
21 mittee on Banking, Finance, and Urban Affairs
22 of the Senate shall each hold hearings within 60
23 days to identify the reasons for such waste,
24 fraud, and abuse; and

1 (B) the Comptroller General shall submit a
2 report to the Committees referred to in para-
3 graph (1) within 90 days recommending actions
4 to be taken to prevent further waste fraud and
5 abuse in expenditure of such amounts.

6 **SEC. 102. TREATMENT OF BENEFITS FROM OTHER PRO-**
7 **GRAMS UNDER ROAD HOME PROGRAM.**

8 (a) IN GENERAL.—Subject to subsection (b) and not-
9 withstanding any other provision of law, to the extent that
10 amounts made available under the heading “Department
11 of Housing and Urban Development-Community Planning
12 and Development—Community Development Fund” in
13 chapter 9 of title I of division B of Public Law 109–148
14 (119 Stat. 2779), under such heading in chapter 9 of title
15 II of Public Law 109–234 (120 Stat. 472), and under sec-
16 tion 101 of this title, are used by the State of Louisiana
17 under the Road Home program, the procedures preventing
18 duplication of benefits established pursuant to the penul-
19 timate proviso under such heading in Public Law 109–
20 148 (119 Stat. 2781) and the 15th proviso under such
21 heading in Public Law 109–234 (120 Stat. 473) shall not
22 apply with respect to any benefits received from hazard
23 insurance, flood insurance, or disaster payments from the
24 Federal Emergency Management Agency, except to the ex-
25 tent that the inapplicability of such procedures would re-

1 sult in a windfall gain under the Road Home Program
2 to any person.

3 (b) APPLICABILITY.—During the period consisting of
4 fiscal years 2008 through 2012, the Secretary of Housing
5 and Urban Development shall monitor the expenditure,
6 under the Road Home Program, of amounts referred to
7 in subsection (a) that were made available from Public
8 Laws 109–148 and 109–234. If at any time during such
9 period the cumulative outlays resulting from the inapplica-
10 bility, pursuant to subsection (a), of the procedures re-
11 ferred to in such subsection preventing duplication of ben-
12 efits exceed \$1,250,000,000, the Secretary shall suspend
13 the applicability of subsection (a) for the remainder of
14 such period.

15 **SEC. 103. ELIMINATION OF PROHIBITION OF USE FOR**
16 **MATCH REQUIREMENT.**

17 (a) IN GENERAL.—Notwithstanding any other provi-
18 sion of law, any amounts made available before the date
19 of the enactment of this Act for activities under the com-
20 munity development block grant program under title I of
21 the Housing and Community Development Act of 1974
22 (42 U.S.C. 5301 et seq.) for expenses related to disaster
23 relief, long-term recovery, and restoration of infrastruc-
24 ture in the areas impacted or distressed by the con-
25 sequences of Hurricane Katrina, Rita, or Wilma in States

1 for which the President declared a major disaster, or made
2 available before such date of enactment for such activities
3 for such expenses in the areas impacted or distressed by
4 the consequences of Hurricane Dennis, may be used by
5 a State or locality as a matching requirement, share, or
6 contribution for any other Federal program.

7 (b) EFFICIENT ENVIRONMENTAL REVIEW.—Not-
8 withstanding any other provision of law, when a State,
9 unit of general local government, or Indian tribe, or De-
10 partment of Hawaiian Home Lands uses amounts referred
11 to in subsection (a), the release of which would otherwise
12 be subject to environmental reviews under the procedures
13 authorized under section 104(g) of the Housing and Com-
14 munity Development Act of 1974 (42 U.S.C. 5304(g)), to
15 match or supplement the federal assistance provided under
16 section 402, 403, 406, 407, or 502 of Robert T. Stafford
17 Disaster Relief and Emergency Assistance Act, and the
18 Director of the Federal Emergency Management Agency
19 conducts an environmental review that encompasses all ac-
20 tivities assisted by such matching funds, the Director's en-
21 vironmental review shall satisfy all of the environmental
22 responsibilities that would otherwise be assumed by the
23 State, unit of general local government, Indian tribe, or
24 Department of Hawaiian Home Lands under such section
25 104(g), and the requirements and procedures of such pro-

1 vision, including assumption of environmental review re-
2 sponsibilities and submission and approval of a request for
3 release of funds and certification, shall be inapplicable, if,
4 prior to its commitment of any matching funds for such
5 activities, the State, unit of general local government, In-
6 dian tribe, or Department of Hawaiian Home Lands noti-
7 fies the Director and the Secretary of Housing and Urban
8 Development that it elects to defer to the Director's envi-
9 ronmental review responsibilities. If a deferral is elected
10 under this subsection, the Director shall be the responsible
11 party for any liability under the applicable law if the envi-
12 ronmental review as described in the preceding sentence
13 is deficient in any manner.

14 **SEC. 104. REIMBURSEMENT OF CDBG AMOUNTS USED FOR**
15 **RENTAL HOUSING ASSISTANCE.**

16 There are authorized to be appropriated, from any
17 amounts made available before the date of the enactment
18 of this Act under any provision of law to the Federal
19 Emergency Management Agency for disaster relief under
20 the Robert T. Stafford Disaster Relief and Emergency As-
21 sistance Act relating to the consequences of Hurricane
22 Katrina, Rita, or Wilma that remain unobligated, and
23 from any amounts made available before such date of en-
24 actment under any provision of law to such Agency for
25 such disaster relief relating to the consequences of Hurri-

1 cane Dennis that remain unobligated, such sums as may
2 be necessary to be made available to the Director of the
3 Federal Emergency Management Agency for transfer to
4 the Secretary of Housing and Urban Development, for
5 such Secretary to provide assistance under title I of the
6 Housing and Community Development Act of 1974 (42
7 U.S.C. 5301 et seq.) to metropolitan cities and urban
8 counties that used amounts previously made available
9 under such title to provide rental housing assistance for
10 families residing in such city or county pursuant to evacu-
11 ation from their previous residences because of such hurri-
12 canes in the amount necessary to provide each such city
13 and county with an amount equal to the aggregate amount
14 of previous assistance under such title so used.

15 **TITLE II—PUBLIC HOUSING**

16 **SEC. 201. SURVEY OF PUBLIC HOUSING RESIDENTS.**

17 (a) SURVEY.—The Secretary of Housing and Urban
18 Development shall provide for the conducting of a survey,
19 using appropriate scientific research methods, by an inde-
20 pendent entity or organization, to determine, of the house-
21 holds who as of August 28, 2005, resided in public hous-
22 ing (as such term is defined in section 3(b) of the United
23 States Housing Act of 1937 (42 U.S.C. 1437a(b))) oper-
24 ated or administered by the Housing Authority of New
25 Orleans, in Louisiana—

1 (1) which and how many such households in-
2 tend to return to residences in dwelling units de-
3 scribed in section 202(d) of this Act, when presented
4 with the options of—

5 (A) returning to residence in a repaired
6 public housing or comparable dwelling unit in
7 New Orleans; or

8 (B) continuing to receive rental housing
9 assistance from the Federal Government; and

10 (2) when such households intend to return.

11 (b) PARTICIPATION OF RESIDENTS.—The Secretary
12 shall solicit recommendations from resident councils and
13 residents of public housing operated or administered by
14 such Housing Authority in designing and conducting the
15 survey under subsection (a).

16 (c) PROPOSED SURVEY DOCUMENT.—The Secretary
17 shall submit the full research design of the proposed docu-
18 ment to be used in conducting the survey to the Com-
19 mittee on Financial Services of the House of Representa-
20 tives and the Committee on Banking, Housing, and Urban
21 Affairs of the Senate not less than 10 business days before
22 the commencement of such survey.

23 (d) REPORT.—The Secretary shall submit a report
24 the Committees referred to in subsection (c) detailing the
25 results of the survey conducted under subsection (a) not

1 later than 60 days after the date of the enactment of this
2 Act.

3 **SEC. 202. RIGHT OF RETURN FOR PREVIOUS RESIDENTS OF**
4 **PUBLIC HOUSING.**

5 (a) REQUIREMENT TO PROVIDE DWELLING
6 UNITS.—Not later than August 1, 2007, the Housing Au-
7 thority of New Orleans shall make available for occupancy,
8 subject to subsection (b), a number of dwelling units (in-
9 cluding those currently occupied) described in subsection
10 (d) that is not less than the greater of—

11 (1) 3,000; or

12 (2) the number of households who have indi-
13 cated, in the survey conducted pursuant to section
14 201, that they intend to return to residence in public
15 housing operated or administered by such public
16 housing agency.

17 (b) RIGHT OF RETURN.—

18 (1) IN GENERAL.—Subject only to subsection
19 (c), the Housing Authority of New Orleans shall
20 make available, upon the request of any household
21 who, as of August 28, 2005, was a tenant of public
22 housing operated or administered by such public
23 housing agency, occupancy for such household in a
24 dwelling unit provided pursuant to subsection (a).

25 As a condition of exercising a right under this para-

1 graph to occupancy in such a dwelling unit, not later
2 than August 1, 2007, a tenant shall provide notice
3 to such Housing Authority of intent to exercise such
4 right and shall identify a date that the tenant in-
5 tends to occupy such a dwelling unit, which shall not
6 be later than October 1, 2007.

7 (2) PREFERENCES.—In making dwelling units
8 available to households pursuant to paragraph (1),
9 such Housing Authority shall provide preference to
10 each such household for occupancy in a dwelling unit
11 in the following locations, in the following order:

12 (A) A dwelling unit in the same public
13 housing project occupied by the household as of
14 August 28, 2005, if available.

15 (B) A dwelling unit in the same census
16 tract in which was located the public housing
17 dwelling unit occupied by the household as of
18 August 28, 2005, if available.

19 (C) A dwelling unit in a census tract adja-
20 cent to the census tract in which was located
21 the public housing dwelling unit occupied by the
22 household as of August 28, 2005, if available.

23 (D) A dwelling unit in the neighborhood in
24 which was located the public housing dwelling

1 unit occupied by the household as of August 28,
2 2005, if available.

3 (c) PROHIBITION OF EXCLUSION.—The Housing Au-
4 thority of New Orleans, and any other manager of replace-
5 ment dwelling units set forth in this section shall not, in-
6 cluding through the application of any waiting list or eligi-
7 bility, screening, occupancy, or other policy or practice,
8 prevent any household referred to in subsection (b)(1)
9 from occupying a replacement dwelling unit provided pur-
10 suant to subsection (a), except that such Housing Author-
11 ity or other manager shall prevent a household from occu-
12 pying such a dwelling unit, and shall provide priority for
13 occupancy in such dwelling units, as follows: any other
14 provision of Federal law prohibits occupancy or tenancy
15 of such household in the type of housing of the replace-
16 ment dwelling unit provided for such household.

17 (1) Notwithstanding any priority under para-
18 graphs (4) through (6), a household shall be pre-
19 vented from such occupancy to the extent that any
20 other provision of Federal law prohibits occupancy
21 or tenancy of such household, or any individual who
22 is a member of such household, in the type of hous-
23 ing of the replacement dwelling unit provided for
24 such household.

1 (2) Notwithstanding any priority under para-
2 graphs (4) through (6), a household shall be pre-
3 vented from such occupancy if it includes any indi-
4 vidual who has been convicted of a drug dealing of-
5 fense, sex offense, or crime of domestic violence.

6 (3) Notwithstanding any priority under para-
7 graphs (4) through (6), a household shall be pre-
8 vented from such occupancy on the basis of a deter-
9 mination that occupancy of any individual who is a
10 member of the household may constitute a threat to
11 public safety, including a threat caused by occu-
12 pancy that would facilitate reunification of members
13 of gangs involved in criminal activity.

14 (4) Priority in such occupancy shall be provided
15 to individuals who are employed or households that
16 include individuals who are employed.

17 (5) Priority in such occupancy in public housing
18 dwelling units shall be provided to—

19 (A) individuals who agree to contribute to-
20 ward community service, or to participate in an
21 economic self-sufficiency program for, more
22 hours per month than is required under section
23 12(c) of the United States Housing Act of 1937
24 (42 U.S.C. 1437j(c));

1 (B) individuals who, under paragraph (2)
2 of section 12(c) of the United States Housing
3 Act of 1937, are exempt from the requirement
4 under paragraph (1) of such section; and

5 (C) households that include such individ-
6 uals.

7 (6) A household that consists of a family or
8 youth described in section 8(x)(2) of the United
9 States Housing Act of 1937 (42 U.S.C. 1437f(x)(2);
10 relating to family unification) shall be provided pri-
11 ority in such occupancy.

12 The Secretary of Housing and Urban Development shall
13 issue regulations to carry out the exceptions under para-
14 graphs (1) through (6).

15 (d) REPLACEMENT DWELLING UNITS.—A dwelling
16 unit described in this subsection is—

17 (1) a dwelling unit in public housing operated
18 or administered by the Housing Authority of New
19 Orleans; or

20 (2) a dwelling unit in other comparable housing
21 located in the jurisdiction of the Housing Authority
22 of New Orleans for which the sum of the amount re-
23 quired to be contributed by the tenant for rent and
24 any separate utility costs for such unit borne by the
25 tenant is comparable to the sum of the amount re-

1 quired to be contributed by the tenant for rental of
2 a comparable public housing dwelling unit and any
3 separate utility costs for such unit borne by the ten-
4 ant.

5 (e) RELOCATION ASSISTANCE.—The Housing Au-
6 thority of New Orleans shall provide, to each household
7 provided occupancy in a dwelling unit pursuant to sub-
8 section (b), assistance under the Uniform Relocation As-
9 sistance and Real Property Acquisitions Policy Act of
10 1970 (42 U.S.C. 4601 et seq.) for relocation to such dwell-
11 ing unit.

12 **SEC. 203. ONE-FOR-ONE REPLACEMENT OF ALL PUBLIC**
13 **HOUSING DWELLING UNITS.**

14 (a) CONDITIONS ON DEMOLITION.—After the date of
15 the enactment of this Act, the Housing Authority of New
16 Orleans may not demolish or dispose of any dwelling unit
17 of public housing operated or administered by such agency
18 (including any uninhabitable unit and any unit previously
19 approved for demolition) except pursuant to a plan for re-
20 placement of such units in accordance with, and approved
21 by the Secretary of Housing and Urban Development pur-
22 suant to, subsection (b).

23 (b) PLAN REQUIREMENTS.—The Secretary may not
24 approve a plan that provides for demolition or disposition

1 of any dwelling unit of public housing referred to in sub-
2 section (a) unless—

3 (1) such plan is developed with the active par-
4 ticipation of the resident councils of, and residents
5 of public housing operated or administered by, such
6 Housing Authority and with the City of New Orle-
7 ans, at every phase of the planning and approval
8 process, through a process that provides opportunity
9 for comment on specific proposals for redevelopment,
10 demolition, or disposition;

11 (2) not later than 60 days before the date of
12 the approval of such plan, such Housing Authority
13 has convened and conducted a public hearing re-
14 garding the demolition or disposition proposed in the
15 plan;

16 (3) such plan provides that for each such dwell-
17 ing unit demolished or disposed of, such public hous-
18 ing agency will provide an additional dwelling unit
19 through—

20 (A) the acquisition or development of addi-
21 tional public housing dwelling units; or

22 (B) the acquisition, development, or con-
23 tracting (including through project-based assist-
24 ance) of additional dwelling units that are sub-
25 ject to requirements regarding eligibility for oc-

1 occupancy, tenant contribution toward rent, and
2 long-term affordability restrictions which are
3 comparable to public housing units;

4 (4) such plan provides for the implementation
5 of a right for households to occupancy housing in ac-
6 cordance with section 202;

7 (5) such plan provides priority in making units
8 available under paragraph (3) to residents identified
9 in section 201;

10 (6) such plan provides that the proposed demo-
11 lition or disposition and relocation will be carried out
12 in a manner that affirmatively furthers fair housing,
13 as described in subsection (e) of section 808 of the
14 Civil Rights Act of 1968; and

15 (7) to the extent that such plan provides for the
16 provision of replacement or additional dwelling units,
17 or redevelopment, in phases over time, such plan
18 provides that the ratio of dwelling units described in
19 subparagraphs (A) and (B) of paragraph (3) that
20 are provided in any such single phase to the total
21 number of dwelling units provided in such phase is
22 not less than the ratio of the aggregate number of
23 such dwelling units provided under the plan to the
24 total number of dwelling units provided under the
25 plan.

1 (c) INAPPLICABLE PROVISIONS.—Subparagraphs (B)
2 and (D) of section 8(o)(13) of the United States Housing
3 Act of 1937 (42 U.S.C. 1437f(o)(13)) shall not apply with
4 respect to vouchers used to comply with the requirements
5 of subsection (b)(3) of this section.

6 (d) MONITORING.—The Secretary of Housing and
7 Urban Development shall provide for the appropriate field
8 offices of the Department to monitor and supervise en-
9 forcement of this section and plans approved under this
10 section and to consult, regarding such monitoring and en-
11 forcement, with resident councils of, and residents of pub-
12 lic housing operated or administered by, the Housing Au-
13 thority of New Orleans and with the City of New Orleans.

14 **SEC. 204. PROTECTION FOR PUBLIC HOUSING RESIDENTS**
15 **IN HURRICANE AREAS.**

16 (a) CONDITIONS ON TRANSFER.—During the two
17 year period beginning on the date of the enactment of this
18 Act, a public housing agency may not transfer ownership
19 of any public housing dwelling units described in sub-
20 section (h) unless the transferee enters into such binding
21 commitments as the Secretary of Housing and Urban De-
22 velopment considers necessary to maintain, for the longest
23 feasible period, the requirements regarding eligibility for
24 occupancy in such dwelling units and tenant contribution

1 toward rent for such dwelling units that are applicable to
2 such units as public housing dwelling units.

3 (b) CONDITIONS ON DEMOLITION.—After the date of
4 the enactment of this Act, a public housing agency may
5 not dispose or demolish any dwelling units described in
6 subsection (h), except pursuant to a plan for replacement
7 of such units in accordance with, and approved by the Sec-
8 retary of Housing and Urban Development pursuant to,
9 subsection (c).

10 (c) PLAN REQUIREMENT.—The Secretary of Housing
11 and Urban Development may not approve a plan that pro-
12 vides for demolition or disposition of any dwelling unit of
13 public housing described in subsection (h) unless such plan
14 complies with the requirements under paragraphs (1), (2),
15 (3), (6), and (7) of section 203(b), except that such para-
16 graphs shall be applied for purposes this subsection by
17 substituting “the public housing agency” and “applicable
18 unit of general local government” for “such Housing Au-
19 thority” and “City of New Orleans”, respectively.

20 (d) RELOCATION ASSISTANCE.—A public housing
21 agency shall provide, to each household relocated pursuant
22 to a plan under this section for demolition or disposition,
23 assistance under the Uniform Relocation Assistance and
24 Real Property Acquisitions Policy Act of 1970 for reloca-
25 tion to their new residence.

1 (e) RIGHT OF RETURN.—A public housing agency ad-
2 ministering or operating public housing dwelling units de-
3 scribed in subsection (h) has the obligation—

4 (1) to use its best efforts to locate tenants dis-
5 placed from such public housing as a result of Hur-
6 ricane Katrina or Rita; and

7 (2) to provide such residents occupancy in pub-
8 lic housing dwelling units of such agency that be-
9 come available for occupancy, and to ensure such
10 residents a means to exercise such right of return.

11 (f) INAPPLICABILITY OF CERTAIN PROJECT-BASED
12 VOUCHER LIMITATIONS.—Subparagraphs (B) and (D) of
13 section 8(o)(13) of the United States Housing Act of 1937
14 (42 U.S.C. 1437f(o)(13)) shall not apply with respect to
15 any project-based vouchers used to comply with the re-
16 quirements of a plan under subsection (c).

17 (g) PROHIBITION ON DISPLACEMENT FROM HABIT-
18 ABLE UNITS.—A public housing agency may not displace
19 a tenant from any public housing dwelling unit described
20 in subsection (h) that is administered or operated by such
21 agency and is habitable (including during any period of
22 rehabilitation), unless the agency provides a suitable and
23 comparable dwelling unit for such tenant in the same local
24 community as such public housing dwelling unit.

1 (h) COVERED PUBLIC HOUSING DWELLING
2 UNITS.—The public housing dwelling units described in
3 this subsection are any such dwelling units located in any
4 area for which major disaster or emergency was declared
5 by the President pursuant to the Robert T. Stafford Dis-
6 aster Relief and Emergency Assistance Act as a result of
7 Hurricane Katrina or Rita of 2005, except that such
8 dwelling units shall not include any public housing dwell-
9 ing units operated or administered by the Housing Au-
10 thority of New Orleans.

11 **SEC. 205. REPORTS ON PROPOSED CONVERSIONS OF PUB-**
12 **LIC HOUSING UNITS.**

13 Not later than the expiration of the 15-day period
14 beginning on the date of the enactment of this Act, the
15 Secretary of Housing and Urban Development shall sub-
16 mit to the Committee on Financial Services of the House
17 of Representatives and the Committee on Banking, Hous-
18 ing, and Urban Affairs of the Senate a detailed report
19 identifying all public housing projects located in areas im-
20 pacted by Hurricane Katrina or Rita of 2005, for which
21 plans exist to transfer ownership to other entities or agen-
22 cies. Such report shall include the following information
23 for each such project:

- 24 (1) The name and location.
25 (2) The number of dwelling units.

1 (3) The proposed new owner.

2 (4) The existing income eligibility and rent pro-
3 visions.

4 (5) Duration of existing affordability restric-
5 tions.

6 (6) The proposed date of transfer.

7 (7) Any other relevant information regarding
8 the project.

9 **SEC. 206. AUTHORIZATION OF APPROPRIATIONS FOR RE-**
10 **PAIR AND REHABILITATION.**

11 There are authorized to be appropriated such sums
12 as may be necessary to carry out activities eligible for
13 funding under the Capital Fund under section 9 of the
14 United States Housing Act of 1937 (42 U.S.C. 1437g)
15 for the repair, rehabilitation, and development of public
16 housing of the Housing Authority of New Orleans, and
17 for community and supportive services for the residents
18 of public housing operated or administered by the Housing
19 Authority of New Orleans.

20 **SEC. 207. COMPLIANCE OF EXISTING REQUESTS FOR PRO-**
21 **POSALS.**

22 Each request for qualification or proposal issued be-
23 fore the date of the enactment of this Act with respect
24 to any public housing operated or administered by the
25 Housing Authority of New Orleans shall, notwithstanding

1 any existing terms of such requests, be subject to and
2 comply with all provisions of this title and, to the extent
3 necessary to so comply, such Housing Authority shall re-
4 issue such requests.

5 **SEC. 208. REPORTS ON COMPLIANCE.**

6 Not later than the expiration of the 30-day period
7 beginning on the date of the enactment of this Act and
8 not later than the expiration of each calendar quarter
9 thereafter, the Secretary of Housing and Urban Develop-
10 ment shall submit a detailed report regarding compliance
11 with the requirements of this title, including the resident
12 participation requirement under section 203(b)(1), to the
13 Committee on Financial Services of the House of Rep-
14 resentatives, the Committee on Banking, Housing, and
15 Urban Affairs of the Senate, the resident councils of, and
16 residents of public housing operated or administered by,
17 the Housing Authority of New Orleans, and the City of
18 New Orleans.

19 **SEC. 209. REQUIREMENTS REGARDING PUBLIC HOUSING**
20 **CONSTRUCTION WORKERS.**

21 Any entity that receives any Federal funds made
22 available pursuant to this title for construction, develop-
23 ment, rehabilitation, or repair of public housing shall
24 verify that all workers employed by such entity and en-
25 gaged in such activities—

1 (1) have an immigration status that allows
2 them to legally be so employed; and

3 (2) have a valid form of identification or docu-
4 mentation indicating such immigration status.

5 **TITLE III—DISASTER VOUCHER**
6 **PROGRAM AND PROJECT-**
7 **BASED RENTAL ASSISTANCE**

8 **SEC. 301. EXTENSION OF DVP PROGRAM.**

9 There are authorized to be appropriated such sums
10 as may be necessary to provide assistance under the Dis-
11 aster Voucher Program of the Department of Housing and
12 Urban Development established pursuant to Public Law
13 109–148 (119 Stat. 2779) through January 1, 2008, and,
14 to the extent that amounts for such purpose are made
15 available, such program, and the authority of the Sec-
16 retary of Housing and Urban Development to waive re-
17 quirements under section 8 of the United States Housing
18 Act of 1937 (42 U.S.C. 1437f) in administering assistance
19 under such program, shall be so extended.

20 **SEC. 302. CLARIFICATION OF VOUCHER ALLOCATION FOR-**
21 **MULA FOR FISCAL YEAR 2007.**

22 In carrying out section 21033 of the Continuing Ap-
23 propriations Resolution, 2007, to provide renewal funding
24 for tenant-based rental housing assistance under section
25 8 of the United States Housing Act of 1937 for each pub-

1 lic housing agency, the Secretary of Housing and Urban
2 Development shall make, for any public housing agency
3 impacted by Hurricane Katrina, Rita, or Wilma, such ad-
4 justments as are appropriate to provide adequate funding
5 to adjust for reduced voucher leasing rates and increased
6 housing costs arising from such hurricanes.

7 **SEC. 303. PRESERVATION OF PROJECT-BASED HOUSING AS-**
8 **SISTANCE PAYMENTS CONTRACTS FOR**
9 **DWELLING UNITS DAMAGED OR DESTROYED.**

10 (a) TOLLING OF CONTRACT TERM.—Notwith-
11 standing any other provision of law, a project-based hous-
12 ing assistance payments contract for a covered assisted
13 multifamily housing project shall not expire or be termi-
14 nated because of the damage or destruction of dwelling
15 units in the project by Hurricane Katrina or Rita. The
16 expiration date of the contract shall be deemed to be the
17 later of the date specified in the contract or a date that
18 is not less than three months after the dwelling units in
19 the project or in a replacement project are first made hab-
20 itable.

21 (b) OWNER PROPOSALS FOR REUSE OR RE-
22 SITING.—The Secretary of Housing and Urban Develop-
23 ment shall promptly review and shall approve all feasible
24 proposals made by owners of covered assisted multifamily
25 housing projects submitted to the Secretary, not later than

1 October 1, 2007, that provide for the rehabilitation of the
2 project and the resumption of use of the assistance under
3 the contract for the project, or, alternatively, for the trans-
4 fer, pursuant to subsection (c), of the contract or, in the
5 case of a project with an interest reduction payments con-
6 tract, of the remaining budget authority under the con-
7 tact, to another multifamily housing project.

8 (c) TRANSFER OF CONTRACT.—In the case of any
9 covered assisted multifamily housing project, the Sec-
10 retary of Housing and Urban Development shall—

11 (1) in the case of a project with a project-based
12 rental assistance payments contract described in
13 subparagraph (A), (B), or (C) of subsection (d)(2),
14 transfer the contract to another appropriate and
15 habitable existing project or a project to be con-
16 structed (having the same or a different owner); and

17 (2) in the case of a project with an interest re-
18 duction payments contract pursuant to section 236
19 of the National Housing Act, use the remaining
20 budget authority under the contract for interest re-
21 duction payments to reduce financing costs with re-
22 spect to dwelling units in other habitable projects
23 not currently so assisted, and such dwelling units
24 shall be subject to the low-income affordability re-
25 strictions applicable to projects for which such pay-

1 ments are made under section 236 of the National
2 Housing Act.

3 A project to which a project-based rental assistance pay-
4 ments contract is transferred may have a different number
5 of units or bedroom configuration than the damaged or
6 destroyed project if approximately the same number of in-
7 dividuals are expected to occupy the subsidized units in
8 the replacement project as occupied the damaged or de-
9 stroyed project.

10 (d) DEFINITIONS.—For purposes of this section:

11 (1) COVERED ASSISTED MULTIFAMILY HOUSING
12 PROJECT.—The term “assisted multifamily housing
13 project” means a multifamily housing project that—

14 (A) as of the date of the enactment of this
15 Act, is subject to a project-based rental assist-
16 ance payments contract (including pursuant to
17 subsection (a) of this section); and

18 (B) that was damaged or destroyed by
19 Hurricane Katrina or Hurricane Rita of 2005.

20 (2) PROJECT-BASED RENTAL ASSISTANCE PAY-
21 MENTS CONTRACT.—The term “project-based rental
22 assistance payments contract” includes—

23 (A) a contract entered into pursuant to
24 section 8 of the United States Housing Act of
25 1937 (42 U.S.C. 1437f);

1 (B) a contract for project rental assistance
2 pursuant to section 202(c)(2) of the Housing
3 Act of 1959 (12 U.S.C. 1701q(c)(2));

4 (C) a contract for project rental assistance
5 pursuant to section 811(d)(2) of the Cranston-
6 Gonzalez National Affordable Housing Act (42
7 U.S.C. 8013(d)(2)); and

8 (D) an interest reduction payments con-
9 tract pursuant to section 236 of the National
10 Housing Act (12 U.S.C. 1715z-1).

11 **SEC. 304. TENANT REPLACEMENT VOUCHERS FOR ALL**
12 **LOST UNITS.**

13 There is authorized to be appropriated for fiscal year
14 2008 such sums as may be necessary to provide tenant
15 replacement vouchers under section 8 of the United States
16 Housing Act of 1937 (42 U.S.C. 1437f) for the number
17 of households that is equal to—

18 (1) the number of assisted dwelling units
19 (whether occupied or unoccupied) located in covered
20 assisted multifamily housing projects (as such term
21 is defined in section 303(d) of this Act) that are not
22 approved for reuse or re-siting by the Secretary; plus

23 (2) the number of public housing dwelling units
24 that, as of August 28, 2005, were located in areas
25 affected by Hurricane Katrina and were considered

1 for purposes of allocating operating and capital as-
2 sistance under section 9 of the United States Hous-
3 ing Act of 1937 (whether occupied or unoccupied),
4 that will not be put back into use for occupancy;
5 plus

6 (3) the number of public housing dwelling units
7 that, as of September 24, 2005, were located in
8 areas affected by Hurricane Rita and were consid-
9 ered for purposes of allocating operating and capital
10 assistance under section 9 of the United States
11 Housing Act of 1937 (whether occupied or unoccu-
12 pied), that will not be put back into use for occu-
13 pancy; minus

14 (4) the number of previously awarded enhanced
15 vouchers for assisted dwelling units and tenant pro-
16 tection vouchers for public housing units covered
17 under this section.

18 Any amounts made available pursuant to this section
19 shall, upon the request of a public housing agency for such
20 voucher assistance, be allocated to the public housing
21 agency based the number of dwelling units described in
22 paragraph (1) or (2) that are located in the jurisdiction
23 of the public housing agency.

1 **SEC. 305. VOUCHER ASSISTANCE FOR SUPPORTIVE HOUS-**
2 **ING.**

3 There are authorized to be appropriated such sums
4 as may be necessary to provide 4,500 vouchers for project-
5 based rental assistance under section 8(o)(13) of the
6 United States Housing Act of 1937 (42 U.S.C.
7 1437f(o)(13)) for use in areas impacted by Hurricanes
8 Katrina and Rita for supportive housing dwelling units for
9 elderly families, persons with disabilities, or homeless per-
10 sons. The Secretary of Housing and Urban Development
11 shall make available to the State of Louisiana or its des-
12 ignee or designees, upon request, 3,000 of such vouchers.
13 Subparagraphs (B) and (D) of section 8(o)(13) of the
14 United States Housing Act of 1937 (42 U.S.C.
15 1437f(o)(13)) shall not apply with respect to vouchers
16 made available under this section.

17 **SEC. 306. TRANSFER OF DVP VOUCHERS TO VOUCHER PRO-**
18 **GRAM.**

19 (a) TRANSFER TO SECTION 8 VOUCHER PROGRAM.—
20 There are authorized to be appropriated, for tenant-based
21 assistance under section 8(o) of the United States Hous-
22 ing Act of 1937 (42 U.S.C. 1437f(o)), such sums as may
23 be necessary to provide vouchers for such assistance for
24 each household that, as of the termination date of the Dis-
25 aster Voucher Program referred to in section 301 of this
26 Act, is assisted under such program, for the period that

1 such household is eligible for such voucher assistance.
2 Such voucher assistance shall be administered by the pub-
3 lic housing agency having jurisdiction of the area in which
4 such assisted family resides as of such termination date.

5 (b) TEMPORARY VOUCHERS.—If at any time a house-
6 hold for whom a voucher for rental housing assistance is
7 provided pursuant to this section becomes ineligible for
8 further such rental assistance—

9 (1) the public housing agency administering
10 such voucher pursuant to this section may not pro-
11 vide rental assistance under such voucher for any
12 other household;

13 (2) the Secretary of Housing and Urban Devel-
14 opment shall recapture from such agency any re-
15 maining amounts for assistance attributable to such
16 voucher and may not reobligate such amounts to any
17 public housing agency; and

18 (3) such voucher shall not be taken into consid-
19 eration for purposes of determining any future allo-
20 cation of amounts for such tenant-based rental as-
21 sistance for any public housing agency.

22 **SEC. 307. IDENTIFICATION AND NOTIFICATION OF DVP-ELI-**
23 **GIBLE HOUSEHOLDS NOT ASSISTED.**

24 The Secretary of Housing and Urban Development
25 shall make a good faith effort to identify all households

1 who, as of the date of the enactment of this Act, are eligi-
2 ble for assistance under the Disaster Voucher Program re-
3 ferred to in section 301 but are not assisted under such
4 program. Upon identification of each such household, the
5 Secretary shall—

6 (1) notify such household of the rights of the
7 household to return a public housing or other as-
8 sisted dwelling unit; and

9 (2) to the extent that the family is eligible at
10 such time of identification, offer the household as-
11 sistance under the Disaster Voucher program.

12 **SEC. 308. GAO STUDY OF WRONGFUL OR ERRONEOUS TER-**
13 **MINATION OF FEDERAL RENTAL HOUSING**
14 **ASSISTANCE.**

15 The Comptroller General of the United States shall
16 conduct a study of households that received Federal assist-
17 ance for rental housing in connection with Hurricanes
18 Katrina and Rita to determine if the assistance for any
19 such households was wrongfully or erroneously termi-
20 nated. The Comptroller General shall submit a report to
21 the Congress not later than June 1, 2007, setting forth
22 the results of the study, which shall include an estimate
23 of how many households were subject to such wrongful
24 or erroneous termination and how many of those house-
25 holds have incomes eligible for the household to receive

1 tenant-based rental assistance under section 8 of the
2 United States Housing Act of 1937 (42 U.S.C. 1437f).

3 **TITLE IV—DAMAGES ARISING**
4 **FROM FEMA ACTIONS**

5 **SEC. 401. AUTHORIZATION OF APPROPRIATIONS TO REIM-**
6 **BURSE LANDLORDS FOR DAMAGES DUE TO**
7 **FEMA MANAGEMENT OF LEASES ENTERED**
8 **INTO UNDER SECTION 403 OF THE STAFFORD**
9 **DISASTER RELIEF ACT.**

10 There are authorized to be appropriated, from
11 amounts made available before the date of the enactment
12 of this Act under any provision of law to the Federal
13 Emergency Management Agency for disaster relief under
14 the Robert T. Stafford Disaster Relief Emergency Assist-
15 ance Act, such sums as may be necessary for the Director
16 of the Federal Emergency Management Agency to provide
17 reimbursement to each landlord who entered into leases
18 to provide emergency sheltering in response to Hurricane
19 Katrina, Rita, or Wilma of 2005, pursuant to the program
20 of the Federal Emergency Management Agency pursuant
21 to section 403 of the Robert T. Stafford Disaster Relief
22 and Emergency Assistance Act (42 U.S.C. 5170b) in the
23 amount of actual, documented damages incurred by such
24 landlord as a result of abrogation by such Agency of com-
25 mitments entered into under such program, but not in-

1 cluding reimbursement for any such landlord to the extent
2 that such landlord has previously received reimbursement
3 for such damages under any other Federal or non-Federal
4 program.

5 **TITLE V—FHA SINGLE FAMILY**
6 **HOUSING**

7 **SEC. 501. TREATMENT OF NON-CONVEYABLE PROPERTIES.**

8 (a) IN GENERAL.—Notwithstanding any other provi-
9 sion of law, in the case of any property consisting of 1-
10 to 4-family residence that is subject to a mortgage insured
11 under title II of the National Housing Act (12 U.S.C.
12 1707 et seq.) and was damaged or destroyed as a result
13 of Hurricane Katrina or Rita of 2005, if there was no
14 failure on the part of the mortgagee or servicer to provide
15 hazard insurance for the property or to provide flood in-
16 surance coverage for the property to the extent such cov-
17 erage is required under Federal law, the Secretary of
18 Housing and Urban Development—

19 (1) may not deny conveyance of title to the
20 property to the Secretary and payment of the bene-
21 fits of such insurance on the basis of the condition
22 of the property or any failure to repair the property;

23 (2) may not reduce the amount of such insur-
24 ance benefits to take into consideration any costs of
25 repairing the property; and

1 (3) with respect to a property that is destroyed,
2 condemned, demolished, or otherwise not available
3 for conveyance of title, may pay the full benefits of
4 such insurance to the mortgagee notwithstanding
5 that such title is not conveyed.

6 (b) BUDGET ACT COMPLIANCE.—Insurance claims
7 may be paid in accordance with subsection (a) only to the
8 extent or in such amounts as are or have been provided
9 in advance in appropriations Acts for the costs (as such
10 term is defined in section 502 of the Federal Credit Re-
11 form Act of 1990 (2 U.S.C. 661(a)) of such claims.

12 **TITLE VI—FAIR HOUSING** 13 **ENFORCEMENT**

14 **SEC. 601. FAIR HOUSING INITIATIVES PROGRAM.**

15 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
16 authorized to be appropriated to carry out section 561 of
17 the Housing and Community Development Act of 1987
18 (42 U.S.C. 3616a), in each of fiscal years 2008 and 2009,
19 such sums as may be necessary, but not less than
20 \$5,000,000, for areas affected by Hurricanes Katrina and
21 Rita, of which, in each such fiscal year—

22 (1) 60 percent shall be available only for private
23 enforcement initiatives for qualified private enforce-
24 ment fair housing organizations authorized under
25 subsection (b) of such section, and, of the amount

1 made available in accordance with this paragraph,
2 the Secretary shall set aside an amount for multi-
3 year grants to qualified fair housing enforcement or-
4 ganizations;

5 (2) 20 percent shall be available only for activi-
6 ties authorized under paragraphs (1) and (2) of sub-
7 section (c) of such section; and

8 (3) 20 percent shall be available only for edu-
9 cation and outreach programs authorized under sub-
10 section (d) of such section.

11 (b) **LOW FUNDING.**—If the total amount appro-
12 priated to carry out the Fair Housing Initiatives Program
13 for either fiscal year 2008 or 2009 is less than
14 \$50,000,000, not less than 5 percent of such total amount
15 appropriated for such fiscal year shall be available for the
16 areas described in subsection (a) for the activities de-
17 scribed in paragraphs (1), (2), and (3) of such subsection.

18 (c) **AVAILABILITY.**—Any amounts appropriated
19 under this section shall remain available until expended.

1 **TITLE VII—IMPROVED DIS-**
2 **TRIBUTION OF FEDERAL**
3 **HURRICANE HOUSING FUNDS**
4 **FOR HURRICANE RELIEF**

5 **SEC. 701. GAO STUDY OF IMPROVED DISTRIBUTION OF**
6 **FEDERAL HOUSING FUNDS FOR HURRICANE**
7 **RELIEF.**

8 (a) STUDY.—The Comptroller General of the United
9 States shall conduct a study to examine methods of im-
10 proving the distribution of Federal housing funds to assist
11 States covered by this Act with recovery from hurricanes,
12 which shall include identifying and analyzing—

13 (1) the Federal and State agencies used in the
14 past to disburse such funds and the strengths and
15 weakness of existing programs;

16 (2) the means by and extent to which critical
17 information relating to hurricane recovery, such as
18 property valuations, is shared among various State
19 and Federal agencies;

20 (3) program requirements that create impedi-
21 ments to the distribution of such funds that can be
22 eliminated or streamlined;

23 (4) housing laws and regulations that have
24 caused programs to be developed in a manner that
25 complies with statutory requirements but fails to

1 meet the housing objectives or needs of the States
2 or the Federal Government;

3 (5) laws relating to privacy and impediments
4 raised by housing laws to the sharing, between the
5 Federal Government and State governments, and
6 private industry, of critical information relating to
7 hurricane recovery;

8 (6) methods of streamlining applications for
9 and underwriting of Federal housing grant or loan
10 programs; and

11 (7) how to establish more equitable Federal
12 housing laws regarding duplication of benefits.

13 (b) REPORT.—Not later than 6 months after the date
14 of the enactment of this Act, the Comptroller General shall
15 submit to the Congress a report describing the results of
16 the study and any recommendations regarding the issues
17 analyzed under the study.

18 **TITLE VIII—COMMENDING**
19 **AMERICANS FOR THEIR RE-**
20 **BUILDING EFFORTS**

21 **SEC. 801. COMMENDING AMERICANS.**

22 (a) CONGRESSIONAL FINDINGS.—The Congress finds
23 that—

24 (1) over 500,000 individuals in the United
25 States have volunteered their time in helping rebuild

1 the Gulf Coast region in the aftermath of Hurri-
2 cane's Katrina and Rita;

3 (2) over \$3,500,000,000 in cash and in-kind do-
4 nations have been made for hurricane victims;

5 (3) 40,000,000 pounds of food have been dis-
6 tributed by Catholic Charities' Food Bank through
7 hurricane relief efforts;

8 (4) almost 7,000,000 hot meals have been
9 served by Salvation Army volunteers in hurricane re-
10 lief efforts;

11 (5) over 10,000,000 college students have de-
12 voted their spring and fall breaks to hurricane relief
13 efforts;

14 (6) almost 20,000 families displaced as a result
15 of the hurricanes have been supported by Traveler's
16 Aid volunteers;

17 (7) faith-based organizations, such as Jewish
18 Family Services, Lutheran Disaster Response, the
19 United Methodist Committee on Relief, Presbyterian
20 Disaster Assistance, the National Baptist Conven-
21 tion of America, Inc., the Progressive National Bap-
22 tist Convention, the Southern Baptist Convention,
23 and the African Methodist Episcopal Church have
24 contributed tens of thousands of man-hours for hur-
25 ricane relief; and

1 (8) community-based organizations, such as the
2 Boys and Girls Club of America, Junior League,
3 Boy and Girl Scouts of America, and the YMCA,
4 have had thousands of members volunteer with the
5 cleanup in the Gulf States.

6 (b) COMMENDATION.—The Congress hereby com-
7 mends the actions and efforts by the remarkable individ-
8 uals and organizations who contributed to the hurricane
9 relief effort and recognizes that the rebuilding of the Gulf
10 Coast region rests on the selfless dedication of private in-
11 dividuals and community spirit.

12 **TITLE IX—PROTECTION OF**
13 **HOUSEHOLDS RECEIVING**
14 **FEMA HOUSING ASSISTANCE**

15 **SEC. 901. EXTENSION OF FEMA HOUSING ASSISTANCE.**

16 There are authorized to be appropriated such sums
17 as may be necessary to provide until December 31, 2007,
18 temporary housing assistance, including financial and di-
19 rect assistance, under section 408(c)(1) of the Robert T.
20 Stafford Disaster Relief and Emergency Assistance Act
21 (42 U.S.C. 5174(c)(1)) to individuals and households eli-
22 gible to receive such assistance as a result of Hurricane
23 Katrina, Rita, or Wilma, and to the extent that amounts
24 for such purpose are made available, such assistance shall
25 be so extended.

1 **SEC. 902. VOUCHER ASSISTANCE FOR HOUSEHOLDS RE-**
2 **CEIVING FEMA RENTAL ASSISTANCE AND**
3 **HOUSEHOLDS RESIDING IN FEMA TRAILERS.**

4 (a) **TRANSFER OF FEMA RENTAL ASSISTANCE TO**
5 **SECTION 8 VOUCHER PROGRAM.**—There are authorized
6 to be appropriated, for tenant-based rental assistance
7 under section 8(o) of the United States Housing Act of
8 1937 (42 U.S.C. 1437f(o)), such sums as may be nec-
9 essary to provide vouchers for such assistance for each in-
10 dividual and household that is eligible for such voucher
11 assistance and received financial assistance for temporary
12 housing under section 408(c)(1) of the Robert T. Stafford
13 Disaster Relief and Emergency Assistance Act (42 U.S.C.
14 5174(c)(1)) as a result of Hurricane Katrina, Rita, or
15 Wilma, for the period beginning upon termination of such
16 temporary housing assistance and continuing through
17 such period that such individual or household remains eli-
18 gible for such voucher assistance. Such voucher assistance
19 shall be administered by the public housing agency having
20 jurisdiction of the area in which such assisted individual
21 or household resides as of such termination date.

22 (b) **VOUCHER ASSISTANCE FOR HOUSEHOLDS RE-**
23 **SIDING IN FEMA TRAILERS.**—

24 (1) **OFFER.**—The Secretary of Housing and
25 Urban Development shall offer, to each individual
26 and household who, as of the date of the enactment

1 of this Act, receives direct assistance for temporary
2 housing under section 408(c)(2) of the Robert T.
3 Stafford Disaster Relief and Emergency Assistance
4 Act (42 U.S.C. 5174(c)(2)) as a result of Hurricane
5 Katrina, Rita, or Wilma and is eligible for tenant-
6 based rental assistance under section 8(o) of the
7 United States Housing Act of 1937 (42 U.S.C.
8 1437f(o)), a voucher for such rental assistance, sub-
9 ject to the availability of amounts for such assist-
10 ance made available in advance in appropriation
11 Acts.

12 (2) PROVISION OF ASSISTANCE.—There are au-
13 thorized to be appropriated, for tenant-based rental
14 assistance under section 8(o) of the United States
15 Housing Act of 1937 (42 U.S.C. 1437f(o)), such
16 sums as may be necessary to provide vouchers for
17 such assistance for each individual and household
18 that, pursuant to an offer of such assistance under
19 paragraph (1) requests such assistance, for the pe-
20 riod beginning upon occupancy of the individual or
21 household in a dwelling unit acquired for rental with
22 such assistance and continuing through such period
23 that such individual or household remains eligible
24 for such voucher assistance.

1 (c) TEMPORARY VOUCHERS.—If at any time an as-
2 sisted family for whom a voucher for rental housing assist-
3 ance is provided pursuant to this section becomes ineligible
4 for further such rental assistance—

5 (1) the public housing agency administering
6 such voucher pursuant to this section may not pro-
7 vide rental assistance under such voucher for any
8 other household;

9 (2) the Secretary of Housing and Urban Devel-
10 opment shall recapture from such agency any re-
11 maining amounts for assistance attributable to such
12 voucher and may not reobligate such amounts to any
13 public housing agency; and

14 (3) such voucher shall not be taken into consid-
15 eration for purposes of determining any future allo-
16 cation of amounts for such tenant-based rental as-
17 sistance for any public housing agency.

Passed the House of Representatives March 21,
2007.

Attest:

Clerk.

110TH CONGRESS
1ST SESSION

H. R. 1227

AN ACT

To assist in the provision of affordable housing to low-income families affected by Hurricane Katrina.