

109TH CONGRESS
2^D SESSION

H. R. 6149

To enhance housing and emergency assistance to victims of Hurricanes Katrina, Rita, and Wilma of 2005, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 21, 2006

Mr. AL GREEN of Texas (for himself, Mr. FRANK of Massachusetts, Ms. CORRINE BROWN of Florida, Ms. WASSERMAN SCHULTZ, Mr. CONYERS, Ms. CARSON, Mr. HONDA, Mr. CLEAVER, Mr. STARK, and Mr. GRIJALVA) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Financial Services and the Judiciary, 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 enhance housing and emergency assistance to victims of Hurricanes Katrina, Rita, and Wilma of 2005, and for other purposes.

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 “Gulf Coast Housing
5 Accessibility Act of 2006”.

1 **SEC. 2. PROJECT-BASED VOUCHERS.**

2 (a) IN GENERAL.—The Secretary of Housing and
3 Urban Development (in this Act referred to as the “Sec-
4 retary”) shall allocate additional assistance for project-
5 based housing vouchers under section 8(o)(13) of the
6 United States Housing Act of 1937 (42 U.S.C.
7 1437f(o)(13)) for individuals and households located with-
8 in the area in which assistance to individuals has been au-
9 thorized by the President under a declaration of a major
10 disaster under the Robert T. Stafford Disaster Relief and
11 Emergency Assistance Act, as a consequence of Hurricane
12 Katrina, Rita, or Wilma of 2005.

13 (b) AUTHORIZED USES.—The Secretary shall make
14 funds available under this section for project-based vouch-
15 ers used to support—

16 (1) affordable housing in repaired or rebuilt
17 housing that has been damaged or destroyed as a
18 consequence of Hurricane Katrina, Rita, or Wilma
19 of 2005; or

20 (2) to support affordable housing in new hous-
21 ing structures in the affected areas created under
22 the low income housing tax credit under section 42
23 or section 1400N(c) of the Internal Revenue Code of
24 1986.

25 (c) FUNDS.—

1 (1) IN GENERAL.—Of amounts authorized
2 under this section, funds shall be made available for
3 4,500 project-based vouchers for—

4 (A) support of housing units for persons,
5 including adults and children, with disabilities;

6 (B) elderly families; and

7 (C) individuals and families who were
8 homeless prior to the occurrence of the disaster.

9 (2) DEFINITIONS.—As used in this subsection:

10 (A) DISABILITY.—The term “disability”
11 has the same meaning as in section 422(2) of
12 the McKinney-Vento Homeless Assistance Act
13 (42 U.S.C. 11382(2)).

14 (B) HOMELESS.—The term “homeless”
15 has the same meaning as the term “homeless
16 children and youths” as defined in section
17 725(2) of the McKinney-Vento Homeless As-
18 sistance Act (42 U.S.C. 11434a(2)), except that
19 such term shall also include any adult indi-
20 vidual who is homeless.

21 (d) REQUESTS FOR ASSISTANCE.—The Secretary
22 shall award the project-based vouchers authorized under
23 this section to a State agency designated by the Governor
24 of the State, upon submission of a request to the Sec-
25 retary, in such form and containing such information as

1 the Secretary may require. If a State agency is unable to
2 provide such a request, a local housing agency may submit
3 the request for funds to implement project-based vouchers
4 under this section. If a State agency enters into an agree-
5 ment with 1 or more local housing agencies to transfer
6 the administration of vouchers after commitment to a par-
7 ticular development, the Secretary shall make the appro-
8 priate transfer.

9 (e) EXEMPTION FROM CERTAIN LIMITATIONS.—The
10 limitation provided for in section 8(o)(13)(B) of the
11 United States Housing Act of 1937 (42 U.S.C.
12 1437f(o)(13)(B)) shall not apply to the project-based
13 vouchers allocated and administered under this section.

14 (f) AUTHORIZATION OF FUNDS.—

15 (1) IN GENERAL.—There are authorized to be
16 appropriated to the Secretary \$200,000,000 for pur-
17 poses of allocating and administering project-based
18 assistance under section 8(o)(13) of the United
19 States Housing Act of 1937 (42 U.S.C.
20 1437f(o)(13)), which shall remain available until ex-
21 pended.

22 (2) PURPOSE.—Such funds are authorized for
23 the purpose of ensuring that 25 percent of the units
24 created, repaired, or refurbished under the low in-
25 come housing tax credit under section 42 or section

1 1400N(c) of the Internal Revenue Code of 1986, are
2 affordable to very low-income and extremely low-in-
3 come individuals and households.

4 (g) EFFECTIVE DATE.—This section shall become ef-
5 fective upon appropriation of the necessary funds to carry
6 out this section.

7 (h) OFFSET.—Section 843(a) of title 18, United
8 States Code, is amended by—

9 (1) inserting “(1)” after “(a)”; and

10 (2) adding at the end the following:

11 “(2) The Attorney General shall collect a user fee
12 from each licensee under this section of \$0.02 per pound
13 for any commercial, non-military explosive material manu-
14 factured in or imported into the United States by that
15 licensee.”.

16 **SEC. 3. FEMA HOUSING ASSISTANCE.**

17 (a) AMENDMENTS TO STAFFORD DISASTER RELIEF
18 AND EMERGENCY ASSISTANCE ACT.—Section 408(c)(1)
19 of the Robert T. Stafford Disaster Relief and Emergency
20 Assistance Act (42 U.S.C. 5174(c)(1)) is amended—

21 (1) in the paragraph heading, by inserting
22 “SEMIPERMANENT, AND PERMANENT” after “TEM-
23 PORARY”; and

24 (2) in subparagraph (B)

25 (A) in clause (i)—

1 (i) by inserting “semipermanent, and
2 permanent” after “temporary”; and

3 (ii) by inserting “subject to certain
4 conditions outlined below” after “units”;

5 (B) by redesignating clauses (ii) and (iii)
6 as clauses (iii) and (iv), respectively; and

7 (C) by inserting after clause (i) the fol-
8 lowing:

9 “(ii) CONDITIONS FOR PROVIDING
10 TEMPORARY, SEMIPERMANENT, AND PER-
11 MANENT HOUSING UNITS.—

12 “(I) IN GENERAL.—When deter-
13 mining whether to provide temporary,
14 semipermanent, or permanent housing
15 under clause (i), the President shall
16 examine certain conditions, includ-
17 ing—

18 “(aa) the relative cost effi-
19 ciency of providing the housing
20 units;

21 “(bb) the likelihood that in-
22 dividuals and families will be liv-
23 ing in Federal Emergency Man-
24 agement Agency (in this subpara-
25 graph referred to as ‘FEMA’) as-

1 sisted housing longer than 3 to 6
2 months, due to the scope of the
3 disaster where individuals and
4 households are located;

5 “(cc) the potential benefits
6 of providing housing that will
7 help to restore permanent hous-
8 ing stock lost as a result of the
9 disaster; and

10 “(dd) any other conditions
11 that the President deems nec-
12 essary to examine, depending on
13 the scope of the disaster and the
14 subsequent rebuilding and recov-
15 ery process.

16 “(II) MEETING NEEDS.—When
17 providing temporary, semipermanent,
18 or permanent housing units under
19 clause (i), the President shall ensure
20 that—

21 “(aa) an adequate share of
22 the housing units will be deployed
23 to meet the needs of predisaster
24 renters, especially low-income
25 households;

1 “(bb) that the deployment of
2 the housing units will minimize
3 the concentration of poverty;

4 “(cc) that an adequate share
5 of the housing units is accessible
6 for persons with disabilities, as
7 that term is defined in section
8 422(2) of the McKinney-Vento
9 Homeless Assistance Act (42
10 U.S.C. 11382(2)); and

11 “(dd) the housing units will
12 be placed within a reasonable dis-
13 tance from needed services, such
14 as access to transportation, em-
15 ployment opportunities, health
16 care facilities, schools, day care
17 services, and financial and em-
18 ployment counseling.”.

19 (b) EFFECTIVE DATE.—This section and the amend-
20 ments made by this section shall apply with respect to in-
21 dividuals and households affected—

22 (1) by a disaster to which section 408(c)(1) of
23 the Robert T. Stafford Disaster Relief and Emer-
24 gency Assistance Act (42 U.S.C. 5174(c)(1)) would

1 otherwise apply, occurring on or after the date of en-
2 actment of this Act; and

3 (2) by the consequences of Hurricanes Katrina,
4 Rita, and Wilma of 2005.

5 **SEC. 4. TRANSFER OF TEMPORARY RENTAL ASSISTANCE.**

6 (a) IN GENERAL.—The Director of the Federal
7 Emergency Management Agency (in this section referred
8 to as the “Director” and “FEMA”, respectively) shall
9 enter into a mission assignment with the Secretary to
10 transfer adequate funds from FEMA Disaster Relief
11 Funds into the Disaster Voucher Program at the Depart-
12 ment of Housing and Urban Development in order to fully
13 implement subsection (b).

14 (b) TRANSFERS.—The Director shall ensure that the
15 following individuals and households are transferred into
16 the Disaster Voucher Program:

17 (1) Individuals and households receiving assist-
18 ance through FEMA’s transitional housing program
19 authorized under section 408 of the Robert T. Staf-
20 ford Disaster Relief and Emergency Assistance Act
21 (42 U.S.C. 5174) .

22 (2) Individuals and households receiving assist-
23 ance through—

1 (A) rental assistance programs adminis-
2 tered through State and local voucher programs
3 that receive reimbursement from FEMA; or

4 (B) any other program authorized under
5 section 403 of the Robert T. Stafford Disaster
6 Relief and Emergency Assistance Act (42
7 U.S.C. 5170b).

8 (c) STATE AND LOCAL GOVERNMENTS.—FEMA
9 shall work with State and local governments, as well as
10 private entities providing services, to ensure that proper
11 notice and assistance is provided to individuals and house-
12 holds, while the transfer under this section is completed.

13 (d) OPT-OUT PROVISION.—Individuals and families
14 receiving FEMA housing assistance under subsection (b)
15 may opt-out of the transfer to the Disaster Voucher Pro-
16 gram authorized in subsection (a).

17 (e) APPLICABILITY.—This section shall apply with re-
18 spect to individuals and households affected—

19 (1) by a disaster occurring on or after the date
20 of enactment of this Act; and

21 (2) by the consequences of Hurricanes Katrina,
22 Rita, and Wilma of 2005.

○