

108TH CONGRESS
1ST SESSION

H. R. 2298

To amend section 3 of the Housing and Urban Development Act of 1968 to ensure improved access to employment opportunities for low-income people.

IN THE HOUSE OF REPRESENTATIVES

JUNE 2, 2003

Ms. VELÁZQUEZ introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend section 3 of the Housing and Urban Development Act of 1968 to ensure improved access to employment opportunities for low-income people.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Earning and Living
5 Opportunities Act”.

6 **SEC. 2. AMENDMENTS.**

7 Section 3 of the Housing and Urban Development
8 Act of 1968 (12 U.S.C. 1701u) is amended—

9 (1) by redesignating subsections (e), (f), and
10 (g) as subsections (g), (h), and (i), respectively;

1 (2) in subsection (g), as so redesignated—

2 (A) in paragraph (1), by inserting at the
3 end “*Provided*, however, that any resident of a
4 public or Indian housing development or any
5 other person who qualifies as a low- or very
6 low-income person under the preference cat-
7 egories set forth in section (c)(1)(B) shall, for
8 purposes of this statute, continue to qualify, as
9 initially verified, as a low- or very low-income
10 person for a period of five years, irrespective of
11 any increase in the person’s income during that
12 period.”; and

13 (B) by inserting after paragraph (2) the
14 following new paragraph:

15 “(3) ONE-STOP DELIVERY SYSTEM.—The term
16 ‘one-stop delivery system’ has the meaning given
17 that term in section 134(c) of the Workforce Invest-
18 ment Act of 1998 (29 U.S.C. 2864(c)).”; and

19 (3) by inserting after subsection (d) the fol-
20 lowing new subsections:

21 “(e) REQUIREMENT FOR EMPLOYING LOW- AND
22 VERY LOW-INCOME PERSONS.—

23 “(1) TWENTY PERCENT REQUIREMENT.—

24 “(A) CONDITION OF ASSISTANCE.—It shall
25 be a condition of any assistance provided to a

1 public or Indian housing agency or contract
2 awarded by a public or Indian housing agency
3 for work to be performed in connection with de-
4 velopment assistance provided from the capital
5 fund under section 9(d) of the United States
6 Housing Act of 1937, the operating fund under
7 section 9(e) of such Act, or any other Federal
8 assistance for housing and community develop-
9 ment that, except as provided in paragraph
10 2(B), a minimum of 20 percent of all hours
11 worked by employees of the public or Indian
12 housing agency or of a contractor in connection
13 with such contract shall be performed by low-
14 or very low-income persons hired in accordance
15 with subsection (c)(1)(B)

16 “(B) REQUIREMENT.—Recipients of Fed-
17 eral housing and community development as-
18 sistance for housing rehabilitation, housing con-
19 struction, or other public construction projects
20 and their contractors shall provide that a min-
21 imum of 20 percent of all hours worked by new
22 employees of the recipient or its contractors
23 shall be performed by low- or very low-income
24 persons hired in accordance with subsection
25 (c)(2)(B).

1 “(2) COMPLIANCE.—As a condition of any con-
2 tract awarded for the work described in paragraph
3 (1), any contractor awarded such a contract shall—

4 “(A)(i) immediately before beginning work
5 under such contract, submit evidence to the sat-
6 isfaction of the public or Indian housing agen-
7 cy, and the tenant association (or tenant dele-
8 gate where a tenant association does not exist)
9 at the development where the contracted work
10 is to be done, showing that a minimum of 20
11 percent of all hours worked in connection with
12 such contract shall be performed by low- or very
13 low-income persons hired in accordance with
14 subsection (c)(1)(B); and

15 “(ii) submit evidence to the satisfaction of
16 the public or Indian housing agency showing
17 that a minimum of 20 percent of all hours actu-
18 ally worked in connection with such contract
19 were in fact performed by low- or very low-in-
20 come persons hired in accordance with sub-
21 section (c)(1)(B); or

22 “(B) if such contractor cannot meet the re-
23 quirement imposed by paragraph (1)—

24 “(i) submit evidence to the satisfac-
25 tion of the public or Indian housing agency

1 and the tenant association (or tenant dele-
2 gate where a tenant association does not
3 exist) at the development where the con-
4 tracted work is to be done, that such con-
5 tractor made a best effort to hire low- and
6 very low-income persons in conformance
7 with subsection (c)(1)(B) by taking steps
8 which include—

9 “(I) recruiting and conducting
10 job interviews at the affected develop-
11 ment and in the affected community;

12 “(II) working with the public and
13 Indian housing agency to advertise
14 and recruit low- and very low-income
15 persons; and

16 “(III) giving notice of such con-
17 tract to the one-stop delivery system
18 for the area which the housing subject
19 to the contract is located, including
20 the particular skills, knowledge, and
21 abilities needed by potential employees
22 for work under such contract; and

23 “(ii) provide to the public or Indian
24 housing agency and the tenant association
25 (or tenant delegate where a tenant associa-

1 tion does not exist) at the development
2 where the contracted work is to be done,
3 evidence, as the Secretary shall by regula-
4 tion require, sufficient to show why low- or
5 very low-income persons who were provided
6 by either the public or Indian housing
7 agency or by the one-stop delivery system,
8 or who otherwise made themselves avail-
9 able did not have the skills, knowledge, or
10 abilities to perform the work.

11 “(3) TRAINING.—Any contractor awarded a
12 contract for the work described in paragraph (1)
13 shall provide on-the-job training to any employee
14 who is a low- or very low-income person and hired
15 in conformance with subsection (c)(1)(B). Such
16 training may be provided through an approved ap-
17 prenticeship program.

18 “(f) RECRUITMENT, REFERRAL, AND TRAINING RE-
19 QUIREMENTS.—Public and Indian housing agencies
20 shall—

21 “(1) maintain a registry of eligible low- and
22 very low-income persons who reside in the public
23 housing which is the site of a contract referred to
24 in this section;

1 “(2) provide to any contractor and the tenant
2 association (or tenant delegate where a tenant asso-
3 ciation does not exist) at the development where the
4 contracted work is to be done, awarded such a con-
5 tract names and applications from low- and very
6 low-income persons;

7 “(3) refer any low- or very low-income persons
8 seeking qualifying skills to the one-stop delivery sys-
9 tem for the area in which the housing subject to a
10 contract is located;

11 “(4) consult with contractors to ensure that
12 with the skills, knowledge, and abilities, and in the
13 priority categories of subsections (c)(1)(B) and
14 (c)(2)(B) low- and very low-income persons are not
15 passed over in hiring;

16 “(5) provide to the one-stop delivery system for
17 the area in which the housing subject to a contract
18 is located a detailed description of the work to be
19 done on all projects for which it is accepting, or will
20 be accepting, bids, and a list of the priority cat-
21 egories, so that eligible low- and very low-income
22 persons may be appropriately trained; and

23 “(6) make any other effort that may be nec-
24 essary to increase the number of low- and very low-

1 income persons hired in accordance with subsection
2 (c)(1)(B).”.

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