

109TH CONGRESS
1ST SESSION

H. R. 4169

To suspend temporarily the application of laws which would deny certain federal benefits, entitlements, grants, and licenses to victims of Hurricane Katrina or Hurricane Rita due to convictions for certain drug crimes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 27, 2005

Mr. SCOTT of Virginia (for himself, Mr. RANGEL, Mr. CONYERS, Mr. THOMPSON of Mississippi, Mr. JEFFERSON, Mr. FRANK of Massachusetts, Ms. JACKSON-LEE of Texas, Mr. PAUL, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE, Mr. HASTINGS of Florida, and Mr. AL GREEN of Texas) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committees on Ways and Means, Education and the Workforce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To suspend temporarily the application of laws which would deny certain federal benefits, entitlements, grants, and licenses to victims of Hurricane Katrina or Hurricane Rita due to convictions for certain drug crimes.

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. TANF, FOOD STAMP, AND HOUSING BENEFITS.**

4 (a) **TEMPORARY SUSPENSION.**—During the tem-
5 porary suspension period, the provisions specified in sub-

1 section (b) shall not apply with respect to an individual
2 or family who, at the time a Gulf hurricane disaster was
3 declared to exist, resided in an area covered by the disaster
4 declaration.

5 (b) PROVISIONS SUSPENDED.—The provisions speci-
6 fied in this subsection are as follows:

7 (1) Section 115 of the Personal Responsibility
8 and Work Opportunity Reconciliation Act of 1996,
9 but only to the extent that a conviction referred to
10 in such section occurred before the disaster declara-
11 tion for the Gulf hurricane disaster.

12 (2) Subsection (f) of section 16 of the United
13 States Housing Act of 1937 (42 U.S.C. 1437n(f))
14 (relating to ineligibility of individuals convicted of
15 manufacturing or producing methamphetamine on
16 the premises), but only to the extent that a convic-
17 tion referred to in such subsection occurred before
18 the disaster declaration for the Gulf hurricane dis-
19 aster.

20 (3) Subsection (a) of section 576 of the Quality
21 Housing and Work Responsibility Act of 1998 (42
22 U.S.C. 13661(a)) (relating to ineligibility because of
23 eviction for drug crimes), but only to the extent that
24 the drug-related criminal activity referred to in such

1 subsection occurred before the disaster declaration
2 for the Gulf hurricane disaster.

3 (4) Subsection (c) of section 576 of the Quality
4 Housing and Work Responsibility Act of 1998 (42
5 U.S.C. 13661) (relating to authority to deny admis-
6 sions to criminal offenders), but only to the extent
7 that—

8 (A) such subsection applies to drug-related
9 criminal activity; and

10 (B) the drug-related criminal activity re-
11 ferred to in such subsection occurred before the
12 disaster declaration for the Gulf hurricane dis-
13 aster.

14 **SEC. 2. HIGHER EDUCATION BENEFITS.**

15 (a) IN GENERAL.—During the temporary suspension
16 period, section 484(r) of the Higher Education Act of
17 1965 (20 U.S.C. 1091(r)) shall not apply with respect to
18 any individual who, at the time a Gulf hurricane disaster
19 was declared to exist—

20 (1) resided in an area covered by the disaster
21 declaration; or

22 (2) was enrolled or accepted for enrollment at
23 an institution of higher education (as defined in sec-
24 tion 102 of such Act) located in an area covered by
25 the disaster declaration.

1 (b) LIMITATION.—Subsection (a) shall only apply to
2 the extent that a conviction referred to in section 484(r)
3 of the Higher Education Act of 1965 (20 U.S.C. 1091(r))
4 occurred before the disaster declaration for the Gulf hurri-
5 cane disaster.

6 **SEC. 3. DEFINITIONS.**

7 In this Act:

8 (1) TEMPORARY SUSPENSION PERIOD.—The
9 term “temporary suspension period” means the 3-
10 year period beginning on the date on which the
11 President declared a major disaster to exist in ac-
12 cordance with section 401 of the Robert T. Stafford
13 Disaster Relief and Emergency Assistance Act (42
14 U.S.C. 5170), that was caused by Hurricane
15 Katrina.

16 (2) GULF HURRICANE DISASTER.—The term
17 “Gulf hurricane disaster” means a major disaster
18 that the President declared to exist, in accordance
19 with section 401 of the Robert T. Stafford Disaster
20 Relief and Emergency Assistance Act (42 U.S.C.
21 5170), and that was caused by Hurricane Katrina or
22 Hurricane Rita.

○