

110TH CONGRESS
1ST SESSION

H. R. 3126

To reauthorize the HOPE VI program for revitalization of severely distressed public housing, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 23, 2007

Ms. WATERS (for herself, Mr. WATT, and Mr. FRANK of Massachusetts) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To reauthorize the HOPE VI program for revitalization of severely distressed public housing, 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; REFERENCES; TABLE OF CON-**
4 **TENTS.**

5 (a) SHORT TITLE.—This Act may be cited as the
6 “HOPE VI Improvement and Reauthorization Act of
7 2007”.

8 (b) REFERENCES.—Except as otherwise expressly
9 provided in this Act, wherever in this Act an amendment
10 or repeal is expressed in terms of an amendment to, or

1 repeal of, a section or other provision, the reference shall
 2 be considered to be made to a section or other provision
 3 of the United States Housing Act of 1937 (42 U.S.C.
 4 1437 et seq.).

5 (c) TABLE OF CONTENTS.—The table of contents for
 6 this Act is as follows:

- Sec. 1. Short title; references; table of contents.
- Sec. 2. Purposes of program.
- Sec. 3. Authority to waive contribution requirement in cases of extreme distress or emergency.
- Sec. 4. Prohibition of demolition-only grants.
- Sec. 5. Repeal of main street projects grant authority.
- Sec. 6. Eligible activities.
- Sec. 7. Selection of proposals for grants.
- Sec. 8. Requirements for mandatory core components.
- Sec. 9. Annual report; availability of documents.
- Sec. 10. Definitions.
- Sec. 11. Conforming amendment.
- Sec. 12. Authorization of appropriations.
- Sec. 13. Extension of program.
- Sec. 14. Review.
- Sec. 15. Regulations.

7 **SEC. 2. PURPOSES OF PROGRAM.**

8 Subsection (a) of section 24 of the United States
 9 Housing Act of 1937 (42 U.S.C. 1437v(a)) is amended—

10 (1) in paragraph (1), by inserting before
 11 “through” the following: “located in communities of
 12 all sizes, including small and medium communities,”;

13 (2) in paragraph (3)—

14 (A) by inserting “low- and” before “very
 15 low-income”; and

16 (B) by striking “and” at the end;

17 (3) in paragraph (4), by striking the period at
 18 the end and inserting “; and”; and

1 (4) by adding at the end the following new
2 paragraph:

3 “(5) promoting housing choice among low- and
4 very low-income families.”.

5 **SEC. 3. AUTHORITY TO WAIVE CONTRIBUTION REQUIRE-**
6 **MENT IN CASES OF EXTREME DISTRESS OR**
7 **EMERGENCY.**

8 Subsection (c) of section 24 is amended by adding
9 at the end the following new paragraph:

10 “(4) WAIVER.—

11 “(A) AUTHORITY.—The Secretary may
12 waive the applicability of paragraph (1) with re-
13 spect to an applicant or grantee if the Secretary
14 determines that circumstances of extreme dis-
15 tress or emergency, in the area that the revital-
16 ization plan of the applicant is to be carried
17 out, directly affect the ability of the applicant
18 or grantee to comply with such requirement.

19 “(B) REGULATIONS.—The Secretary shall
20 issue regulations to carry out this paragraph,
21 which shall—

22 “(i) set forth such circumstances of
23 extreme distress and emergency; and

24 “(ii) provide that such circumstances
25 shall include any instance in which the

1 area in which a revitalization plan assisted
2 with amounts from a grant under this sec-
3 tion is to be carried out is subject to a dec-
4 laration by the President of a major dis-
5 aster or emergency under the Robert T.
6 Stafford Disaster Relief and Emergency
7 Assistance Act.”.

8 **SEC. 4. PROHIBITION OF DEMOLITION-ONLY GRANTS.**

9 Section 24 is amended—

10 (1) in subsection (e)(3), by striking “or demoli-
11 tion of public housing (without replacement)”;

12 (2) in the first sentence of subsection (e)(3)—

13 (A) by striking “demolition only,”; and

14 (B) by striking the last comma; and

15 (3) in subsection (e), by adding at the end the
16 following new paragraph:

17 “(4) PROHIBITION OF DEMOLITION-ONLY
18 GRANTS.—The Secretary may not make a grant
19 under this section for a revitalization plan that pro-
20 poses to demolish public housing without revitaliza-
21 tion of any existing public housing dwelling units.”.

22 **SEC. 5. REPEAL OF MAIN STREET PROJECTS GRANT AU-**
23 **THORITY.**

24 Section 24 is amended—

1 (1) by striking subsection (n) (relating to
2 grants for assisting affordable housing developed
3 through main street projects in smaller commu-
4 nities);

5 (2) in subsection (a), by striking the last sen-
6 tence (that appears after and below paragraph (4));

7 (3) in subsection (l)—

8 (A) in paragraph (3), by striking “, includ-
9 ing a specification of the amount and type of
10 assistance provided under subsection (n);” and
11 inserting “; and”;

12 (B) by striking paragraph (4); and

13 (4) in subsection (m), by striking paragraph
14 (3).

15 **SEC. 6. ELIGIBLE ACTIVITIES.**

16 Paragraph (1) of section 24(d) is amended—

17 (1) in the matter preceding subparagraph (A),
18 by striking “program” and inserting “plan”;

19 (2) in subparagraph (B), by inserting “, and to
20 other locations within the jurisdiction of the public
21 housing agency” before the semicolon at the end;

22 (3) in subparagraph (G), by striking “program”
23 and inserting “plan”;

24 (4) in subparagraph (K), by striking “and” at
25 the end;

1 (5) in subparagraph (L)—

2 (A) by striking “15 percent” and inserting
3 “25 percent”; and

4 (B) by striking the period at the end and
5 inserting a semicolon; and

6 (6) by adding at the end the following new sub-
7 paragraphs:

8 “(M) necessary costs of ensuring the effec-
9 tive temporary and permanent relocation of
10 residents displaced as a result of the revitaliza-
11 tion of the project, including costs of moni-
12 toring as required under subsection (k); and

13 “(N) activities undertaken to comply with
14 the provisions of (B)(vii) and (C)(xiii) of sub-
15 section (e)(2) and subsection (l) (relating to
16 green developments).”.

17 **SEC. 7. SELECTION OF PROPOSALS FOR GRANTS.**

18 (a) **SELECTION CRITERIA.**—Section 24(e) is amended
19 by striking paragraph (2) and inserting the following new
20 paragraph:

21 “(2) **GRANT AWARD CRITERIA.**—

22 “(A) **ESTABLISHMENT.**—The Secretary
23 shall establish criteria for the award of grants
24 under this section.

1 “(B) MANDATORY CORE COMPONENTS.—
2 The criteria under this paragraph shall require
3 that a proposed revitalization plan may not be
4 selected for award of a grant under this section
5 unless the proposed plan meets all of the fol-
6 lowing requirements:

7 “(i) EVIDENCE OF SEVERE DIS-
8 TRESS.—The proposed plan shall contain
9 evidence sufficient to demonstrate that the
10 public housing project that is subject to
11 the plan is severely distressed, which shall
12 include—

13 “(I) a certification signed by an
14 engineer or architect licensed by a
15 State licensing board that the project
16 meets the criteria for physical distress
17 under subsection (t)(2); and

18 “(II) such other evidence that the
19 project meets criteria for nonphysical
20 distress under subsection (t)(2), such
21 as census data, crime statistics, and
22 past surveys of neighborhood stability
23 conducted by the public housing agen-
24 cy.

1 “(ii) RESIDENT INVOLVEMENT AND
2 SERVICES.—The proposed plan shall pro-
3 vide for opportunities for involvement of
4 residents of the housing subject to the plan
5 and the provision of services for such resi-
6 dents, in accordance with subsection (g).

7 “(iii) TEMPORARY RELOCATION
8 PLAN.—The proposed plan shall provide a
9 plan for temporary relocation of house-
10 holds occupying the public housing project
11 that is subject to the plan, in accordance
12 with subsection (h), including a statement
13 of the estimated number of vouchers for
14 rental assistance under section 8 that will
15 be needed for such relocation.

16 “(iv) RESIDENT RIGHT TO EXPANDED
17 HOUSING OPPORTUNITIES.—The proposed
18 plan provides right of resident households
19 to occupy housing provided under such re-
20 vitalization plan in accordance with sub-
21 section (i).

22 “(v) ONE-FOR-ONE REPLACEMENT.—
23 The proposed plan shall provide a plan
24 that—

1 “(I) provides for replacement, in
2 accordance with subsection (j), of
3 each dwelling unit demolished or dis-
4 posed of under such revitalization
5 plan that, as of the date of the appli-
6 cation for the grant, is occupied;

7 “(II) identifies the type of re-
8 placement housing that will be offered
9 to tenants displaced by the revitaliza-
10 tion plan;

11 “(III) contains such agreements
12 with or assurances by the Secretary,
13 State and local governmental agen-
14 cies, and other entities sufficient to
15 ensure compliance with subsection (j)
16 and the requirements of section 18
17 applicable pursuant to subsection
18 (p)(1); and

19 “(IV) contains such assurances
20 or agreements as the Secretary con-
21 siders necessary to ensure compliance
22 with subsection (i)(2).

23 “(vi) FAIR HOUSING; LIMITATION ON
24 EXCLUSION.—The proposed plan shall be
25 carried out in a manner that complies with

1 section (m) (relating to affirmatively fur-
2 thering fair housing and limitation on ex-
3 clusion).

4 “(vii) GREEN DEVELOPMENTS.—The
5 proposed plan complies with the require-
6 ment under subsection (l) (relating to
7 green developments).

8 “(C) MANDATORY GRADED COMPO-
9 NENTS.—In addition to the requirements under
10 subparagraph (B), the criteria under this para-
11 graph shall include the following factors:

12 “(i) COMPLIANCE WITH PURPOSES.—
13 The extent to which the proposed plan of
14 an applicant achieves the purposes of this
15 section set forth in subsection (a).

16 “(ii) CAPABILITY AND RECORD.—The
17 capability and record of the applicant pub-
18 lic housing agency, public partners, pro-
19 posed private development partners, or any
20 alternative management entity for the
21 agency, for managing redevelopment or
22 modernization projects, meeting perform-
23 ance benchmarks, and obligating amounts
24 in a timely manner, including any past
25 performance of such entities under the

1 HOPE VI program and any record of such
2 entities of working with socially and eco-
3 nomically disadvantaged businesses, as
4 such term is defined in section 8(a)(4) of
5 the Small Business Act (15 U.S.C.
6 637(a)(4)).

7 “(iii) DIVERSITY OUTREACH.—The
8 extent to which the proposed revitalization
9 plan includes partnerships with socially
10 and economically disadvantaged businesses,
11 as such term is defined by section 8(a)(4)
12 of the Small Business Act.

13 “(iv) EFFECTIVENESS OF TEMPORARY
14 RELOCATION AND ONE-FOR-ONE REPLACE-
15 MENT PLANS.—The likely effectiveness of
16 the proposed revitalization plan for tem-
17 porary and permanent relocation of exist-
18 ing residents, including the likely effective-
19 ness of the temporary relocation plan
20 under subparagraph (B)(iii) and the one-
21 for-one replacement plan under subpara-
22 graph (B)(v).

23 “(v) PERFORMANCE BENCHMARKS.—
24 The achievability of the performance
25 benchmarks proposed for implementation

1 of the revitalization plan pursuant to sub-
2 section (o), which shall reflect the scope
3 and scale of the project, while addressing
4 the implementation deadlines for each of
5 the components individually.

6 “(vi) LEVERAGING.—The extent to
7 which the proposed revitalization plan will
8 leverage other public or private funds or
9 assets for the project.

10 “(vii) NEED FOR ADDITIONAL FUND-
11 ING.—The extent to which the applicant
12 could undertake the activities proposed in
13 the revitalization plan without a grant
14 under this section.

15 “(viii) PUBLIC AND PRIVATE IN-
16 VOLVEMENT.—The extent of involvement
17 of State and local governments, private
18 service providers, financing entities, and
19 developers, in the development and ongoing
20 implementation of the revitalization plan.

21 “(ix) NEED FOR AFFORDABLE HOUS-
22 ING.—The extent of need for affordable
23 housing in the community in which the
24 proposed revitalization plan is to be carried
25 out.

1 “(x) AFFORDABLE HOUSING SUP-
2 PLY.—The extent of the supply of other
3 housing available and affordable to families
4 receiving tenant-based assistance under
5 section 8.

6 “(xi) PROJECT-BASED HOUSING.—The
7 extent to which the proposed revitalization
8 plan sustains or creates more project-based
9 housing units available to persons eligible
10 for residency in public housing in markets
11 where the proposed plan shows there is de-
12 mand for the maintenance or creation of
13 such units.

14 “(xii) GREEN DEVELOPMENTS COM-
15 PLIANCE.—The extent to which the pro-
16 posed revitalization plan—

17 “(I) in the case of residential
18 construction, complies with the non-
19 mandatory items of the national
20 Green Communities criteria checklist
21 identified in subsection (l)(1)(A), but
22 only to the extent such compliance ex-
23 ceeds the compliance necessary to ac-
24 cumulate the number of points re-
25 quired under such subsection; and

1 “(II) in the case of non-residen-
2 tial construction, includes non-manda-
3 tory components of version 2.2 of the
4 Leadership in Energy and Environ-
5 mental Design (LEED) green build-
6 ing rating system for New Construc-
7 tion and Major Renovations, version
8 2.0 of the LEED for Core and Shell
9 rating system, or version 2.0 of the
10 LEED for Commercial Interiors rat-
11 ing system, as applicable, but only to
12 the extent such inclusion exceeds the
13 inclusion necessary to accumulate the
14 number of points required under such
15 system.

16 “(xiii) **HARD-TO-HOUSE FAMILIES.**—
17 The extent to which the one-for-one re-
18 placement plan under subparagraph (B)(v)
19 for the revitalization plan provides replace-
20 ment housing that is likely to be most ap-
21 propriate and beneficial for families whose
22 housing needs are difficult to fulfill.

23 “(xiv) **OTHER.**—Such other factors as
24 the Secretary considers appropriate.”.

1 (b) TREATMENT OF LOW-INCOME HOUSING TAX
2 CREDIT ALLOCATIONS; MANDATORY SITE VISITS.—Sec-
3 tion 24(e), as amended by the preceding provisions of this
4 Act, is further amended by adding at the end the following
5 new paragraphs:

6 “(5) TREATMENT OF LOW-INCOME HOUSING
7 TAX CREDIT ALLOCATION.—In the case of any appli-
8 cation for a grant under this section that relies on
9 the allocation of any low-income housing tax credit
10 provided pursuant to section 42 of the Internal Rev-
11 enue Code of 1986 as part of the revitalization plan
12 proposed in the application, the Secretary shall not
13 require that the first phase of any project to be de-
14 veloped under the plan possess an allocation of such
15 low-income housing tax credits at the time of such
16 application.

17 “(6) MANDATORY SITE VISITS.—Notwith-
18 standing any other provision of law, the Secretary
19 shall provide for appropriate officers or employees of
20 the Department of Housing and Urban Development
21 to conduct a visit to the site of the public housing
22 involved in the revitalization plan proposed under
23 each application for a grant under this section that
24 is involved in a final selection of applications to be
25 funded under this section. Site visits pursuant to

1 this paragraph shall be used only for the purpose of
2 obtaining information to assist in making such final
3 selections, including information for use in deter-
4 mining whether the public housing projects involved
5 in the application are severely distressed public
6 housing.”.

7 **SEC. 8. REQUIREMENTS FOR MANDATORY CORE COMPO-**
8 **NENTS.**

9 Section 24 is amended—

10 (1) by redesignating subsections (h) through
11 (m) as subsections (q) through (v), respectively;

12 (2) by redesignating subsection (o) as sub-
13 section (w); and

14 (3) by striking subsection (g) and inserting the
15 following new subsections:

16 “(g) **RESIDENT INVOLVEMENT AND SERVICES.**—

17 “(1) **IN GENERAL.**—Each revitalization plan as-
18 sisted under this section shall provide opportunities
19 for the active involvement and participation of, and
20 consultation with, residents of the public housing
21 that is subject to the revitalization plan during the
22 planning process for the revitalization plan, includ-
23 ing prior to submission of the application, and dur-
24 ing all phases of the planning and implementation.

25 Such opportunities for participation may include

1 participation of members of any resident council, but
2 may not be limited to such members, and shall in-
3 clude all segments of the population of residents of
4 the public housing that is subject to the revitaliza-
5 tion plan, including single parent-headed households,
6 the elderly, young employed and unemployed adults,
7 teenage youth, and disabled persons. Such opportu-
8 nities shall include a process that provides oppor-
9 tunity for comment on specific proposals for redev-
10 opment, any demolition and disposition involved, and
11 any proposed significant amendments or changes to
12 the revitalization plan.

13 “(2) NOTICES.—In carrying out a revitalization
14 plan assisted under this section, a public housing
15 agency shall provide the following written notices to
16 each household occupying a dwelling unit in the pub-
17 lic housing that is subject to, or to be subject to, the
18 plan:

19 “(A) NOTICE OF INTENT.—Not later than
20 12 months before submission of the application
21 for a grant under this section for such plan, no-
22 tice of—

23 “(i) the public housing agency’s intent
24 to submit such application;

1 “(ii) the proposed implementation and
2 management of the revitalized site;

3 “(iii) residents’ rights under this sec-
4 tion to participate in the planning process
5 for the plan, including opportunities for
6 participation in accordance with paragraph
7 (1), and to receive comprehensive reloca-
8 tion assistance and community and sup-
9 portive services pursuant to paragraph (4);
10 and

11 “(iv) the public hearing pursuant to
12 paragraph (3).

13 “(B) NOTICE OF GRANT AWARD AND RE-
14 LOCATION OPTIONS.—Not later than 30 days
15 after notice to the public housing agency of the
16 award of a grant under this section, notice
17 that—

18 “(i) such grant has been awarded;

19 “(ii) describes the process involved
20 under the revitalization plan to temporarily
21 relocate residents of the public housing
22 that is subject to the plan;

23 “(iii) provides the information re-
24 quired pursuant to subsection (h)(2) (relat-
25 ing to relocation options); and

1 “(iv) informs residents of opportuni-
2 ties for participation in accordance with
3 paragraph (1).

4 “(C) NOTICE OF GRANT AGREEMENT AND
5 RELOCATION OPTIONS.—Not later than 30 days
6 after execution of a grant agreement under this
7 section with a public housing agency, notice
8 that—

9 “(i) specifically identifies the housing
10 available for temporary relocation of resi-
11 dent of the public housing subject to the
12 revitalization plan;

13 “(ii) sets forth the schedule for tem-
14 porary relocation of residents of the public
15 housing subject to the revitalization plan,
16 including the dates on which such housing
17 will be available for such relocation; and

18 “(iii) informs residents of opportuni-
19 ties for participation in accordance with
20 paragraph (1).

21 “(D) NOTICE OF REPLACEMENT HOUS-
22 ING.—Upon the availability of replacement
23 housing provided pursuant to subsection (j), no-
24 tice to each household described in subsection
25 (i)(1) of—

1 “(i) such availability;

2 “(ii) the process and procedure for ex-
3 ercising the right to expanded housing op-
4 portunities and preferences under sub-
5 section (i)(2); and

6 “(iii) opportunities for participation in
7 accordance with paragraph (1) of this sub-
8 section.

9 “(E) OTHER.—Such other notices as the
10 Secretary may require.

11 “(3) PUBLIC HEARING.—The Secretary may
12 not make a grant under this section to an applicant
13 unless the applicant has convened and conducted a
14 public hearing regarding the revitalization plan, not
15 later than 90 days before submission of the applica-
16 tion for the grant under this section for such plan,
17 at a time and location that is convenient for resi-
18 dents of the public housing subject to the plan.

19 “(4) SERVICES.—Each recipient of a grant
20 under this section shall—

21 “(A) provide each household who is resid-
22 ing at the site of the revitalization 12 months
23 prior to the date of the application with com-
24 prehensive relocation assistance for a period
25 that is the latter of the two periods referred to

1 in subparagraph (B) with comprehensive reloca-
2 tion assistance; and

3 “(B) offer, to each such displaced resident
4 and each low-income family provided housing
5 under the revitalization plan, community and
6 supportive services until the latter of—

7 “(i) the expiration of the two-year pe-
8 riod that begins upon the end of the devel-
9 opment period under the plan; and

10 “(ii) the date on which all funding
11 under the grant for community and sup-
12 portive services has been expended.

13 “(h) TEMPORARY RELOCATION PROGRAM.—Each re-
14 cipient of a grant under this section shall—

15 “(1) provide for each household displaced by
16 the revitalization plan for which the grant is made
17 to be relocated to comparable housing pursuant to
18 section 18(a)(4)(A)(iii) and for payment of actual
19 and reasonable relocation expenses of each such
20 household pursuant to section 18(a)(4)(B);

21 “(2) fully inform such households of all reloca-
22 tion options, which may include relocating to hous-
23 ing in a neighborhood with a lower concentration of
24 poverty than their current residence or remaining in
25 the housing to which they relocate;

1 “(3) establish strategies and plans that assist
2 such displaced residents in utilizing tenant-based
3 vouchers to select housing opportunities, including in
4 communities with a lower concentration of poverty,
5 that—

6 “(A) will not result in a financial burden
7 to the family; and

8 “(B) will promote long-term housing sta-
9 bility;

10 “(4) establish and comply with relocation
11 benchmarks that ensure successful relocation in
12 terms of timeliness; and

13 “(5) notwithstanding any other provision of
14 law, in the case of any tenant-based assistance made
15 available for relocation of a household under this
16 subsection, provide that the term during which the
17 household may lease a dwelling unit using such as-
18 sistance shall not be shorter than 150 days.

19 “(i) RIGHT TO EXPANDED HOUSING OPPORTUNITIES
20 FOR RESIDENT HOUSEHOLDS.—

21 “(1) IN GENERAL.—Subject only to paragraph
22 (3), each revitalization plan assisted with a grant
23 under this section shall make available, to each
24 household occupying a dwelling unit in the public
25 housing subject to a revitalization plan that is dis-

1 placed as a result of the revitalization plan (includ-
2 ing any demolition or disposition of the unit), occu-
3 pancy for such household in a replacement dwelling
4 unit provided pursuant to subparagraph (j). To exer-
5 cise such right under this paragraph to occupancy in
6 such a replacement dwelling unit, the household
7 shall respond in writing to the notice provided pur-
8 suant to subsection (g)(2)(C) by the public housing
9 agency.

10 “(2) PREFERENCES.—Each revitalization plan
11 shall, in making dwelling units available to house-
12 holds in accordance with paragraph (1), provide
13 preference to each such household for occupancy in
14 a dwelling unit in the following locations, in the fol-
15 lowing order:

16 “(A) A dwelling unit in housing provided
17 on the same site as the project occupied by the
18 household prior to the revitalization plan, if
19 available.

20 “(B) A dwelling unit in the same census
21 tract or neighborhood, whichever is smaller, in
22 which was located the project occupied by the
23 household prior to the revitalization plan, if
24 available.

1 “(C) A dwelling unit in a census tract or
2 neighborhood, which ever is smaller, adjacent to
3 the census tract in which was located the
4 project occupied by the household prior to the
5 revitalization plan, if available.

6 “(3) REPORTS TO SECRETARY.—The Secretary
7 shall require each public housing agency carrying
8 out a revitalization plan assisted under this section
9 to submit to the Secretary such reports as may be
10 necessary to allow the Secretary to determine the ex-
11 tent to which the public housing agency has com-
12 plied with this subsection and to which displaced
13 residents occupy replacement housing provided pur-
14 suant to subsection (j).

15 “(j) ONE-FOR-ONE REPLACEMENT.—Each revitaliza-
16 tion plan assisted with a grant under this section under
17 which any public housing dwelling unit is demolished or
18 disposed of shall provide that—

19 “(1) for each such dwelling unit demolished or
20 disposed of that, as of the date of the application for
21 the grant, was occupied, the public housing agency
22 carrying out the plan shall provide an additional
23 dwelling unit through—

24 “(A) the acquisition or development of ad-
25 ditional public housing dwelling units; or

1 “(B) the acquisition, development, or con-
2 tracting (including through project-based assist-
3 ance) of additional dwelling units that are sub-
4 ject to requirements regarding eligibility for oc-
5 cupancy, tenant contribution toward rent, and
6 long-term affordability restrictions which are
7 comparable to public housing units, except that
8 subparagraphs (B) and (D) of section 8(o)(13)
9 of the United States Housing Act of 1937 (42
10 U.S.C. 1437f(o)(13); relating to percentage lim-
11 itation and income-mixing requirement for
12 project-based assistance) shall not apply with
13 respect to vouchers used to comply with the re-
14 quirements of this clause;

15 “(2) at least one-third of all such replacement
16 units that are provided on the same site or sites as
17 the project that is revitalized under the revitalization
18 plan shall be public housing dwelling units;

19 “(3) such replacement units are provided—

20 “(A) only in the areas described in sub-
21 paragraphs (A) through (C) of subsection
22 (i)(2), except that upon a showing by a public
23 housing agency that it is infeasible to provide
24 all replacement units within the geographical
25 areas described in such subparagraphs, the Sec-

1 retary may waive the applicability of the re-
2 quirement under this subparagraph (but not the
3 requirement under paragraph (2)) to the extent
4 necessary to permit the minimum number of re-
5 placement units to be located within other areas
6 within the jurisdiction of the agency;

7 “(B) in the case of replacement units for
8 demolished units, not later than 12 months
9 after the demolition of the units; and

10 “(C) in a manner that results in decreased
11 concentrations of poverty by location in a
12 mixed-income community;

13 “(4) the public housing agency shall provide ex-
14 isting residents in public housing subject to the plan
15 priority for occupancy in dwelling units in the revi-
16 talized housing that are public housing dwelling
17 units, or for residents who can afford to live in other
18 units, priority for those units in the revitalized com-
19 munity;

20 “(5) the demolition or disposition and relocation
21 will be carried out in a manner that affirmatively
22 furtheres fair housing, as described in subsection (e)
23 of section 808 of the Civil Rights Act of 1968 (42
24 U.S.C. 3608(e)); and

1 “(6) to the extent that the provision of such re-
2 placement or additional dwelling units, or redevelop-
3 ment, is accomplished in phases over time, the ratio
4 of dwelling units described in subparagraphs (A)
5 and (B) of paragraph (1) that are provided in any
6 such single phase to the total number of dwelling
7 units provided in such phase is not less than the
8 ratio of the aggregate number of such dwelling units
9 provided under the revitalization plan to the total
10 number of dwelling units provided under the revital-
11 ization plan.

12 “(k) MONITORING OF DISPLACED HOUSEHOLDS.—

13 “(1) PHA RESPONSIBILITIES.—To facilitate
14 compliance with the requirement under subsection
15 (i) (relating to right to expanded housing opportuni-
16 ties), the Secretary shall, by regulation, require each
17 public housing agency that receives a grant under
18 this section, during the period of the revitalization
19 plan assisted with the grant and until all funding
20 under the grant has been expended—

21 “(A) to maintain a current address of resi-
22 dence and contact information for each house-
23 hold affected by the revitalization plan who, as
24 of the date 12 months prior to the date of the
25 submission of the application for the grant, was

1 occupying a dwelling unit in the housing that is
2 subject to the plan; and

3 “(B) to provide such updated information
4 to the Secretary on at least a quarterly basis.

5 “(2) REPORTS BY SECRETARY.—Not less fre-
6 quently than once every six months, the Secretary
7 shall submit a report to the Congress that includes
8 all information submitted to the Secretary pursuant
9 to paragraph (1) by all public housing agencies and
10 summarizes the extent of compliance by public hous-
11 ing agencies with the requirements under this sub-
12 section and subsection (i).

13 “(1) GREEN DEVELOPMENTS REQUIREMENT.—

14 “(1) REQUIREMENT.—The Secretary may not
15 make a grant under this section to an applicant un-
16 less the proposed revitalization plan of the applicant
17 to be carried out with such grant amounts meets the
18 following requirements, as applicable:

19 “(A) GREEN COMMUNITIES CRITERIA
20 CHECKLIST.—All residential construction under
21 the proposed plan complies with the national
22 Green Communities criteria checklist for resi-
23 dential construction that provides criteria for
24 the design, development, and operation of af-
25 fordable housing, as such checklist is in effect

1 for purposes of this subsection pursuant to
2 paragraph (3) at the date of the application for
3 the grant, as follows:

4 “(i) The proposed plan shall comply
5 with all items of the national Green Com-
6 munities criteria checklist for residential
7 construction that are identified as manda-
8 tory.

9 “(ii) The proposed plan shall comply
10 with such other nonmandatory items of
11 such national Green Communities criteria
12 checklist so as to result in a cumulative
13 number of points attributable to such non-
14 mandatory items under such checklist of
15 not less than—

16 “(I) 25 points, in the case of any
17 proposed plan (or portion thereof)
18 consisting of new construction; and

19 “(II) 20 points, in the case of
20 any proposed plan (or portion thereof)
21 consisting of rehabilitation.

22 “(B) LEED RATINGS SYSTEM.—All non-
23 residential construction under the proposed
24 plan complies with version 2.2 of the LEED for
25 New Construction rating system, version 2.0 of

1 the LEED for Core and Shell rating system, or
2 version 2.0 of the LEED for Commercial Inte-
3 riors rating system, as such systems are in ef-
4 fect for purposes of this subsection pursuant to
5 paragraph (3) at the time of the application for
6 the grant, at least to the minimum extent nec-
7 essary to be certified to the Silver Level under
8 such system.

9 “(2) VERIFICATION.—

10 “(A) IN GENERAL.—The Secretary shall
11 verify, or provide for verification, sufficient to
12 ensure that each proposed revitalization plan
13 carried out with amounts from a grant under
14 this section complies with the requirements
15 under paragraph (1) and that the revitalization
16 plan is carried out in accordance with such re-
17 quirements and plan.

18 “(B) TIMING.—In providing for such
19 verification, the Secretary shall establish proce-
20 dures to ensure such compliance with respect to
21 each grantee, and shall report to the Congress
22 with respect to the compliance of each grantee,
23 at each of the following times:

1 “(i) Not later than 60 days after exe-
2 cution of the grant agreement under this
3 section for the grantee.

4 “(ii) Upon completion of the revital-
5 ization plan of the grantee.

6 “(3) APPLICABILITY AND UPDATING OF STAND-
7 ARDS.—

8 “(A) APPLICABILITY.—Except as provided
9 in subparagraph (B), the national Green Com-
10 munities criteria checklist and LEED rating
11 systems referred to in subparagraphs (A) and
12 (B) that are in effect for purposes of this sub-
13 section are such checklist and systems as in ex-
14 istence upon the date of the enactment of the
15 HOPE VI Improvement and Reauthorization
16 Act of 2007.

17 “(B) UPDATING.—The Secretary may, by
18 regulation, adopt and apply, for purposes of
19 this section, future amendments and supple-
20 ments to, and editions of, the national Green
21 Communities criteria checklist and the LEED
22 rating systems.

23 “(m) FAIR HOUSING; LIMITATION ON EXCLUSION.—

24 “(1) FAIR HOUSING.—Each revitalization plan
25 assisted under this section shall affirmatively further

1 fair housing, as described in subsection (e) of section
2 808 of the Civil Rights Act of 1968.

3 “(2) LIMITATION ON EXCLUSION.—Except to
4 the extent necessary to comply with the require-
5 ments of this section, housing provided under a revi-
6 talization plan of a public housing agency that is
7 owned or managed, or assisted, by the agency shall
8 be subject to the same policies, practices, standards,
9 and criteria regarding waiting lists, tenant screening
10 (including screening criteria, such as credit checks),
11 and occupancy that apply to other housing owned or
12 managed, or assisted, respectively, by such agency.
13 A household may not be prevented from occupying
14 a replacement dwelling unit provided pursuant to
15 subsection (j) or any other dwelling unit provided
16 under a revitalization plan, except to the extent spe-
17 cifically provided by any other provision of Federal
18 law (including subtitle F of title V of the Quality
19 Housing and Work Responsibility Act of 1998 (42
20 U.S.C. 13661 et seq.; relating to safety and security
21 in public and assisted housing, subtitle D of title VI
22 of the Housing and Community Development Act of
23 1992), (42 U.S.C. 13611 et seq.; relating to pref-
24 erences for elderly and disabled residents), and sec-
25 tion 16(f) of the United States Housing Act of 1937

1 (42 U.S.C. 1437n(f); relating to ineligibility of per-
2 sons convicted of methamphetamine offenses)).

3 “(n) ENFORCEMENT.—

4 “(1) ADMINISTRATIVE ENFORCEMENT.—If the
5 Secretary determines on the record after opportunity
6 for an agency hearing, pursuant to a request made
7 by any member of household described in subsection
8 (i)(1) who is adversely affected or aggrieved by a
9 violation of subsection (g), (h), (i), (j), or (k), that
10 such a violation has occurred, the Secretary shall
11 issue an order requiring the public housing agency
12 committing such violation to cease and desist for
13 such violation and to take any affirmative action
14 necessary to correct or remedy the conditions result-
15 ing from such violation.

16 “(2) AVAILABILITY OF OTHER REMEDIES.—The
17 remedy under paragraph (1) shall be in addition to
18 all other rights and remedies provided by law.

19 “(o) PERFORMANCE BENCHMARKS.—

20 “(1) IN GENERAL.—Each public housing agen-
21 cy that receives a grant under this section shall, in
22 consultation with the Secretary and residents of the
23 public housing subject to the revitalization plan for
24 which the grant is made that are displaced as a re-
25 sult of the revitalization plan, establish performance

1 benchmarks for each component of their revitaliza-
2 tion plan.

3 “(2) FAILURE TO MEET BENCHMARKS.—If a
4 public housing agency fails to meet the performance
5 benchmarks established pursuant to paragraph (1),
6 the Secretary shall impose appropriate sanctions, in-
7 cluding—

8 “(A) appointment of an alternative admin-
9 istrator for the revitalization plan;

10 “(B) financial penalties;

11 “(C) withdrawal of funding under sub-
12 section (j); or

13 “(D) such other sanctions as the Secretary
14 may deem necessary.

15 “(3) EXTENSION OF BENCHMARKS.—The Sec-
16 retary shall extend the period for compliance with
17 performance benchmarks under paragraph (1) for a
18 public housing agency, for such period as the Sec-
19 retary determines to be necessary, if the failure of
20 the agency to meet such benchmarks is attributable
21 to—

22 “(A) litigation;

23 “(B) obtaining approvals of the Federal
24 Government or a State or local government;

1 “(C) complying with environmental assess-
2 ment and abatement requirements;

3 “(D) relocating residents; or

4 “(E) any other reason established by the
5 Secretary by notice published in the Federal
6 Register.

7 “(4) AUTHORITY OF SECRETARY.—In deter-
8 mining the amount of each grant under this section
9 and the closeout date for the grant, the Secretary
10 shall take into consideration the scope, scale, and
11 size of the revitalization plan assisted under the
12 grant.

13 “(p) APPLICABILITY OF OTHER LAWS.—

14 “(1) SECTION 18.—Any severely distressed pub-
15 lic housing demolished or disposed of pursuant to a
16 revitalization plan and any public housing developed
17 in lieu of such severely distressed housing shall be
18 subject to the provisions of section 18. To the extent
19 the provisions of section 18 conflict with or are du-
20 plicative of the provisions of this section, the provi-
21 sions of this section solely shall apply.

22 “(2) URA.—The Uniform Relocation and Real
23 Property Acquisition Policies Act of 1974 shall apply
24 to all relocation activities pursuant to a revitaliza-
25 tion plan under this section.”.

1 **SEC. 9. ANNUAL REPORT; AVAILABILITY OF DOCUMENTS.**

2 Subsection (u) of section 24, as so redesignated by
3 section 8(1) of this Act, is amended—

4 (1) by inserting after paragraph (3) the fol-
5 lowing new paragraph:

6 “(4) the extent to which public housing agen-
7 cies carrying out revitalization plans with grants
8 under this section have complied with the require-
9 ments under subsection (i) (relating to right to ex-
10 panded housing opportunities for resident house-
11 holds); and”;

12 (2) by adding at the end the following:

13 “To the extent not inconsistent with any other provisions
14 of law, the Secretary shall make publicly available through
15 a World Wide Web site of the Department of Housing and
16 Urban Development all documents of, or filed with, the
17 Department relating to the program under this section,
18 including applications, grant agreements, plans, budgets,
19 reports, and amendments to such documents; except that
20 in carrying out this sentence, the Secretary shall take such
21 actions as may be necessary to protect the privacy of any
22 residents and households displaced from public housing as
23 a result of a revitalization plan assisted under this sec-
24 tion.”.

1 **SEC. 10. DEFINITIONS.**

2 Subsection (s) of section 24, as so redesignated by
3 section 8(l) of this Act, is amended—

4 (1) in clauses (i) and (iii) of paragraph (1)(C),
5 by striking “program” each place such term appears
6 and inserting “plan”;

7 (2) in paragraph (3)—

8 (A) by striking “SUPPORTIVE” and insert-
9 ing “COMMUNITY AND SUPPORTIVE”;

10 (B) by inserting “community and” before
11 “supportive services”; and

12 (C) by inserting after “transportation,”
13 the following: “employment and vocational
14 counseling, financial counseling, life skills train-
15 ing,”;

16 (3) by redesignating paragraph (3) as para-
17 graph (5);

18 (4) by inserting after paragraph (2), the fol-
19 lowing new paragraph:

20 “(4) SIGNIFICANT AMENDMENT OR CHANGE.—

21 The term ‘significant’ means, with respect to an
22 amendment or change to a revitalization plan, that
23 the amendment or change—

24 “(A) changes the use of 10 percent or
25 more of the funds provided under the grant

1 made under this section for the plan from use
2 for one activity to use for another;

3 “(B) eliminates an activity that, notwith-
4 standing the change, would otherwise be carried
5 out under the plan; or

6 “(C) changes the scope, location, or bene-
7 ficiaries of the project carried out under the
8 plan.”;

9 (5) by redesignating paragraph (2) as para-
10 graph (3); and

11 (6) by inserting after paragraph (1) the fol-
12 lowing new paragraph:

13 “(2) COMPREHENSIVE RELOCATION ASSIST-
14 ANCE.—The term ‘comprehensive relocation assist-
15 ance’ means comprehensive assistance necessary to
16 relocate the members of a household, and includes
17 counseling, including counseling regarding housing
18 options and locations and use of tenant-based assist-
19 ance, case management services, assistance in locat-
20 ing a suitable residence, site tours, and other assist-
21 ance.”.

22 **SEC. 11. CONFORMING AMENDMENT.**

23 Paragraph (1) of section 24(f) is amended by striking
24 “programs” and inserting “plan”.

1 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

2 Subsection (v)(1) of section 24, as so redesignated
3 by section 8(1) of this Act, is amended by striking all that
4 follows “section” and inserting “\$800,000,000 for each of
5 fiscal years 2008 through 2015”.

6 **SEC. 13. EXTENSION OF PROGRAM.**

7 Subsection (w) of section 24, (as so redesignated by
8 section 8(1) of this Act) is amended by striking “Sep-
9 tember 30, 2006” and inserting “September 30, 2015”.

10 **SEC. 14. REVIEW.**

11 The Comptroller General of the United States shall—

12 (1) conduct a review of activities, actions, and
13 methods used in revitalization plans assisted under
14 section 24 of the United States Housing Act of 1937
15 to determine which may be transferable to other fed-
16 erally-assisted housing programs; and

17 (2) make recommendations to the Congress re-
18 garding the activities, actions, and methods reviewed
19 under paragraph (1) not later than September 30,
20 2010.

21 **SEC. 15. REGULATIONS.**

22 Section 24, as amended by the preceding provisions
23 of this Act, is further amended by adding at the end the
24 following new subsection:

25 “(x) REGULATIONS.—Not later than the expiration
26 of the 120-day period beginning on the date of the enact-

1 ment of the HOPE VI Improvement and Reauthorization
2 Act of 2007, the Secretary shall issue regulations to carry
3 out this section, including the amendments made by such
4 Act.”.

○