

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3889

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

---

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 12, 2006

Mr. FEINGOLD introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

---

## 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”.

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

7 (a) IN GENERAL.—The Secretary of Housing and  
8 Urban Development (in this Act referred to as the “Sec-  
9 retary”) shall allocate additional assistance for project-  
10 based housing vouchers under section 8(o)(13) of the

1 United States Housing Act of 1937 (42 U.S.C.  
2 1437f(o)(13)) for individuals and households located with-  
3 in the area in which assistance to individuals has been au-  
4 thorized by the President under a declaration of a major  
5 disaster under the Robert T. Stafford Disaster Relief and  
6 Emergency Assistance Act, as a consequence of Hurricane  
7 Katrina, Rita, or Wilma of 2005.

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

11 (1) affordable housing in repaired or rebuilt  
12 housing that has been damaged or destroyed as a  
13 consequence of Hurricane Katrina, Rita, or Wilma  
14 of 2005; or

15 (2) to support affordable housing in new hous-  
16 ing structures in the affected areas created under  
17 the low income housing tax credit under section 42  
18 or section 1400N(c) of the Internal Revenue Code of  
19 1986.

20 (c) FUNDS.—

21 (1) IN GENERAL.—Of amounts authorized  
22 under this section, funds shall be made available for  
23 4,500 project-based vouchers for—

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

1 (B) elderly families; and

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

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

5 (A) DISABILITY.—The term “disability”  
6 has the same meaning as in section 422(2) of  
7 the McKinney-Vento Homeless Assistance Act  
8 (42 U.S.C. 11382(2)).

9 (B) HOMELESS.—The term “homeless”  
10 has the same meaning as the term “homeless  
11 children and youths” as defined in section  
12 725(2) of the McKinney-Vento Homeless As-  
13 sistance Act (42 U.S.C. 11434a(2)), except that  
14 such term shall also include any adult indi-  
15 vidual who is homeless.

16 (d) REQUESTS FOR ASSISTANCE.—The Secretary  
17 shall award the project-based vouchers authorized under  
18 this section to a State agency designated by the Governor  
19 of the State, upon submission of a request to the Sec-  
20 retary, in such form and containing such information as  
21 the Secretary may require. If a State agency is unable to  
22 provide such a request, a local housing agency may submit  
23 the request for funds to implement project-based vouchers  
24 under this section. If a State agency enters into an agree-  
25 ment with 1 or more local housing agencies to transfer

1 the administration of vouchers after commitment to a par-  
2 ticular development, the Secretary shall make the appro-  
3 priate transfer.

4 (e) EXEMPTION FROM CERTAIN LIMITATIONS.—The  
5 limitation provided for in section 8(o)(13)(B) of the  
6 United States Housing Act of 1937 (42 U.S.C.  
7 1437f(o)(13)(B)) shall not apply to the project-based  
8 vouchers allocated and administered under this section.

9 (f) AUTHORIZATION OF FUNDS.—

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

17 (2) PURPOSE.—Such funds are authorized for  
18 the purpose of ensuring that 25 percent of the units  
19 created, repaired, or refurbished under the low in-  
20 come housing tax credit under section 42 or section  
21 1400N(c) of the Internal Revenue Code of 1986, are  
22 affordable to very low-income and extremely low-in-  
23 come individuals and households.

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

4 (h) OFFSET.—Section 843(a) of title 18, United  
5 states Code, is amended by—

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

7 (2) adding at the end the following:

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

13 **SEC. 3. FEMA HOUSING ASSISTANCE.**

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

18 (1) in the paragraph heading, by inserting  
19 “SEMIPERMANENT, AND PERMANENT” after “TEM-  
20 PORARY”; and

21 (2) in subparagraph (B)

22 (A) in clause (i)—

23 (i) by inserting “semipermanent, and  
24 permanent” after “temporary”; and

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

3 (B) by redesignating clauses (ii) and (iii)  
4 as clauses (iii) and (iv), respectively; and

5 (C) by inserting after clause (i) the fol-  
6 lowing:

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

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

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

19 “(bb) the likelihood that in-  
20 dividuals and families will be liv-  
21 ing in Federal Emergency Man-  
22 agement Agency (in this subpara-  
23 graph referred to as ‘FEMA’) as-  
24 sisted housing longer than 3 to 6  
25 months, due to the scope of the

1 disaster where individuals and  
2 households are located;

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

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

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

19 “(aa) an adequate share of  
20 the housing units will be deployed  
21 to meet the needs of predisaster  
22 renters, especially low-income  
23 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.

○