

109TH CONGRESS
1ST SESSION

H. R. 3896

To temporarily suspend, for communities affected by Hurricane Katrina, certain requirements under the community development block grant program.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 2005

Mr. BAKER (for himself, Mr. JEFFERSON, Mr. ALEXANDER, Mr. BOUSTANY, and Mr. JINDAL) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To temporarily suspend, for communities affected by Hurricane Katrina, certain requirements under the community development block grant program.

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 “Hurricane Katrina
5 Emergency Relief CDBG Flexibility Act of 2005”.

6 **SEC. 2. SUSPENSION OF PUBLIC SERVICES CAP.**

7 (a) UNITS OF GENERAL LOCAL GOVERNMENT.—

8 (1) DIRECTLY AFFECTED COMMUNITIES.—The
9 percentage limitations under paragraph (8) of sec-

1 tion 105(a) of the Housing and Community Develop-
2 ment Act of 1974 (42 U.S.C. 5305(a)(8)) on the
3 amount of assistance under title I of such Act that
4 may be used for the provision of public services by
5 a unit of general local government that is, or is with-
6 in, a directly affected community (as such term is
7 defined in section 4 of this Act) shall not apply with
8 respect to any of fiscal years 2005 through 2008 for
9 such unit of general local government.

10 (2) INDIRECTLY AFFECTED COMMUNITIES.—

11 For each indirectly affected community (as such
12 term is defined in section 4 of this Act), the Sec-
13 retary shall waive the applicability, for such period
14 during the fiscal years referred to in paragraph (1)
15 as the Secretary considers appropriate, the percent-
16 age limitations under paragraph (8) of section
17 105(a) of the Housing and Community Development
18 Act of 1974 (42 U.S.C. 5305(a)(8)) on the amount
19 of assistance under title I of such Act that may be
20 used for the provision of public services by a unit of
21 general local government that is, or is within, such
22 indirectly affected community. In determining the
23 period for which to waive such limitations, the Sec-
24 retary shall take into consideration the specific eco-

1 nomic circumstances of each such indirectly affected
2 community.

3 (b) NONENTITLEMENT COMMUNITIES.—Assistance
4 provided under title I of the Housing and Community De-
5 velopment Act of 1974 may be used for the provision of
6 public services in any directly affected community (as such
7 term is defined in section 4 of this Act) without regard
8 to the percentage limitations under paragraph (8) of sec-
9 tion 105(a) of such Act (42 U.S.C. 5305(a)(8)) on the
10 amount of assistance that may be used statewide in non-
11 entitlement communities for such activities and any such
12 amounts so used in any directly affected community shall
13 not be considered for purposes of such statewide limita-
14 tions.

15 **SEC. 3. SUSPENSION OF PUBLIC HEARING REQUIREMENT.**

16 (a) IN GENERAL.—The Secretary shall, with respect
17 to a grant under section 106 of the Housing and Commu-
18 nity Development Act of 1974 (42 U.S.C. 5306) for fiscal
19 year 2006 for any unit of general local government that
20 is, or is located in, a directly affected community, waive
21 or specify alternative requirements for the public hearing
22 requirements specified under subsection (b).

23 (b) PUBLIC HEARING REQUIREMENTS.—The public
24 hearing requirements specified under this subsection
25 are—

1 (1) the requirement under section 104(a)(2)(C)
2 of the Housing and Community Development Act of
3 1974 (42 U.S.C. 5304(a)(2)(C)) to hold public hear-
4 ings;

5 (2) the requirements under subparagraphs (D)
6 and (F) of section 104(a)(3) of such Act to make
7 certifications in the detailed citizenship participation
8 plan regarding public hearings; and

9 (3) any requirement pursuant to section
10 106(d)(7)(C) of such Act (42 U.S.C. 5306(d)(7)(C))
11 to hold public hearings.

12 **SEC. 4. DEFINITIONS.**

13 For purposes of this Act, the following definitions
14 shall apply:

15 (1) **DIRECTLY AFFECTED COMMUNITY.**—The
16 term “directly affected community” means a unit of
17 general local government or area that is located in
18 an area for which the President has declared a
19 major disaster as a result of Hurricane Katrina.

20 (2) **INDIRECTLY AFFECTED COMMUNITY.**—The
21 term “indirectly affected community” means a unit
22 of general local government or area that—

23 (A) is a metropolitan city or urban county
24 (as such terms are defined in section 102(a) of

1 the Housing and Community Development Act
2 of 1974 (42 U.S.C. 5304(a));

3 (B) is not a directly affected community;
4 and

5 (C) is determined by the Secretary of
6 Housing and Urban Development to have been
7 significantly affected economically by the occur-
8 rence of Hurricane Katrina (including economic
9 effects from the presence of persons evacuated
10 from an area for which the President has de-
11 clared a major disaster as a result of Hurricane
12 Katrina).

13 (3) SECRETARY.—The term “Secretary” means
14 the Secretary of Housing and Urban Development.

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